

INSIGHT

Magazine of Merseyside Police Federation | www.merpolfed.org.uk

Looking after our members Some facts and figures

3490

members of Merseyside Police Federation

£325,000

has now been provided to local causes by our charity

2524

members of the Northwest Police Benevolent Fund

3004

members of the Group Insurance Scheme

180

members used the RedArc serious illness service for support

812

cases dealt with by federation staff at Green Lane

2530

members of Police Treatment Centres

2566

members of the St Georges Police Trust

1430

members of Police Credit Union on Merseyside

£1.1m

was recovered or awarded to our members in 2015

On average,
1 in 4

members used the services of their local Fed Rep in 2015

Members and retired members have

1993

motor policies with Police Mutual

Members and retired members have

1019

home policies with Police Mutual

160

members used services of Kinsella Clarke for financial assistance

200

members booked the Merseyside Police Federation cottages in Windermere

945

members supported by workplace reps in 2015

225

members attended Abensons Solicitors surgeries for services in relation to wills, power of attorney and family trusts, and 90% took action.

18,000

telephone calls received by Merseyside Police Fed in 2015

45

financial surgeries provided by Bob Norris, our recommended independent financial advisor

On average, each member called the Fed Office

5 times

in 2015

Ged Clarke and Simon Kirkham
of

kinsella
chartered accountants
clarke

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INSIGHT

Magazine of Merseyside Police Federation

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Insight is the magazine of Merseyside Police Federation. Its purpose is to keep our members informed on all that their Federation is involved in, to stimulate debate on relevant issues and promote member services. The views expressed in the magazine are those either of its component Boards, officers or representatives, unless otherwise stated. Contributions may be sent in confidence to the Editor, (who reserves the right to amend or edit all material as necessary, where possible with the consent of the contributor) at: Insight, Merseyside Police Federation, Malvern House, 13 Green Lane, Liverpool, L13 7DT. Federation telephone numbers: +44 (0) 151 777 7500-04 or +44 (0) 151 259 2535. Federation, Fax number: +44 (0) 151 228 0973.

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Important Information

In the event of arrest or interview, please consider the following points.

- It is in your interests to inform the Federation / Slater Gordon whatever the allegation. Your reps details are on page 32
- When you are given your rights we recommend you request Slater Gordon Solicitors who are Merseyside Police Federation retained solicitors.

They can be contacted 24 hour on:-

0800 908 977

Update from the Secretary

Tony Barton describes some proposals for a change in structure and voting for Reps for Merseyside Police Federation.



By **Tony Barton**,
Secretary Merseyside
Branch Board

As you will be aware the Independent Review of the Police Federation carried out by Sir David Normington recommended a number of changes on how the Police Federation is structured and how to carry out its elections, both nationally and locally. Here on Merseyside we have been reviewing our structure in line with the recommendations and also bearing in mind the new functional policing model to be adopted here on Merseyside.

As a Joint Branch Board we have discussed and debated the recommendations and have now developed a local structure that we believe is fit for purpose moving forward. The new look Board will be smaller in size but hopefully more responsive and representative to the members.

This article sets out how we will be structured and how the elections will take place to provide the membership with an understanding of how we will operate in the future. These changes will be implemented at the year end of 2016 moving into the first quarter 2017.

As the force moves towards a borderless patrol model and centralised functions, Merseyside Police Federation will reflect these changes in its own structure.

Currently the make of the Joint Branch

Board (JBB) is the 10-10-10 method. 10 Constables reps, 10 Sgts reps and 10 Inspectors reps. These reps then elect the five full time officials which are, Secretary, Dep Secretary, Chairman, Discipline Liaison Officer and Welfare and Support rep. The Normington proposals recommend that we move away from a rank based structure to one that is more reflective of the overall make-up of the Police Federation; meaning that proportionally, the Constables are the larger of the groups and representation should reflect this. However Normington also states that there should be rank protections within the system to ensure all ranks have a voice within the federation.

With this in mind we have decided locally to adopt a borderless approach to federation representation and one which we feel best reflects the numbers and ranks to be represented. We believe that reps should be elected on merit, not rank, and that in turn will improve confidence in our members when seeking federation assistance. Removing BCU and Departmental borders will allow reps from anywhere in the force to be more responsive and agile when being requested to represent members. Federation reps will then become a force resource and not a BCU resource and will remove any existing barriers to being able to represent any member from anywhere in the force.

The future make up the local Branch Board will consist of 20 workplace reps. 10 Constables, six Sgts and four Inspectors. These will form the Branch Council. These reps will then elect the Branch Board which consist of 10 reps.

As the force moves towards a borderless patrol model and centralised functions, Merseyside Police Federation will reflect these changes in its own structure

The Branch Board reps will in turn elect the Branch Board Secretary.

The Branch Chair will be nominated by the Branch Board but will be elected by the whole of the local membership. This will ensure the Chair has the mandate of the membership to act as the voice of the local Federation.

At the moment these are the proposals of Merseyside Police Federation which need to be signed off by the Chief Constable. By the time this article goes to press this may not have been done officially and may be subject to slight variation but we have a verbal undertaking from ACPO that our broad proposals will be signed off in due course.

Further details of how the elections will actually take place can be found on our website or by contacting the federation office.

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Amount of Credit	£14,196
48 Monthly Payments of	£209.50
Optional Final Payment	£7,254
Charge for Credit	£2,904.50
Total Amount Payable	£17,599.50
APR	6.9%

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£499
CUSTOMER
DEPOSIT

£209
A MONTH*



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1.4 16V
SRI 5DR

SAVE £3,900
Against list price

PCP finance example for
an Astra 1.4 16V SRI 5DR*

Vauxhall List Price	£17,895
Lookers Discounted Prices from	£13,995
Deposit	£299
Amount of Credit	£13,696
48 Monthly Payments of	£199.63
Optional Final Payment	£7,138
Charge for Credit	£2,819.91
Total Amount Payable	£16,814.91
Representative APR	6.9%

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*Offer subject to availability Personal Contract Purchase. Example based on 5,000 miles per annum. Excess mileage charges apply. Finance subject to status. Terms and Conditions apply. Applicants must be 18 years or over. Finance by Vauxhall Finance, PO Box 6666, Cardiff, CF15 7YT. At the end of the agreement there are three options: i) Retain the vehicle; Pay the optional final payment to own the vehicle; ii) Return the vehicle; or iii) Replace; Part Exchange the vehicle, where equity is available. Finance subject to status, terms and conditions apply. Applicants must be 18 years or over. Written quotations available upon request. We can introduce you to a limited number of finance providers, commission may be received.

Message from the Chairman

Recently I attended a reunion of World War two Bomber Command Aircrew at Leeds East Airport (If you've never heard of Leeds East - up till last year it was known as RAF Church Fenton).



By Peter Singleton,
Chairman
Merseyside Joint
Branch Board

My role was that of glorified chauffer taking Eric Evans, a local gentleman and ex-Lancaster rear gunner to the re-union, but once I'd safely deposited Eric with his ex-colleagues I was able to wander round talking to some of the other veterans.

The stories of their experiences were incredible, each veteran (including Eric) having a wealth of anecdotes and tales, many of them sounding more like the

 *...their experiences were incredible, each veteran (including Eric) having a wealth of anecdotes and tales, many of them sounding more like the stuff of fiction than fact.*



stuff of fiction than fact. For example – I got chatting to one veteran by the name of Bob and asked him what aircraft he flew and which was the best and most enjoyable. He stated (Predictably) that the Spitfire was the most fun, but he went on to say the one that saved his life was the Thunderbolt – a U.S. aircraft - that he crashed in flames into the jungles of Burma and then walked away with hardly a scratch.

I asked for more detail, and over the next hour Bob went through his war-time service and some of the activities he

ended up doing after leaving the RAF. It was just incredible stuff; the things Bob had done were things you'd expect from a Hollywood movie, and certainly the material for a number of best-selling books. My meagre few hundred words in this magazine, coupled with my limited ability to write with anything close to the literary skill his story deserves, could never do him justice, but I will list some of the highlights of Bob's experiences.

Wartime pilot in the Far East, (as I've said, crashing in flames into the jungle amongst other flying tales) He spent six



months on foot in the jungle, behind enemy lines, as part of the Chindits (the largest of the Allied Special Forces in WW2) where his job was to find suitable landing grounds for light aircraft so urgent supplies could be flown in, and then wounded personnel could be evacuated to hospital. Post war he ran an MI5 'safe house' in Switzerland for defecting Soviet officials, and then during the Falklands war he was given a false passport and sent to Chile to spy on the Argentinians from across the border. Oh and just to keep fit Bob played a bit of tennis, and was Wimbledon veterans singles champion over 10 times.

It was just a shame I couldn't have spent more time with Bob and his veteran colleagues, their stories were fascinating, and without exception, were told with modesty and self-depreciation, every one of them underplaying their role in whatever situation they were describing. What was more humbling was when they found out I was a serving Police Officer, they asked me about my experiences!

But since coming back from Church Fenton and getting on with my day job in the Federation, I realised that those veterans and serving cops have a number

“...don't underestimate the expertise you all have, and don't forget that not all the old practices are bad ones, there's still a lot to learn from the past.”

of similarities. To most of us doing it, police-work is just 'what we do', yes we occasionally have a bit of a story to tell, but generally it's not in our DNA to shout about it, and like the veterans, we are generally modest and reluctant to shout about what we do. But what you do, day in and day out, is fascinating and exciting to others. If you think it isn't - then why are there so many 'cop' TV programmes and films? Driving a vehicle with Blues and Twos is exhilarating, putting a door in for a raid is exciting, asking questions, examining CCTV, drilling down

and finding the evidence to convict a rapist or protect vulnerable people from fraudsters and predators is stimulating and rewarding. Let's be honest, giving bad people a hard time is just fun.

Yes there a hard days, and long days, and days when it isn't much fun, which are compounded by a government who doesn't understand or seemingly care for the greatest Police service in the world or the individuals who deliver it. We know there is still £20 million to find in savings from Merseyside Police's budget over the next three years and the hard times are not over yet. But like those veterans I spoke to, you all have stories to tell, and experiences that others only hear about or see on TV or film.

You also have knowledge and skills that you have gained through those experiences that are invaluable to helping provide the remarkable service you deliver. Change is coming in the way we work and the structure of the force. But don't underestimate the expertise you all have, and don't forget that not all the old practices are bad ones, there's still a lot to learn from the past.

Stay safe.

Ill Health – Some of the Facts and Processes Explained

Dave Sim explains and simplifies the H1 process.



By **Dave Sim**,
Deputy Secretary

Merseyside Police Federation wish to support our members whenever there is a question regarding their permanent disability from the ordinary duties of a police officer; this process can be lengthy and bureaucratic and therefore guidance should normally be sought. Merseyside Police Federation shares the aims of Merseyside Police in that whenever an officer is certificated as permanently disabled, they should be retained in service, in a role, which is commensurate with their disability. This role should be properly risk assessed and where appropriate all reasonable adjustments made to the officer's working environment; where this is not possible, the officer should be retired.

Below I have produced an overview of some of the more pertinent issues when considering medical pensions. This is for information purposes only and is not designed to arm officers with sufficient knowledge to represent themselves in the process.

The H1 Questions

The foundation for all medical appeals is the medical questions set out in Regulation H1. This is the first stage of the formal process, which deals with the question of whether an officer is permanently disabled from the ordinary duties of a police officer.

There are two main medical questions.

Whether the person concerned is disabled;

Whether the disablement is likely to be permanent;

The Regulation requires the Police to refer medical questions to a "Selected Medical Practitioner" ("SMP"). This doctor will not generally be the Force Medical Officer although it can be any medical practitioner chosen by the Force.

SMP Decision Under Regulation H1

Regulation H1 (4) provides that the SMP must make the decision in the form of a certificate on any of the medical questions referred to him/her.

The first question is whether the officer is disabled.

Regulation A12 provides that:

(2) "Subject to paragraph (3), disablement means inability, occasioned by infirmity of mind or body, to perform the ordinary duties of a male or female member of the Force, as the case may be."

"Ordinary duties" means all the duties which a police officer could ordinarily be called upon to perform, including patrol and confrontational duty, and should not be restricted to administrative or office based tasks.

The second question is whether this is permanent.

Regulation A12 provides that:

"A reference in these Regulations to a person being permanently disabled is to be taken as a reference to that person being disabled at the time when the question arises for decision and to that disablement being at that time likely to be permanent."

It is important to note, however, that what must be permanent is not the medical condition in question but the disablement — this can be important in psychological cases in particular. The medical evidence may indicate that once the officer leaves the Police, he or she will make a good recovery; however, he/she may never be able to go back to any police work because to do so would cause a relapse, in that situation the disablement is permanent but the medical condition is not.

Force Decision Under Regulation A20

If the SMP decides that an officer is permanently disabled, the force then complete a report under Regulation A20. The force should consider all the evidence before reaching a decision including but not limited to:

- Length of service still to serve/rank etc.
- SMP report on officers capabilities
- An assessment from the force as to whether or not the officer can be retained in the force
- Whether the officer wishes to remain in the force
- Whether the officer faces outstanding or impending misconduct proceedings

If retention is not practicable, the officer should be retired.

I believe that is imperative that if you think you might enter the ill health process that you contact your federation to get advice.

Merseyside Police Federation Charitable Trust Gets on its Bike - to Swiftly Donate to Local Primary School

Princes Primary School in Liverpool was burgled recently and sadly eight specialist bikes for the children were stolen.

Princes Primary caters for children with severe learning difficulties from the ages of four to eleven. Its aim is to provide exciting opportunities for children to learn in a safe and happy school setting.

The teachers believe the bikes that were stolen were/are invaluable in helping the children grow socially as well as academically and behaviourally.

So there was only one thing for it - to make a donation of £1,200 from the Merseyside Police Federation Charitable Trust to the School to help replace some of the stolen bikes.

Pictured is our Chairman Pete Singleton making the donation.

#ItsWhatWeDo

“...the bikes that were stolen were/are invaluable in helping the children grow socially as well as academically and behaviourally.**”**



Bespoke Wills, Lasting Power of Attorney and the Use of Trusts

This unique service which started in August 2015 is now firmly established in Green Lane with over 230 serving and retired officers and families taking the opportunity to tailor make plans to protect their future; indeed it is testament to its roaring success that many officers have referred family members and friends, all of whom have been impressed.



By **John Howell**,
Consultant Solicitor
at the Fed Office

Bespoke Wills, Power of Attorney and the use of a Family Trust have been discussed at the weekly surgeries at the federation offices. The diary fills up quickly as space is taken; just ask anyone who has attended!

Feedback is all positive with members and their families reporting that John Howell makes the meeting:

- Informative and Easy to Understand
- Honest and Frank
- Reflects Individual family needs
- Professional, Sensitive and Caring

Some identifiable members have commented:

“With reference to the above I took advantage of the scheme offered by the Federation in relation to the advice and services offered by Abensons Solicitors this e-mail and the attached letter of

appreciation is to acknowledge the assistance provided by the federation and Abensons Solicitors.”

Brian Burrows 8395 (Bugsy)

“I used the Wills Surgery and found the staff helpful and knowledgeable. I am now reassured that should the worst happen, my son will be taken care of and adequate provisions will be made for him”.

Christine Davies, Merseyside Police Federation Member

“I have recently used the services of Abensons Solicitors using the federation offices as the location for the first consultation.

My wife and I were greeted by a very pleasant and friendly Mr John Howell.

Mr Howell was professional courteous and had considerable knowledge in his field of law; he explained various options available to us and informed us of different legal avenues that we could use to assist us in later life.

We found the whole experience extremely

 *You have worked your whole life and acquired assets such as a house and savings. Often, these assets have taken decades to pay for yet, without proper planning; they can be taken from you in an instant.*

informative and helpful.

Mr Howell is a fine ambassador for his company and profession and I am pleased that the Federation and NARPO have availed of this service.

I would be grateful if you would kindly pass on these remarks to Mr Howell and his company.”

Willie Flanagan

Members also comment that because of the matters raised, they recommend the service to their immediate family and friends, in other words people who are a part of the members will.

Let us refresh what John Howell has to advise;

Here he discusses a common situation by way of explaining the importance of considering;

- Making or updating your Will
- Lasting Powers of Attorney
- Uses of a Family Trust

You have worked your whole life and acquired assets such as a house and savings. Often, these assets have taken decades to pay for yet, without proper planning; they can be taken from you in an instant.

Allow us to use Mr and Mrs Smith as an illustration;

Mr and Mrs Smith are a married couple with two children. They own their own house and have some modest savings. Mr and Mrs Smith are better than most because they have put in place Wills, which we all know we should do. Their Wills leave everything to each other and then once they have both died to their two children.

Should they be pleased with themselves?

No. They have done nothing other than repeat what the law dictates will happen in default of putting in place a Will; no wonder people don't get around to making Wills as, on many occasions, they are not important.

As we see it, they still have a number of potential problems:

1. Their Wills leave everything to each other. What if Mrs Smith dies and Mr Smith re-marries? Sadly there is not



a lawyer present at most marriage ceremonies but if there was he may say two things; (1) “Be careful, that is a legal contract you are signing saying what’s mine is yours” and (2) “This marriage automatically revokes all former Wills”. You may now see the problem. Mr Smith dies before his new wife and completely disinherits his two beloved children.

2. Let us assume there is no subsequent remarriage. However, Mr Smith requires long term care. His house will be used to fund his care like 50,000 homes each year (and increasing). Care home fees are often around £1000/week. Mr Smith is in care for a few years and, once again, the children's' inheritance has vanished

3. What if there is no subsequent remarriage and no care home? That is great and the children inherit the estate as planned. But then one of the children divorces, or goes bankrupt, or dies and their assets (now including Mr and Mrs Smith's estate) pass to their spouse who then remarries. Maybe one or more of the children have poor judgment with money, or are vulnerable and have issues with gambling or alcohol; once again there is potentially huge loss to the assets Mr and Mrs Smith built up during their lifetime resulting in both their children, and therefore their grandchildren, losing out. What if one of the children is in receipt of state benefits? They are certain to stop when they come into an inheritance

4. After death any person may issue a

claim against Mr and Mrs Smith's estate. They may not stand a chance of success but you can guarantee it will cause stress for Mr and Mrs Smith's children.

5. We have established that when Mr and Mrs Smith die, all things being well, their assets become their children's'. The children may already own a house and have some savings. When Mr and Mrs Smith's children die, the grandchildren have one huge inheritance tax bill to pay

6. Mr and Mrs Smith's Executors will need to obtain a Grant of Probate. This may be costly, stressful and time consuming.

7. Mr and Mrs Smith have not put in place Lasting Powers of Attorney. We live in an ageing population. 150,000 people each year have strokes and the incidence increases with age. If you are on your own and a stroke strikes then your family face some real problems. No one can access your bank accounts, no-one can pay your bills, no-one can sell your house. It is not just strokes... accident, old age, dementia all affect your ability and desire to make decisions for yourself.

If you haven't already, why don't you take control of these major issues by making an appointment to see John Howell at the weekly surgeries at Green Lane!

To arrange an initial free no obligation appointment with John Howell, please ring the Federation Office on 0151 259 2535.

You protect us. **We protect you.**

At Slater and Gordon, we understand that police work can be challenging and stressful, but with us by your side, dealing with legal issues needn't be.

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- Police pensions
- Wills, trusts and estates
- Defamation and privacy matters

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slatergordon.co.uk/police-law



Pensions on Divorce

Here at Slater and Gordon we often get asked a lot of questions from officers about their police pensions.



By **Georgina Chase**,
Senior Associate,
Slater and Gordon

Understandably officers are usually keen to protect their pensions.

When parties are going through a divorce a spouse will be entitled to know how much an officer's pension is worth. An officer can find this out by calling their pension administrators and requesting their cash equivalent transfer value. This is the total value of your pension at the date you make the request and the value that your pension would be given if you were able to transfer it to a new pension scheme. If your pension is in payment you would need to obtain a cash equivalent benefit statement instead.

Once the value of your pension is known we will then be in a position to consider what your spouse's claim is likely to be and how this claim can be settled. If your spouse has a pension then this will also need to be valued and taken into account when considering your spouse's claim against your pension.

 *The best advice we can give officers is to deal with their matrimonial finances including their pension when they separate.*



When the court is required to decide how parties' finances should be divided, statute sets out what the court has to consider. In addition to this, there are key principles in case law such as a party's needs (which can include housing needs and incomes), sharing and compensation.

Only once parties' needs have been met will the court consider contributions based arguments. For example, if an officer joined the police force in 1995, began cohabitating with their partner in 2005 and then married in 2006 should the pension which that officer accrued between 1995 and 2005 be excluded? This is a scenario which commonly arises for many of the officers which we represent; unfortunately there is not a simple answer to this question. Generally speaking, pensions are more likely to be a significant issue if the marriage

is long and if there are children of the marriage; pensions will be less important if the marriage is short, the parties are relatively young and there are no children.

If we can show that parties needs have been met and they have no genuine need for pension accrued outside of the relationship then we are more likely to be successful in protecting years of a pension accrued outside of the relationship. However, we cannot offer any guarantees with this approach and if the parties are older and the spouse has little or no pension provision of their own then these arguments are less likely to be successful.

The best advice we can give officers is to deal with their matrimonial finances including their pension when they separate. For example, I am currently acting for an officer who separated from his spouse 13 years ago but did not deal with his finances on separation. If the officer had dealt with his finances 13 years ago then the pension share which his spouse needed would have been a 14% share, however, 13 years on the pension share which his spouse is now looking at achieving is 32%.

We are currently trying to argue that his spouse's claim on his pension should be limited to the period of their relationship only, however, this was a long marriage and his spouse has little pension provision of her own which makes these arguments difficult to run.

If you require any advice on your finances please do not hesitate to contact Georgina on 0161 383 3653, alternatively she will be available at the Green Lane Federation office on the 22 July, 19 August, 2 September and 16 September.

New Member Service from Motor Source Group

Motor Source Group offers discounts on behalf of specialist customer groups to offer transparent, no quibble pricing and an extensive choice of brands for you to choose from.

Motor Source Group was established by Ex-Gulf war veteran, Steve Thornton; the business model is straightforward — by using an extensive list of industry contacts, Motor Source Group negotiate discounts with the main manufacturers on behalf of specialist customer groups.

Eligible customers must fit into these categories in order to qualify for the manufacturer's discounts – serving or ex-serving, Police, Prison, Fire and Rescue, Military, NHS and Teachers. By working directly on behalf of the

manufacturers Motor Source is able to offer transparent, no quibble pricing for all of the following brands – Audi, BMW, Citroen, DS, Ford, Honda, Hyundai, Lexus, Mercedes-Benz, Mini, Peugeot, Skoda, SEAT, Suzuki, Toyota, Volkswagen and Volvo. Certain manufacturers offer bigger discounts than others but the wide range of brands included offers the prospective buyer an extensive choice.

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Equality Update

A simplistic view of the Equality Act 2010 and how it may affect you (Part 1).



By **Rob Venables**,
Welfare, Support
and Equality Officer

The Equality Act 2010 came into force in October 2010 and made very significant changes to discrimination and equality protection. There are 218 Sections to the Act, 28 Schedules and copious amounts of case law; however, I will give you an overview of particularly significant sections of the Act in this series of articles.

Although Police Officers are not employees (and thus much employment legislation does not apply to them), the Equality Act expressly included Police Officers within its scope (Section 42).

Thus the Equality Act affords certain protections to Police Officers. Whilst many things in the Police can be perceived as unfair, in certain circumstances, that apparent unfairness can be potentially unlawful.

But who are these people who can potentially access this protection?

The Equality Act identifies nine protected characteristics which are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

The Act goes on to define each of those categories in some detail. Whilst I do

not have space here to give those in depth definitions, it is useful to look at some examples. Disability is defined as a physical or mental impairment and the impairment has a substantial, long term adverse effect on a person's ability to carry out normal day to day activities, (Note that the test is NOT day to day police activities).

Religion or belief also includes a lack of religion or belief, so it would potentially be unlawful to discriminate against an officer because of their religion, or because they did not have a religion. NB. Jedi Knight has been shown not to be a religion!

Sexual orientation is defined as a person's sexual orientation towards: a) persons of the same sex; b) persons of the opposite sex; c) persons of either sex.

Thus we can see there is potential for every Police Officer to come within the scope of the Equality Act 2010 during their service.

So what is the prohibited conduct? In this and the subsequent article I will focus on the prohibited conducts that we tend to come across in the Police service:

Direct Discrimination:

A person discriminates against another, if, because of a protected characteristic, they treat that person less favourably than they treat or would treat others. An example of direct discrimination in the workplace could be a Hindu officer not being afforded the same promotion opportunities as their non-Hindu colleagues despite having the same skills and experience.

Indirect Discrimination:

A person discriminates against another if they apply to them a provision, criterion

or practice (PCP) which is discriminatory in relation to a relevant protected characteristic. The PCP may appear to be a neutral condition of employment, but in effect it may put people from one group at a particular disadvantage compared to persons from another group – in which case it is discriminatory and thus unlawful unless the Force can show that the PCP is a proportionate means of achieving a legitimate aim.

An example of this could be the application of a fixed shift pattern to all officers with no opportunity for flexible working. The case of *Chew v Chief Constable of Avon and Somerset Police 2001* illustrates this point well – Mrs Chew was refused flexible working and was expected to work the same shift pattern as all other officers despite being a single parent and having no other means of support except infrequent assistance from her ex-husband and little commercial childcare (only available weekdays). The Force lost the subsequent Employment Tribunal which highlighted their failure to apply objective balance between the discriminatory effect of the condition applied on the officer and the reasonable needs of the force who applied the condition.

The College of Policing now provide assistance for those seeking, and those managing, flexible working. (www.college.police.uk/What-we-do/Support/Health-safety/Pages/Flexible-working.aspx) This stresses the importance of balance between the needs of the individual and the needs of the Force.

Part 2 will focus on harassment, victimisation and additional protections for officers with disabilities

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Group Insurance and Premium Bank Accounts

In recent years many banks have been offering premium bank accounts, which offer some very basic insurance products, often including motor breakdown, travel insurance, and home emergency cover.

The cost of a premium bank account is usually around £10.00 - £15.00 per month or more, and whilst they may work for some, if you are a Group Insurance member they really do not make financial sense.

Your Police Federation Group Insurance scheme already has the above cover in place, and if you compare the levels of cover through policy schedules and summaries, you will find that the cover offered by your Group Insurance is, in the overwhelming majority of cases, far more comprehensive than that through your premium bank account. With your Group Insurance scheme, you also have the major benefit that, should things go wrong and you have grounds to complain, you have an insurance broker who will be happy to assist you with that process.

Whilst the Group Insurance Scheme will cost more than a premium bank account, as well as the more comprehensive policies, the range of cover in the scheme is also much wider and provides a comprehensive package of insurance offering unbelievable value, compared to anything offered on the High Street or online!

In addition to the policies quoted above, your Group Insurance Scheme also has essential cover for life insurance and critical illness as outlined in your scheme booklet. These also include cover for child critical illness and a child death grant; nobody wants to consider the worst happening, but, of course, it can and does happen to somebody every day.

If that person is you, at least as a group insurance member you know that your family will have the financial support, because of your decision to take out that insurance during your service. Your life cover is written in trust and can therefore be paid to your beneficiaries quickly and free from inheritance tax. To assist this process, you should make sure your beneficiary details are up to date, and notify the Federation Office if there are changes to your family circumstances. There is also an option to increase the level of life cover at very competitive rates should your personal circumstances require this.

If you are diagnosed with a critical illness, you can claim payment 28 days after diagnosis or surgery. The payment can make a real difference and allow you to concentrate on getting better, without additional concerns and financial worries.

Another important cover in your group scheme, not available through a premium bank account, is half pay cover. This will pay a percentage of your salary if your pay is reduced through sickness absence, and can really make a difference to meeting important monthly outgoings; such as mortgage payments, should this happen.

There is also legal cover in your group insurance scheme, which dovetails with your Federation Subscriptions, to ensure that you will always have legal assistance should you require it on or off duty. As this is a bespoke product designed for police officers it includes

legal representation at gross misconduct hearings which would not be available in legal expenses products generally available through your bank account or on the high street.

In the event that you are permanently, totally disabled from any occupation, and require frequent attention to assist with daily living, the group insurance will make a payment. It also covers if you become infected with HIV/AIDS through an on-duty incident.

In addition to the above, benefits also include emergency dental treatment; Red Arc Care Service, temporary total disablement cover and hospital benefit which your Trustees have decided are important benefits, given the nature of our roles in law enforcement.

If you are already a group insurance member paying for a premium bank account, you will almost certainly be paying twice for some elements of insurance. Common sense dictates that you may want to consider changing to a non-fee account, and start saving money immediately.

If you are currently relying on your bank account insurance products, it makes sense to compare your bank policies with the cover in the Federation scheme, and see whether it makes financial sense to make the switch and join the scheme.

For further details, or to join the scheme, please contact the Federation Office.

Merseyside Police Federation Insurance Scheme

SCHEME BENEFITS with effect from 1st April 2016

Serving Member

Life insurance	£100,000	Hospitalisation benefit up to 5 nights	£50 per night
Terminal prognosis advance on life insurance	20% of sum insured	Accident/incident/emergency admission	£50 per night
Permanent total disablement (due to accident)	£100,000	Planned admission after first 3 nights	20% scale pay
Accidental loss of use benefit	£60,000	Sick pay benefit (when pay cut to half)	
Infection of HIV/AIDS on duty	£60,000	<i>up to 26 weeks, then a further 4 weeks</i>	
Temporary total disablement	£21 per week	<i>when on no pay</i>	
<i>(up to 104 weeks excluding first 7 days)</i>		Family travel policy	Worldwide
Critical illness	£10,000	Legal expenses including ID theft protection	Included
Child critical illness	£2,000	Emergency and injury dental benefit	Included
Child death grant	£2,000	Home emergency assistance	Included
Red Arc assistance	Member Only	Free financial advice with Kinsella Clarke	Included
		Motor breakdown cover	Member and partner

CALENDAR MONTHLY SUBSCRIPTION

Weeks of service 1-52

£28.95

£Nil

COHABITING PARTNER OF SERVING MEMBER

Life insurance
Terminal prognosis advance on life insurance
Critical illness
RedArc assistance for subscribing partner
RedArc Assistance for Children

£50,000
20% of sum insured
£5,000

CALENDAR MONTHLY SUBSCRIPTION

£6.65

The first 52 weeks of service are free of charge to both new Student Officer members and cohabiting partners.

The benefits arranged under this insurance trust are provided strictly under the terms of insurance policies taken out and owned by the trust. Copies of the policies are available to view at the Police Federation office. Subscription to the Trust entitles the member to the benefits provided by the Trust but confers no ownership of any of the underlying policies, which are vested in the trustees.

Where two members are cohabiting spouse/partners and both paying the full member subscription, a reduction for ONE member is available. This is due to the duplication of the family benefits of travel insurance, Red Arc assistance, motor breakdown and home emergency assistance. To apply for this discount, please contact the federation office.





Going through a divorce?

Call us before your ex does.



Amanda McAlister
Head of Family Law
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*Independent legal
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We've been working with the Police Federation for over fifty years – longer than any other law firm. No one understands better the unique pressures of police work, and how to protect your rights – especially your pension. If you're going through a divorce, our fixed fee packages start at **£350 plus VAT** and give you access to some of the country's best family lawyers.

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Going Through a Divorce? What About Your Will?

Going through a divorce can be incredibly stressful - there is a lot to consider and a great number of myths surrounding the process.



By James Beresford,
Head of Wills, Tax,
Trust and Probate,
Slater and Gordon

The most important legal aspect of a divorce is the financial settlement. Many people are under the mistaken belief that the divorce being finalised will bring an end to financial claims. It is only a court order made within divorce proceedings that brings an end to those claims.

A couple may agree between themselves how to divide their assets when they divorce, but if that agreement is not made into a court order, then the agreement is not binding. We are seeing many people who are now facing financial claims months or even years after they divorced.

One thing that should not be forgotten when getting divorced is your Will.

During divorce proceedings your existing Will is still valid and if you were to die during the divorce proceedings then its provision would take effect. In most cases your spouse is probably still named as the executor and main beneficiary and you are unlikely to want this to be the case anymore.



On the day the decree absolute is granted by the Court, your former spouse will not inherit anything from your Will even if he or she is still named as a beneficiary.

A Will is more than just distributing financial assets, it is about acknowledging those that matter to you, distributing your special possessions, and formally documenting your final wishes.

To avoid added stress and burden on your loved ones during a difficult time, it is important to make sure your estate is going to the people you want it to.

If you're undergoing a divorce, it is advisable to update your Will to make it appropriate to your new circumstances. Call us, on 0845 601 1908 or visit slatergordon.co.uk.

 *Many people are under the mistaken belief that the divorce being finalised will bring an end to financial claims. It is only a court order made within divorce proceedings that brings an end to those claims.*

The all Electric Nissan Leaf on Test

Paul Kinsella, the Business Manager at the Fed test drives the Nissan Leaf.



By Paul Kinsella,
Business and
Finance Manager

The Nissan Workplace Promotion Programme contacted us recently about holding an event to help educate employees about the electric side of driving. Most people, me included still have very limited knowledge and many questions about electric vehicles.

Nissan and Lookers (Nissan) Liverpool, kindly helped us in running an awareness day at Green Lane to demonstrate the all-electric Nissan Leaf to member's; several came along and sampled all electric driving for the first time.

As part of the deal, Lookers loaned us a vehicle for a few days and we agreed to review the vehicle for members via our member magazine. This is not a Clarkson-esque review by any means, just a short, sharp first impression of this all electric car.

The model loaned to us was a Nissan Leaf Tekna which was a top of the range specification for this model. This version has a 24kWh battery which has a 124 mile maximum range, and zero emission (zero tax). Nissan state the performance to be 0-60mph to be 11.5 seconds with a top speed of 89mph. As someone who commutes via a 40 mile round journey to work each day I initially thought this presented a challenge to me.

The vehicle came fully charged and away I went!



The almost total silence of the vehicle was the first thing I noticed. When I started the engine I waited for something to happen... but only total silence and a lit dashboard! It was similar to switching on a light. I forgot one important fact; the Leaf doesn't have an engine to speak of, when I lifted the bonnet I could only see a large battery and some brake pipes and a charging plug. The car is remarkably spacious. It looks quite a small car, but inside I was pleasantly surprised by the space. The boot is also particularly large which is hardly surprising when one realises there is no fuel tank, and this space is taken up by a particularly large boot.

Then I set off on my first journey.

Virtual silence and a Bose music system made for some very pleasant motoring, performance was very responsive indeed. This vehicle is very quick off the mark and instant torque delivery with no gears is incredibly smooth as well; in urban traffic conditions It was a very good drive indeed. At relatively low speeds, it is smooth, nippy and very responsive when needed, handling was about average for a car of this type, but it is effectively a family saloon.



Equipment and electrics are again very good, although this was a top of the range Tekna model. The gauge instantly shows you your remaining driving range so the relatively short maximum range should be well planned for. If you do get 'caught short', you can plug into one of the increasing numbers of public charge points and gain an 80 percent charge in just 30 minutes. You can as I did, just plug in at home. Nissan claims that this should only add around £260 to your yearly electricity bill – and charging overnight is often when electricity tariffs are at their cheapest.

I was very sceptical when I agreed to test the Leaf but it did win me over. Yes, you need a completely new approach to driving, and perhaps if you drive long distances frequently this is not the car for you, but Nissan claim 2p per mile running costs, and Lookers offer a £6,800 (on the Acenta model) member discount and the ability to buy one on PCP for £229 per month (see website for full details).

Would I buy one? I will be very interested when I next purchase. I would strongly recommend you test drive one; you might be as surprised as me.

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5 reasons why some insurers charge you more than you think

With some car insurance, the price quoted is rarely what you actually pay.

Here are the top 5 hidden extras that can bump up your premiums – and we're proud to say, that at Police Mutual we won't charge you for any of them.

If you're using price comparison websites, always make sure you check what you're paying for, as the price quoted initially doesn't always tell the full story.

Police Mutual is not on any comparison websites.

1

Charging you extra because you want to pay in monthly instalments

This one can make a significant difference to the price you pay. Some insurers will charge you as much as 26.9% on top of the price you've been quoted, just because you'd rather pay for your car insurance in monthly instalments.

Police Mutual car insurance
NO CHARGE

2

Charging you a fee just for setting up your policy

With some insurers, there's an additional admin charge to pay, which can be up to £28, just for setting up your new policy.

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How does your current car insurer compare?

We could save you money on your car insurance – an average of £115*

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Terms and conditions apply.

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Just take a look at this car insurance comparison table

Always make sure you check what you pay for, as just like a cheap flight the price quoted initially may rarely be the price that you actually pay

	APR for monthly premiums	Policy set up fee	Policy adjustment fee	Duplicate document fee	Cancellation fee
Police Mutual	No Charge	No Charge	No Charge	No Charge	No Charge
AA Insurance Service	26.9%	£28	£25	£25	£30
Direct Line	21.7%	No Charge	No Charge	No Charge	£47.70
LV=	24.9%	No Charge	£15	£15	£40
Saga	26.7%	No Charge	£25	£25	£50

All figures are based on making policy changes or requesting duplicate documents offline.
Details correct December 2015. Sourced from insurance provider policy documents and quotes obtained online.

3

Charging you to make changes to your policy

Some insurers charge you up to £25, on top of the price quoted, if you need to make simple changes to your policy, such as changing your car or moving house.

Police Mutual
car insurance
NO CHARGE

4

Charging you for duplicate policy documents

If you request duplicate documents from some insurers, they could charge you an admin fee of up to £25 just for sending them out to you.

Police Mutual
car insurance
NO CHARGE

5

Charging you for cancelling your policy

If you decide to cancel your policy for whatever reason, some insurers will charge you as much as £50.

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PMGI2243 0716

Witness or Suspect?

Sadly we have seen a number of cases recently which have resulted in officers involved in a police vehicle accident being subject to misconduct investigations and those cases being sent to the crown prosecution service for decisions as to charge or not.



By **Dave Lowe**,
Misconduct Lead
Merseyside Branch
Board

Even those which are deemed not in the public interest are normally then subject to misconduct proceedings. The forces are compelled to inform the IPCC of any death or serious injury accident involving a police vehicle. Be under no illusions this does not directly mean that a police vehicle is involved in the actual collision just that there was a police involvement.

It is imperative that if you are unfortunate enough to find yourself involved in an incident such as those described you seek advice from the Police Federation before giving any account. The question that needs to be asked is “are you a witness or a suspect”? The reality is you are a suspect.

There are many incidences around the country when officers have been involved in collisions resulting from pursuits or sadly involved in fatal accidents. The officer will normally inform the fed rep I’ve done nothing wrong, the bandit vehicle was lost and I came across the accident a few minutes later.

There was once a period of time when officers believed it was safe to begin a witness statement with the words “I make this statement on the understanding it will not be used against me in any subsequent criminal or misconduct investigation.” The reality is, this is nonsense and completely worthless. Anything an officer may say

can be used against you in either criminal or misconduct investigation.

Officers are often too eager to inform independent investigators that they have done nothing wrong, they have nothing to hide; the officer having just been involved in a pursuit driving at high speeds, possibly having resulted in a vehicle accident which the driver of the offending vehicle has been injured, just want to put pen to paper not having considered what he or she might be writing.

We often estimate the speed they were travelling at from our memory; we try and remember which emergency equipment was utilised. Did we activate everything at once or was it the headlight flash then blue lights? It’s difficult due to the way our minds work.

However, we can describe the speed for an investigation as that which is recorded on the electronic recording device the IDR system. This will also answer the emergency equipment question, your breaking and direction etc. The reason I highlight this is if you put precise details down before you have had sight of the IDR download then you may find yourself being questioned as to why the difference in speed is so great. One may even consider it an honesty and integrity issue which will need to be negated.

You are not being obstructive; you are protecting yourself from potentially a criminal charge. A person is to be regarded as driving dangerously for the purposes of sections 1 and 2 of the Road Traffic Act 1988 if the way they drive falls far below what would be expected of a competent and careful driver, and it would be obvious to a competent and

careful driver that driving in that way would be dangerous.

If you put almost any response run or pursuit into the above definition then the answer is yes it does. It does not state falls far below what would be expected of a competent and careful police trained driver.

In the case of Bannister 2009, three high court judges ruled ‘special skills and the training of police drivers are considered to be irrelevant, they must be disregarded in deciding whether or not the driving was dangerous.’ Was it dangerous for the careful and competent driver? Is the question, not was it dangerous for a police driver with special skills and training?

Would it be dangerous or careless for the careful and competent driver to drive the way you have been trained with blue lights and klaxons? When the question is asked; did it fall far below? Well, when you consider the training we have undergone and the speeds we are trained to do, then the answer is yes it did.

So remember when involved in an incident that results from a response run or pursuit there are NO exemptions to careless or dangerous driving, because you have been trained as a police driver. If in any doubt please seek guidance from the Federation.

We would always advise our members to act according to the law when discharging their police duty. As the law offers no protections for police officers engaged in police pursuits we would advise our members to be aware of this fact and act accordingly.

Policing by Degrees

The College of Policing are keen to recognise the role that Higher Education (HE) can play in the police professionalisation agenda; John Moores University look at some of the issues.

This may include Higher Education providers linking in with one or more forces to provide formal accreditation with apprenticeships, training, development or promotion. Government policy, the state of the economy and funding to first, second and third sector's adds impetus to those demanding change and policing reform in England and Wales.

Whilst the merits and aims associated with practice focussed degrees are discussed, some still question the need for accreditation, not just education, in policing and criminal justice. We should also take into account the funding gap. The shift of education, training and accreditation may transfer a cost from the organisation to the individual but who picks up the bill?

There is a broad acceptance that policing faces a series of challenges. Not only do we need to cut costs and reduce crime, we face threats to public safety and national security never dreamed of by the scriptwriters of Dixon of Dock Green. Those days have long passed us by, yet some members of the public still yearn for the return of Jack Warner.

Higher Education not only offers a route to academic qualification and accreditation, it offers research opportunities to underpin and develop policing strategies. There are policing academies in Lithuania, the Czech Republic, France, Spain and Italy that have gained university status.

The debate will continue around the requirement for potential police officers to have an academic degree. It is fair to say many serving officers don't think officers require a degree to be a

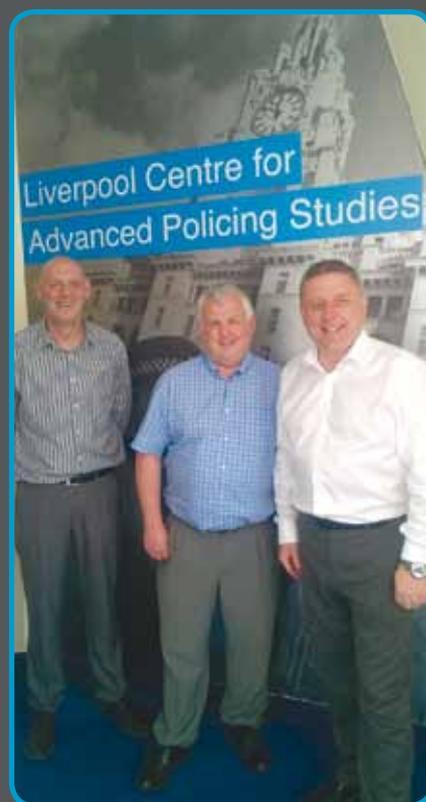
competent police officer. Officers with or without degrees, bring their own unique experiences to policing.

The College of Policing argue that undergraduate studies improve critical thinking. We must remember Police officers have been critical thinkers for many years, without being recognised for it. They operate within changing legal and social frameworks requiring them to analyse a variety of information make complex decisions and more often than not justify their reasons for doing so—looks like critical thinking in our book.

Unfortunately officers without degrees are unlikely to receive any formal recognition for these skills and abilities. The College of Policing is looking at several options to address this and accredit officers with formal qualifications recognising professional competence.

Whilst we wait for the College, another route is to consider part-time study at university. One option at Liverpool John Moores University is a part-time distance learning BA Hons in Policing Studies.

The advantage to serving officers is that they would be credited with prior learning recognising their professional knowledge and practice, which is equivalent to the first two years of a degree, allowing them to join the programme at Year 3, which is then completed over two academic years; this means two years, part-time study can potentially result in officers acquiring a degree, officially recognised within and beyond policing boundaries whilst also addressing Continuing Professional Development. This is a really good



opportunity for Merseyside Police officers to study in a flexible mode, with their local Higher Education institution.

You may not need a degree to become a competent Police Officer, but an external HE qualification goes some way to recognise the unique skills that Police Officers possess in their everyday working life, up to and beyond the point of retirement.

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One Step Backward

Two Steps Forward

There's been a lot of hand-wringing over the last few weeks, both on our side and, I'm pretty sure, on yours - all due to our IT upgrade and update.



By Nigel Rabbitts,
Chairman
Police Credit Union

First of all, let me apologise that the schedule didn't run exactly as planned - it was a formidable exercise to modernise our website and our secure members' areas - each with their own different new suppliers. Our overriding concern, with NO compromise, was to keep your data safe, and we fully achieved this.

I won't go into details here, but the period when online transactions were not possible, stretched further than expected. It was highly technical work and we were reliant on our suppliers getting it right first time. This clearly did not happen and again we apologise.

We've listened to all of your feedback and are confident that in the longer term the new platform will deliver an improved service with enhancements which will benefit everyone.

We do fully appreciate that the delays must have been worrying, frustrating, infuriating... because when you want to get at, or to start saving your money, you naturally want it to happen without delay.

Still worse, because we were offline longer, we experienced an unprecedented volume of calls, with our Branch and



Head Office staff fielding literally hundreds of calls as fast as they could, and working extended hours to cope.

It's not what you've come to expect from PCU, and you have a right to better service.

We hope to learn from this experience and we are investigating what went awry and whether it could have been avoided.

You've seen the modern look of the new site. You should now be able to handle internal transfers and do a lot more online. Next year, we plan to have a useful mobile phone app available to you. Our team at PCU are excited by the possibilities and we hope some of this

 We've listened to all of your feedback and are confident that in the longer term the new platform will deliver an improved service with enhancements which will benefit everyone.

will rub off on you when you next hit the keyboard.

Moving forward, if you have any questions about how to navigate around the site and use its features, please feel free to contact your local branch at Malvern House via liverpool@policecu.co.uk. If you have any complaints about what went on, please direct them to me personally at: nrabbitts@devon.polfed.org; I will do whatever I can to resolve the issue.

Thank you, sincerely, for your patience during this difficult period. I hope that the "two steps forward" that we have now achieved may go towards compensating for the "one step backward".

Can You Help?

Merseyside Black & Asian Police Association (MBPA) are working with the African Caribbean Leukaemia Trust (ACLT).

Every 20 minutes, someone in the UK is diagnosed with a blood cancer like leukaemia; that's over 70 people a day, and sadly, many of these are children. Replacing their cancerous blood cells through a donation of new stem cells from a healthy matching donor can be a lifesaving treatment option for many of these patients. Sadly, less than half of the people in the UK diagnosed with a blood cancer find a suitable donor. Finding a person with the same tissue match is extremely rare, making the chances of finding a match a bit like winning the lottery.

Finding a donor match is **Race Specific**, white to white, black to black. The number of black and other ethnic minorities on the register is disproportionately low. There are 30 times more white people on the register than black and other ethnic minorities. This means that those from an ethnic background only have a 20% chance of finding a match.

 **MBPA & the ACLT**

recognise how important it is for black and other racial minorities to take note. Only we can come to our own rescue, we need to join the register!

The ACLT was founded in 1996 by Beverley De-Gale and Orin Lewis, three years after receiving the devastating news that their six year old son Daniel De-Gale needed a stem cell transplant in order to win his battle against acute leukaemia. After several years Daniel found his match. Sadly, in October 2008 Daniel died at the age of 21 as a result of multiple organ failure. This was due to complications with his health having waited so long for a donor match. Bev and Orin didn't drop the baton; they kept running, striving to increase the number of ethnic minorities on the bone marrow, blood and organ donor registers.

The process of donating stem cells is done one of two ways; 90% of donors will have their stem cells taken from their blood, so donating is very similar to giving blood, quick, easy, and pain free!

10% of donors will have the stem cells taken from their hip, under a general anaesthetic. Some equate any discomfort felt to the day after a good session in the gym. Your stem cells then go off to potentially save a person's life; well worth the minor discomfort.

Four year old Tommy was diagnosed with Leukaemia in January 2016. His father is white British; his mother is black British, of Caribbean heritage.

When Tommy grows up he wants to be a firefighter like his daddy. Tommy needs a white, black or mixed race donor match right now in order to save his life. Could you be his match?

So what can you do?

Registration is open to **everyone**, regardless of race or ethnicity.



Donor kits (cheek swab) can be sent out in the internal mail with full instructions, and can be returned the same way.

The main exclusions for donation are:

- Under 17 or over 55
- BMI over 40, or weigh under 7 stone.
- Being registered before with any other Bone Marrow Registers, including Anthony Nolan, or the NHS BBMR (when giving blood). Thank you, you are already registered!
- Specific health concerns may deem you unsuitable to donate (i.e. heart or lung disease, cancer). Please email me for details if you have any.

MBPA & the ACLT recognise how important it is for black and other racial minorities to take note. Only we can come to our own rescue, we need to join the register!

Any questions, queries, myths or taboos please email me and ask.
Thank you kindly.

By Jade Wright
email: Jade.L.Wright@merseyside.police.uk



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