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# **THE ROLE OF THE UKAEA CONSTABULARY IN THE UK'S NUCLEAR SECURITY REGIME**

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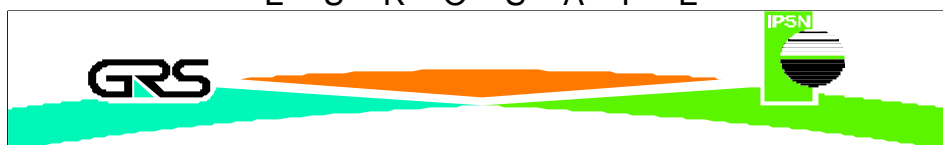
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Effective security regulation of the civil nuclear industry is essential to combat terrorist and proliferation threats to which the civil nuclear industry is exposed. The UK's security regulator requires operators to ensure their sites are properly protected. The UKAEA Constabulary, which polices the UK's nuclear installations except for nuclear power stations, plays a vital role in the UK's nuclear security regime, by providing an on-site armed response capability. The Constabulary's jurisdiction is set out, as is its functions at nuclear sites. The current governance arrangements are described, as well as proposals to make changes to these and the status of the Constabulary



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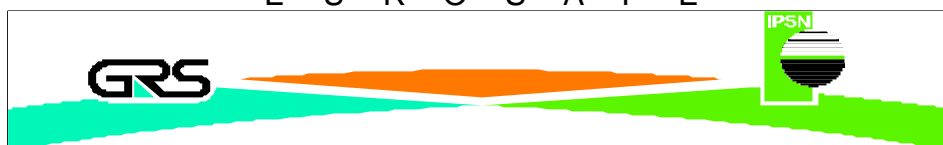
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### 1. NUCLEAR SECURITY

1.1 Effective security regulation is vital to combat the terrorist and proliferation threats to which the civil nuclear industry is exposed. The need for such regulation was heavily underlined by the events of 11 September. The UK government, through its regulator, the DTI's Office for Civil Nuclear Security – OCNS – is determined to ensure that the UK's regulatory regime remains effective and robust. OCNS is the UK's designated competent national authority for civil nuclear security under various treaties and conventions – for example, the Convention on the Physical Security of Nuclear Material. OCNS works closely with the UK Health and Safety Executive's Nuclear Installations Inspectorate (the safety regulator) and with other EUROSAFE member bodies such as IRSN, Ski and GRS.

1.2 The UK's civil nuclear security regulatory regime seeks to counter the risks of sabotage of nuclear sites and theft of nuclear material by requiring operators to ensure that their sites are properly protected. The security regime is in the process of evolving from specific requirements set by the regulator that the site licensees regarded as a checklist of standards to meet to a more mature, objective-setting regime where licensees are invited to consider the appropriate mix of physical barriers and guarding or policing required to achieve an overall security package. This would, of course, be subject to close scrutiny by the Regulator and will require the Regulator's approval. In the meantime, the Director of Civil Nuclear Security specifies the guarding and policing arrangements.

1.3 For historical reasons, nuclear power stations are guarded by company guards. Other civil nuclear sites, including the most sensitive, are protected by the United Kingdom Atomic Energy Authority Constabulary which provides an armed response capability against terrorist attack. The Constabulary protects the sites Sellafield,



Dounreay, Chapelcross, Harwell, Capenhurst, Springfields and Winfrith – and escorts sensitive nuclear material in the course of transport, in line with INFCIRC/225 and the UK's international obligations.

## 2. UKAEA CONSTABULARY

2.1 The Constabulary was established under the Atomic Energy Authority Act 1954 with a statutory remit to protect nuclear material on specified sites and currently forms part of the United Kingdom Atomic Energy Authority - UKAEA. In order to maintain an armed response capability at civil nuclear sites, UK law specifies that either a military unit or a police force must provide this capability. Company security guards are not permitted to bear arms in the course of their work.

2.2 It is for this reason that a police force is deployed at civil nuclear sites, where the armed response time is required to be very short. Local police forces simply do not have the capacity to keep officers on-site to provide an armed response within the timeframe specified by the Regulator.

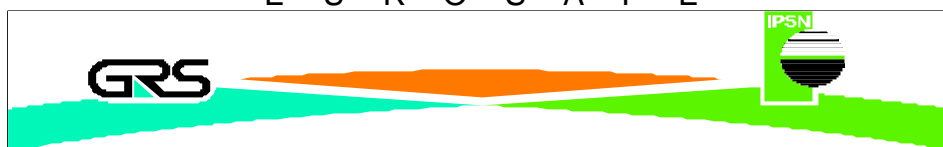
2.3 The UKAEA Constabulary is now about 570 strong and fully funded by the nuclear site licensees whose sites it polices. Constabulary officers are trained to the highest standards set by the Home Office and Scottish police forces, including advanced training in the use of firearms, dogs and marine activities. It is represented on the terrorism, firearms and marine committees of the UK's Association of Chief Police Officers. It is subject to regular inspections by Her Majesty's Inspectorate of Constabulary.

2.4 The Constabulary is a core component of the nuclear security regulatory framework, supervised by OCNS and it works within security parameters set by the DCNS.

## 3. JURISDICTION

3.1 Whilst historically the Constabulary had police powers on certain sites and in relation to material in transit under the ownership of certain organisations, it was felt to be anachronistic in an era which may see a change of ownership of sites. We did not want to see the management of a site change hands and the Constabulary to lose the ability to continue to police the site on the grounds that their powers did not extend to the new ownership. In addition, the lack of powers to deploy at nuclear power stations restricted the Regulator's flexibility. We therefore used the vehicle of recent Anti-terrorist legislation, introduced following the events of 11 September last year to modernise the powers of the Constabulary. Following the new legislation, the Constabulary have the powers and privileges (and are liable to the duties and responsibilities) of a constable:

- at any licensed nuclear site and we have made an order that excludes defence sites on the grounds that the Ministry of Defence have their own dedicated police force – the Ministry of Defence Police



- anywhere within 5 km of a licensed nuclear site
- to escort nuclear material regardless of who owns it
- at transshipment points or storage points incidental to carriage. This enables the preparation of airports, ports, stations and transport inter-change points in advance of the arrival of the nuclear material.

3.2 Although the Constabulary now have powers to police nuclear power stations, this does not currently happen. The armed response is provided at nuclear power stations by local police forces. However, the powers provide the ability to deploy Constabulary officers at power stations should the regulator consider that it is warranted, on the grounds of a heightened threat.

## 4. Functions

### 4.1 Armed Response

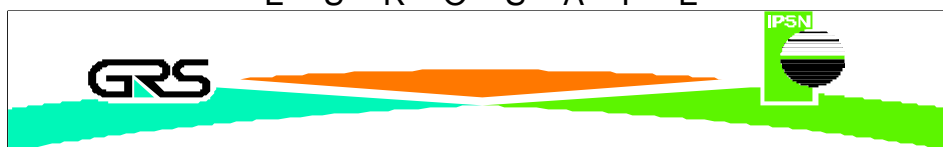
4.1.1 The Constabulary's main function is to provide an armed counter-terrorist response capability at the civil nuclear sites at which they are deployed in the event of a terrorist attack. Authorised firearms officers and armed response vehicles are routinely deployed on the sites. Armed response vehicle crews carry out a patrolling and deterrent function and are capable of immediate armed deployment should this be necessary.

### 4.2 Patrols

4.2.1 Constabulary detachments at sites also provide perimeter and internal patrols, including dog patrols, and a police presence at all open perimeter gates and at certain designated sensitive buildings and areas inside sites. Officers are trained to high standards in searching. Dog operations are a key priority in Constabulary policing activities and do teams are deployed at all operational units. In the aftermath of 11 September, the explosive "sniffer" dogs have become more involved than ever in operational search duties, not only at nuclear site entrances but also at Barrow port near Sellafield and at Scrabster near Dounreay, through which nuclear material is imported and exported..

### 4.3 Public Order

4.3.1 Unarmed Constabulary police officers guarding the periphery of civil nuclear sites are generally able to deal with any minor public order incidents involving anti-nuclear demonstrators without having to wait for assistance from county forces, or risk involvement by armed officers. However, this is not their primary function and a demonstration known about in advance would usually be policed outside the fence by the local police force.



#### **4.4 Crime**

4.4.1 The Constabulary also has a general crime function. The majority of crime committed on nuclear sites is opportunistic. All reported crimes are fully investigated by uniformed officers with support being provided by Detectives of the Intelligence and Crime Support Unit. Staff working inside licensed nuclear sites are subject to security clearance procedures by the Office for Civil Nuclear Security. It is important that all crime reports are investigated thoroughly to ensure that individuals with access who cannot be trusted or with criminal associates are identified and appropriate action taken to review their security clearance.

#### **4.5 Intelligence**

4.5.1 The Constabulary also maintains close intelligence links with other police forces, pooling intelligence with the regulator obtained from other national sources. Effective liaison with other police forces and agencies is crucial. The heightened alert state following the 11 September events has confirmed this important role of intelligence analysis, development and dissemination. A UKAEA Constabulary officer is seconded to Scotland Yard.

#### **4.6 Armed Escorts**

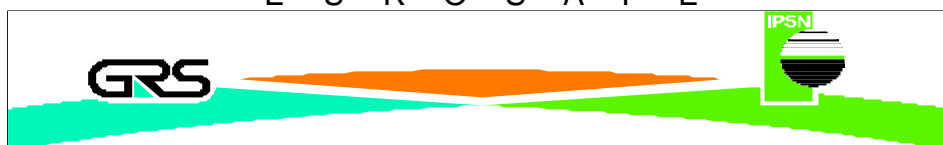
4.6.1 The Constabulary is also tasked by OCNS to provide armed escorts for sensitive nuclear material when being transported, in accordance with the Convention on the Physical Protection of Nuclear Material. The Constabulary escorts nuclear materials in the UK, Europe and internationally by road, rail and sea. The Constabulary has most recently escorted the return from Japan to the UK of the Takahama fuel. The UKAEAC Marine Escort Group undergoes extensive training with the Royal Navy and the Northumbria Police International Marine and Diving School.

#### **4.7 Determining police numbers**

4.7.1 The Director of Civil Nuclear Security determines the number and tasking of police officers and their functions on sites. To assist him in reaching conclusions on the numbers and tasks, he has established an advisory body – the Standing Committee on Police Establishments or SCOPE. This body consists of representatives of the licensees, senior Constabulary officers and the police adviser to the police authority. SCOPE reviews police numbers, practices and operator requirements on a regular basis so as to inform the Regulator's decision on minimum police numbers on each site.

### **5. Exercises**

5.1 In line with international good practice, the Constabulary stages an annual programme of tactical exercises to ensure that it keeps its operational edge. The programme tests the efficiency and effectiveness of the Constabulary in a series of



“live” and “desktop” activities. The programme is designed to test three areas of expertise:

- the Constabulary’s Counter Terrorist Contingency Plans;
- officers’ knowledge of those plans; and
- the Constabulary’s ability to implement the plans.

5.2 In essence, the exercises are designed to test the Constabulary’s response capabilities under various possible scenarios, including simulated terrorist attack. Exercises are conducted with the full participation of site licensees, the regulator, the local Home Office or Scottish Police Forces and other stakeholders.

## 6. GOVERNANCE ARRANGEMENTS

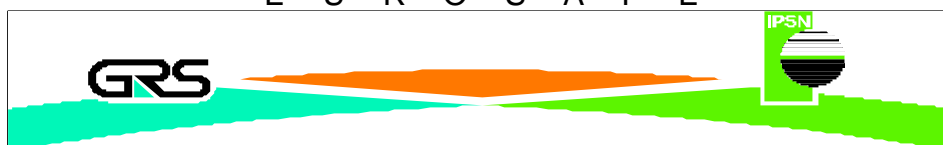
6.1 The Constabulary is currently overseen by a non-statutory police authority established by the UKAEA. It is composed of representatives of the site licensees involved, the DCNS, an expert police adviser and another representative from DTI.

6.2 The key responsibilities of the police authority are to:

- Secure the maintenance of an efficient and effective police force
- Publish an annual policing plan
- Determine and monitor annual objectives
- Set the budget
- Appoint the Chief Constable and Deputy Chief Constable
- Require the Chief Constable to report to them on any matter
- Deal with complaints against Chief Police Officers
- Maintain an oversight of the Constabulary’s complaints procedure

## 7. UKAEA CONSTABULARY: THE FUTURE

7.1 The events of 11 September 2001 underlined the seriousness and unpredictability of the terrorist threat, and consequent need for a specialist, armed police force familiar with the complex environment inside nuclear sites and able to provide an immediate response. The Government is committed to maintaining the operational efficiency and effectiveness of the Constabulary and to ensuring that it operates within a modern framework of accountability consistent with that which applies to police forces generally.



7.2 In “Managing the Nuclear Legacy – a strategy for action”, a government White Paper published in the summer, the Government set out its intention to separate the Constabulary from UKAEA and reconstitute it as a standalone force in order to make it independent of the nuclear industry. We also propose to improve its governance arrangements through establishing a statutory police authority with an independent element, to strengthen accountability and transparency.

7.3 The key objectives of the proposed changes are:

- to ensure the continued efficient and effective operation of the Constabulary, and in particular the effective discharge of its security role, in line with the security standards and objectives set by the Director of Civil Nuclear Security;
- to provide improved governance for the force through a statutory Police Authority accountable to the Secretary of State;
- to provide increased openness and transparency. This will be achieved both by legislative means, e.g. through a statutory requirement for both the Police Authority and Chief Constable to publish annual reports, putting current practice on a statutory basis, and administratively, through holding a number of Police Authority meetings on an open basis; and
- to provide a statutory framework appropriate to the needs of a modern police force.

7.4 As a result of these changes, the Constabulary will be better placed to continue to make its unique contribution to the security of civil nuclear sites.

## **8. CONCLUSION**

8.1 The UKAEA Constabulary plays a key role in the UK’s nuclear security regime and will continue to do so as a standalone force.