

**Unite the Union Response to the
Department for Business, Energy &
Industrial Strategy Consultation entitled
Civil Nuclear Constabulary:
Service Expansion and Diversification**



1 Introduction

1.1 This submission is made by Unite, the UK's largest trade union with over 1.4 million members across all sectors of the economy including manufacturing, financial services, transport, food and agriculture, construction, energy and utilities, information technology, service industries, health, local government and the not for profit sector. Unite also organises in the community, enabling those who are not in employment to be part of our union. This response is sent on behalf of our members who work at the nuclear power station and decommissioning sites around the UK.

2 Consultation Questions

(a) Expanding Civil Nuclear Constabulary services beyond the civil nuclear sector

1. Do you agree with the proposal to allow the CNC to carry out a wider range of activities to protect critical national infrastructure sites? Please explain your views.

2.1 Unite is concerned that the changes could diminish the number of CNC personnel protecting each of the nuclear assets sites if there are not enough members of the Constabulary if there are difficulties obtaining and training individuals who can meet the stringent criteria for the correct mind-set.

2.2 Unite understands that following the events of 11th September 2001, CNC officers were once deployed to help other forces, during a period of heightened alert, to the threat of terrorism, but doing so required the replacement of CNC forces with members of the Territorial Army (TA). Whilst this decision to replace CNC with TA avoided the need to deploy the military on the streets, Unite is concerned that such a move could be used as an excuse to reduce the number of firearm trained police available to forces at short notice and the more frequent use of CNC officers and staff when there is no national emergency.

2. Do you think there is scope for the CNC to support different types of policing functions in addition to armed policing? Please explain your views.

2.3 Unite believes that the role of the CNC is to guard civil nuclear sites and hence will be over qualified to deal with interactions with the general public without their weapon. If the CNC are to be redeployed without expanding the size of the Constabulary, Unite is concerned that the force will be depleted placing at risk the coverage for the CNC's key role. Unite therefore believes that CNC personnel should only be deployed in the case of a national emergency that would avoid the need for TA to conduct patrols on UK Streets.

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3. Are there any other sites or services that you feel the CNC should be empowered to support? If so, please give details and any supporting evidence.

2.4 Unite believes that the CNC should not be redeployed to guard train stations, airports football stadiums and the like unless there is a time of heightened security concerns even if these soft targets are easier to disrupt than the organisation required to breach security at a nuclear facility. Unite believe that the policing needs of regional forces should be augmented first so that there is a far more rapid deployment if such deployment is required.

4. Do you agree that the proposal will adequately ensure that protection of civil nuclear sites and materials remains the primary function of the CNC? If not, what additional provisions would be needed?

2.5 Unite strongly agree that the core responsibilities of the CNC should guarding the UK nuclear facilities. Unite feels that only if there is the capacity for the redeployment of CNC officers without depleting in any way the number needed at every core nuclear safeguarding location.

5. Are there any other risks you believe we should be aware of should the CNC pursue service expansion?

2.6 Unite is always aware that the uniform and duties can attract individuals with the wrong mind-set and attitude to the role. Unite believe that if the CNC is to return to levels not seen in years and beyond that a thorough psychological review is undertaken of each candidate. Unite does not wish to see an individual take their role lightly and discharge their weapon for fun which we are aware has happened at least once.

(b) Enabling the Civil Nuclear Constabulary to provide support more easily to other police forces

6. Do you agree with the proposed approach to enable the CNC to provide 'special demand' assistance to territorial forces, in line with British Transport Police and Ministry of Defence Police powers? If not, please detail why.

2.7 Unite believe that under article 24 of the Police Act 1996 that it is already possible for a chief officer of any police of any police force, under subsection 1) "may apply to the chief officer of police of any other police force, provide constables or other assistance for the purpose of enabling the other force to meet any special demand on its resources". It is also within the power of the Secretary of State, under subsection 2), to "direct the chief officer of police of any police force to provide such constables or other assistance for that purpose as may be specified in the direction". This provision applies equally to officers and civilian staff.

2.8 As such "special duties" can include anything from terrorism, riot control, public demonstrations as well as events like a major international sporting event or pop concert, the need to weaken the forces manning the defence of nuclear materials would clearly depend on the nature of the special duty. Unite does not believe it would be prudent for example to weaken the defences of a nuclear facility to provide

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additional traffic control and a visible presence at a trade union protest for example. Unite believes that the damage to life and property that could be realised by exploding a dirty bomb covered in even medium level radioactive materials, in an highly populated area, would cause the desired impact for a terrorist organisation who wanted to highlight their cause. Therefore any reduction in policing numbers guarding these materials for some trivial event would clearly be a gross dereliction of the duty to protect the population at large.

2.9 Unite would not expect the Secretary of State to call in commandos, SBS, or SAS personnel to help out either and believes that the use of the CNC are in this regard the last line of defence that should be weakened.

7. Do you foresee any non-legislative means to effectively achieve the policy outcome? What other options could be pursued?

2.10 Unite believe that the legislation is already in place for the chief officer of police of any other police force on request or the Secretary of State the power to demand the reallocation of personnel and resources. The question should be one of should the CNC be exempt from this legislation or not. If not then what measures would be in place to protect the radioactive materials or facilities whilst they are away and if there are forces that could be provided to cover why are they not provided to perform the 'special duties'.

2.11 Given that this is already legislation, Unite would like to be the party responsible for placing the UK's stockpile of radioactive waste and active nuclear power generation facilities to be stolen or ownership be taken over by hostile forces.

8. What impacts, if any, do you believe these proposals would have on local police forces in England and Wales, Scotland and Northern Ireland?

2.12 If the officers and personnel of the CNC can be called upon to provide local policing then equally the local police force work security at a nuclear facility. Unite believes that this would be a major breach of security and should never occur unless it they were used to disperse a protest at the facility that placed the security of the facility at risk.

(c) General questions

9. Do you believe that there are financial considerations we should explore as part of the proposals? If so, please give details.

2.13 Unite believes that the cost to the receiving police force for the use of the CNC personnel should be prohibitively expensive so that such a request for the use of CNC officers to augment another police force should only be considered as a last resort.

10. Do you think that the proposals to expand the CNC's powers will result in additional regulatory burden? Please explain your response.

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2.14 Unite does not believe there would be an additional regulatory burden only a logistical one in calling on the services of the army every time a CNC officer is redeployed to ensure the level of coverage is not diminished.

11. Do you see other opportunities for the CNC to diversify, making best use of their existing specialist knowledge and training facilities? If so, please give details.

2.15 Unite can only see merit in the CNC providing a practical experience to the members of other forces, so that they may learn some of the skills acquired by the CNC at a practical demonstration and training facility. A defueled station that is ready for demolition may be such a location. Training with other forces should help reignite mussel memory and enhance skills that should stop officers skills from getting rusty.

2.16 Unite believe, that as before, any activity which reduces the level of security coverage the CNC provide should be avoided.

12. If the CNC expand to other areas, how may its existing governance framework need to be reformed?

2.17 Due to the additional demands that would be placed on the Army to provide cover, Unite is against expanding into other areas. As such Unite believe that none of the existing governance frameworks need amendment.

13. Are there any other aspects of these proposals on which you would like to comment?

2.18 Unite does not wish to comment further.

3 Conclusion

3.1 As stated repeatedly Unite believe that the strength of the CNC is its knowledge of the nuclear facilities which it guards and of the faces of those regular visitors and routines. From this the CNC personnel obtained a heightened level of observation to where something feels amiss. This familiarity with the surroundings is not something quickly learned by a member of the TA or regular armed forces and hence replacing CNC personnel on loan to other forces reduces the security of nuclear facilities often at a time when the reverse is needed. This is why throughout this response Unite is opposed to any increased use of the CNC officers or staff to deal with more trivial matters.

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