

Ian Pilling
Deputy Chief Constable

GREATER MANCHESTER
POLICE



14th September 2020

DCC Hanstock
BTP
Via email to Adrian.hanstock@btp.pnn.police.uk

Dear Adrian,

I am writing with regard to the issues relating to the primacy of events policing at the Manchester Arena.

As you will be aware, this appears to be a key issue for the Manchester Arena Inquiry. The matter has been subject to extensive comment in expert reports and received significant coverage in the opening statement of Counsel to Inquiry this past week.

The relevant section in the Police Experts' Report [INQ032363] is at paragraphs 14.3 – 14.6.3 which can be found at pages 260 – 272. The police experts regard primacy as an issue "worthy of closer exploration" by the inquiry and the five key paragraphs are as follows:

[14.4.5] *"The Arena is described as " ... one of the busiest venues in the world and the largest indoor arena in Europe". This means that policing of " ... one of the busiest venues in the world" is not the responsibility of one of the largest local police forces in England which surrounds the Arena (GMP). Instead it is policed by a transport police force (BTP) that is spread thinly over the entire UK and is commanded from London and Birmingham. BTP is a police force that specialises in the complex railway environment and not in the management of places of public entertainment."*

[14.4.6] *"This may appear to be a semantic difference. However, consider the reality of the situation on the ground. Any BTP officers deployed to the Victoria Station and the Arena are not routinely connected to GMP. They are not deployed or briefed by GMP. Generally speaking, BTP will have little knowledge of events in the centre of Manchester and conversely GMP will have little knowledge of events taking place in Victoria Station or the Arena."*

[14.4.12] *"We make the observation that one effect of Primacy in Manchester was that BTP at the Arena/station complex appear to operate in isolation; the focus appears to be inward rather than more broadly to integrate with wider policing in Manchester. This is illustrated by the management of radio communications at the Arena."*

[14.6.12] *"The deployment of largely parallel police agencies, between whom there was minimal contact and absence of joint planning, likely increased the risk to users of the Arena."*

[14.6.13] *"It is our view, in light of the events at the Manchester Arena, that it cannot continue to be appropriate for a specialist railway transport police force to have primacy over a major public entertainment venue. The Manchester Arena could be more effectively policed and public safety enhanced, by GMP so that planning, preparation and response are, exerted through a single police agency applying cohesive and comprehensive Integrated Emergency Management."*

The relevant conclusion can be found at paragraph 21.10 at page 366:

cont...../

cont.../

“For BTP to have operational primacy and responsibility for planning and command response to the Manchester Arena is not, in our view, appropriate. BTP are specialists in policing the high risks of a railway network and not places of mass public entertainment; nor does BTP have the short-term capacity to command or coordinate a major incident response of the scale needed for the Arena attack. We believe that primacy for places of major public entertainment, and which do not involve any railway risk, should rest with the local police force.”

The police expert addendum report, also has a number of references to primacy but the views expressed in the main report remain unaltered. For the avoidance of a doubt raised by one CP, at paragraphs 373 and 374 at page 88, the experts affirm that in their opinion, GMP should have primacy for the Arena only and not for Victoria Station as well:

“To be clear, we do not suggest that policing responsibility (primacy) for Victoria Station should be the responsibility of GMP. The BTP are the specialists in railway policing and we support their role in that regard without exception. Our opinion was confined to the police responsibility for the Arena as a major location of mass public entertainment.”

Clearly, the issue of primacy is commented on extensively by the experts who have a firm view it should fall to GMP. With both British Transport Police and Greater Manchester Police recognising the issues at play, our forces have been in dialogue regarding primacy. However, we are at the point now where we need to be absolutely clear about our position.

Consequently, I believe that it may be helpful to clarify the position of GMP to help inform your considerations. Such clarification may of course also be helpful to you and indeed either the GMP Chief Constable or myself when called to give evidence in the New Year.

There is no doubt that BTP currently have primacy for events policing at the Manchester Arena. This is notwithstanding the jurisdictional powers GMP officers have regardless of primacy issues.

The default position for incidents arising is that BTP will have primacy and will ordinarily take the lead. This is a combined consequence of legislation, Home Office Circular 25/2002, agreement and practice. My understanding is that BTP is responsible for policing all of Victoria Station and the Arena save for the tram platforms that terminate within the station which are the policing responsibility of GMP.

On the night of the attack, GMP had no policing presence at the Arena nor was one expected and the operation at the Ariana Grande concert venue was the sole responsibility of BTP.

These policing arrangements had always been carried out in good faith and I do not doubt that both forces acted as they did, intending to provide the best possible service to the public. However, it seems that with hindsight some working practices had the potential for confusion and certainly it seems with matters such as the ownership of contingency plans, some blurring of responsibilities had developed.

It seems clear and inevitable that the MAI will wish to investigate these arrangements. This was highlighted again by Counsel to the Inquiry in his opening statement earlier this week. Indeed my understanding is that Counsel to BTP and GMP agree that this is highly likely to come to pass. Ultimately I believe this may well be subject to a recommendation by the Inquiry Chairman.

My current understanding is that BTP is of the view that the primacy arrangements should remain as they are. Should this remain BTP's position, I am concerned that as the evidence is presented to the Inquiry, this position will come under increasing scrutiny with a high likelihood that senior police witnesses from BTP and GMP are likely to be asked for a view and to justify this position. For this reason we feel compelled to be clear on GMP's approach to this question.

In my experience, lines of command responsibility must always be clear, workable, sensible and effective. Whichever force has a policing responsibility for a particular event or venue, then its responsibility should either be absolute, involving no other policing agency, or if it is to be shared, then it must be clear, agreed and documented which is the lead agency, which is the supporting agency and what their respective responsibilities and roles shall be.

cont.../

cont.../

I therefore believe that if BTP is to retain primacy of the Arena, then it must do so for all policing purposes including, planning, general policing and contingency planning for whatever emergency might be anticipated. Clarity should be provided regarding when the assistance of GMP would be required and a detailed MOU in place regarding how this would take place, to avoid any confusion.

It would appear that prior to the Arena attack that the situation for ownership of some of these issues was not clear, in particular regarding the contingency plan and CTSA involvement and these particular areas require clarification for everyone's benefit.

For completeness the responsibility of BTP, if it was to remain as the lead force, would in our view include:

- Responsibility for all aspects of policing at the Arena;
- Ownership of all plans and contingency plans;
- The preparation of threat and risk assessments;
- The provision of CTSA and other relevant advice;
- Event planning and resourcing;
- Liaison with the venue owners and operators and other relevant agencies.; and
- Appropriate liaison with GMP and the documentation of a formal MOU.

Of course a second option is that the policing primacy for events moves to GMP as recommended by the experts and for the avoidance of doubt, having considered all of the relevant information, GMP are persuaded by these experts and the evidence as it has unfolded so far.

To be clear we now formally offer to take on the policing of the arena footprint to which, if you are agreeable, a similar though inverted MOU could be agreed.

I absolutely understand that there will be many issues to consider as part of this decision making process, some of which I will not be aware and I may not fully understand their complexity. Moreover, whichever option is chosen we appreciate that there will be considerable work to be completed quickly to ensure that effective arrangements are put into place.

Finally, we understand that there may have been some concern regarding the examination of this issue so close to the Inquiry's start. However, we believe that it is incumbent on us to develop this discussion now we have had the final report from the experts and CTI have made this issue so central in their opening. Naturally we would further wish to be collectively transparent with CTI on our ongoing discussions.

I look forward to your response and of course I am very happy to meet to discuss this in more detail in a meeting.

Yours sincerely



Ian Pilling
Deputy Chief Constable