



HM Government
of Gibraltar

WP01/2026

White Paper on the Reform of the Governance of the Royal Gibraltar Police

To be laid in Parliament
By Command of His Majesty
26 October 2026

Comments on this White Paper should be:

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by no later than **8 November 2026**.

Reform of the Governance of the Royal Gibraltar Police

Context

Currently, Policing in Gibraltar is governed by the 2006 Constitution and the Police Act 2006, dividing responsibilities between the Governor, the Gibraltar Police Authority (GPA) and His Majesty's Government of Gibraltar (HMGOG). The Governor is constitutionally responsible for internal security, including the police and retains responsibilities relating to the integrity, probity and independence of policing. The GPA has broad statutory functions, including responsibility for an efficient and effective police force, planning, community consultation and complaints. HMGOG provides resources and has a statutory accountability role outside national security but its practical role is not clearly defined. This distribution creates a mismatch: the Governor is unelected; the GPA is an independent volunteer body with limited capacity; and HMGOG is democratically accountable and funds the Royal Gibraltar Police (RGP) but HMGOG's relationship with the RGP is unclear. The McGrail Inquiry highlighted blurred responsibilities; informal and un-documented engagement; weaknesses in the handling of complaints concerning a Commissioner; the need for procedures to manage conflicts of interest; and the importance of a properly supported and independent GPA. It recommended governance that is clearer, more transparent and better recorded.

Lord Denning's principles and the Patten Report's treatment of operational responsibility provide useful guidance that the protection of police operations from improper political interference is fundamental. More recent advice from His Majesty's Inspector of Constabulary, Fire and Rescue Services (HMICFRS) recommends governance of the police is best conducted by those who are democratically elected and accountable to the public. The Steering Group has analysed all the issues and has now defined the boundaries between democratic governance, the legal and regulatory framework, operational policing and effective scrutiny.

Outline

This White Paper sets out the Steering Group's conclusions on a revised governance model for the RGP, drawn up after wide-ranging consultation. The UK, Crown Dependencies and other comparable Commonwealth jurisdictions offer useful principles and practical experience. Gibraltar has its own Constitution, parliament and government and therefore Gibraltar will legislate for its circumstances, rather than importing from the UK or elsewhere. No single external model should be treated as a template for Gibraltar and instead, we have drawn on a range of best practice. The work has included the implementation of the McGrail Inquiry recommendations, especially where they point to a clearer delineation between democratic accountability and operational policing. Gibraltar's reformed governance model defines the boundary as clearly as practicable and provides a transparent mechanism for resolving disagreements. The objective is to combine democratic accountability with clear protection from improper political interference, actual and perceived, in operational

policing. This means clarity on who sets strategic objectives, priorities, plans and resource allocations; who makes law and public standards; who directs police operations; and how each participant is held to account.

The solution is a Gibraltar-specific model built around a Gibraltar Police Council (GPC), along with HMGoG's appointment of a Minister for Policing who is separate from the Minister for Justice. A properly resourced independent Gibraltar Police Authority (GPA) will focus on independent scrutiny and a Policing Protocol will ensure the operational independence of the RGP is maintained whilst concurrently the RGP is democratically held to account. Concurrently, the Commissioner is introducing modern Standards of Professional Behaviour through revised Police Conduct and Performance Regulations and in parallel, the GPA will adjust Police Complaints Regulations. This revised model of governance of the RGP will replace over-reliance on informal relationships with structured, transparent and recorded arrangements. It will also provide a model that other jurisdictions may wish to emulate.

Governing Principles

The revised model is founded on operational independence within a framework of democratic accountability. Governance institutions may determine desired outcomes, priorities, resources, public-interest safeguards and the accountability framework but they are clearly delineated from the Commissioner's responsibility for tactical or case-specific police decisions. There will be no change to the key principle that the Commissioner remains accountable for the legality, reasons and performance of operational decisions but there will be a clearer role for Government in setting strategic priorities and for the GPA to exercise its scrutiny role.

The revised governance model therefore distinguishes four functions. First, HMGoG will set strategic objectives and priorities, write the Policing Plan (developed in consultation with the Commissioner and the Chair of the GPA, drawing on RGP threat and risk assessments as well as the GPA's community surveys) and will allocate appropriate resources. Secondly, HMGoG and Parliament will establish the legal and regulatory framework, including safeguards and standards. Thirdly, the Commissioner will retain direction and control of the RGP, including responsibility for professional police policy, operational tactics, techniques and procedures, deployments, investigations, the policing of Public Order and Public Safety events, and the operational exercise of police powers. Fourthly, the GPA will have an independent scrutiny role with an assured opportunity to contribute before key decisions are taken by HMGoG, as well as the authority to request reasoned responses from HMGoG and the RGP on any recommendations made by the GPA.

This reflects the balance between police freedom from political direction on operations coupled with effective accountability. The Constitutional role of the Governor for internal security (including the Police) is unchanged but oversight will be improved through the GPC.

Reform of the Governance of the RGP

Gibraltar Police Council

The GPC will improve coordination between those with responsibilities for policing and provide a structured forum for strategic discussion and early resolution of disagreement. It will be chaired by the Governor and comprise the Chief Minister, Minister for Policing, Chair of the GPA, Commissioner of Police, Attorney General and Chief Secretary, with deputies attending when necessary. The GPC will discuss major governance issues, not direct operations. At levels beneath the GPC, where the parties cannot agree whether a matter falls within strategic governance, the legal and regulatory framework, or the Commissioner's operational responsibility, the matter should be considered through the escalation arrangements in the Policing Protocol up to the GPC. After a full discussion in the GPC, the Governor may then issue a reasoned determination to resolve this issue.

The GPC will therefore replace the current system of undocumented bilateral discussions between the Commissioner and in turn, the Governor, Chief Minister, Justice Minister, Attorney General and the Chair of the GPA.

Minister for Policing

A Minister for Policing will provide the principal line of democratic accountability for policing outside the Governor's constitutional responsibilities. HMICFRS have recommended separating this from the Minister for Justice's current responsibilities and HMGoG are now considering the suitability of a Ministerial portfolio that combines Police, Fire, Ambulance and Civil Contingencies but the Minister for Policing will still not be part of the operational chain of command and that police operations remain firmly the responsibility of the Commissioner.

The Minister for Policing will agree in Cabinet the strategic objectives and priorities for policing in Gibraltar and be responsible for leading the legislative programme for policing through Parliament. The Minister will also be responsible for developing the Policing Plan, translating the strategy and priorities into objectives and performance measures, normally over a three-year horizon with annual review. The Minister will need to cost the Policing Plan, drawing on advice from GPA and RGP and then make the case for resources through HMGoG's budgetary process. The Minister will consult the Commissioner and the GPA before finalising the Policing Plan. Subsequently, the Minister for Policing will assess the RGP's performance against the Plan. The Minister for Policing will be responsible for producing an Annual Police Report to Parliament on delivery of the Policing Plan, drawing on RGP data and incorporating an independent section prepared by the GPA.

Gibraltar Police Authority

The Chair of the GPA has addressed all the McGrail Inquiry recommendations, including member skills, induction and refresher training, conflicts of interest and access to independent legal advice. Going further under the wider reform of the governance of the RGP, the GPA is retained as the independent statutory body required by section 48 of the Constitution. Its role will focus on independent advice and scrutiny, community engagement, complaints oversight, and responsibilities in the appointment and removal of the Commissioner. It should no longer carry primary responsibility for setting the Policing Plan or day-to-day police governance, as those will be the preserve of the Minister for Policing and the Commissioner respectively. The GPA will scrutinise both the effectiveness and standards of the RGP and the exercise of the Minister's strategic, planning, resourcing and accountability functions. The GPA should be consulted before the Policing Plan and resources are settled. HMGoG and the Commissioner should provide reasoned responses to its recommendations.

The GPA will retain a statutory reporting function through their independent section of the Minister for Policing's Annual Police Report. In this section, the GPA may report its observations on strategy, planning, resourcing and policing and the operation of the revised governance arrangements. The GPA's programme of work may include the way police powers and technology is used, perspectives on community confidence, complaints, custody, equality and other matters of public concern but it should not involve operational control. The GPA requires resources proportionate to its role, including access to independent legal advice where required. Its secretariat and executive support must be independent of the Minister for Policing. The Chief Secretary will define in consultation with the Chair of the GPA, the staffing, infrastructure and budgetary arrangements for the GPA.

Governor

The Governor will retain constitutional responsibilities for internal security and the integrity, probity and independence of the RGP. The Governor's constitutional position is unchanged and he remains the ultimate safeguard with the GPC creating a more constructive and efficient way to exercise governance. The Governor will continue to appoint the Commissioner based on the advice of the GPA following an open recruitment process. The Chair of the GPA will consider whether the process should be supported by the Specified Appointments Commission (SAC) with external recruitment expertise. The Governor's selection of the Commissioner will be made in consultation with the Chief Minister, as it was for the selection of Mr Owain Richards in 2025. The removal and suspension framework for the Commissioner will be revised to implement the McGrail Inquiry's recommendations. This includes Sir Peter Openshaw's recommendation that the GPA (having initiated the process in consultation with the Governor or the Chief Minister) should investigate; the grounds and procedures should be made clearer; the Commissioner should receive written notice of the case, adequate time to make representations and a reasoned decision; and the Governor and Chief Minister will both agree the outcome. Where the GPA or

other authorities are in default the Governor's reserve power should be retained, subject to procedural safeguards.

Complaints

The revised Police (Complaints) Regulations 2027 will clarify and strengthen the existing system, rather than replace it. However, they will need to be aligned with the new Police (Conduct) Regulations 2027 and Police (Performance) Regulations 2027 that are replacing the Police (Discipline) Regulations 1991. The RGP Professional Standards Division (PSD) will deal with routine and lower-level complaints; serious matters will be referred to the Police Complaints Board (PCB) under clear referral criteria; and the GPA will retain independent oversight of the system and use emerging themes in its scrutiny work. The Public Services Ombudsman's existing mal-administration jurisdiction remains unchanged. The revised Police Act should specify how matters are raised, recorded, assessed and determined, including conflicts of interest, access to independent advice, written reasons and an opportunity for the Commissioner to respond. Complaints will continue to come under the GPA. The Minister for Policing will remain outside individual complaints, conduct decisions and investigations.

Policing Protocol

The Policing Protocol will now be developed to cover the roles, responsibilities and limits of, in turn: the Chief Minister, the Minister for Policing, the GPA and the Commissioner, along with the role and limits of the GPC and the constitutional responsibilities of the Governor. The Policing Protocol will also cover the distinction between HMGoG's strategic objectives, priorities, plans and resource allocations as well as the legal and regulatory framework established by HMGoG and Parliament. It will cover the Commissioner's responsibility for professional police policy and operations. In doing so, it will be clear on the fact that HMGoG will not be involved in individual operations, investigations, complaints, conduct matters and personnel decisions. The Policing Protocol will set out the boundary tests that are to be applied when a proposed action may affect operational responsibility. The Policing Protocol will also cover information-sharing, consultation and recording requirements, including minuting of significant engagement. The GPA's pre-decision consultative rights and the duty of HMGoG and the Commissioner to respond to its recommendations will be laid out. The Policing Protocol will highlight the escalation route from Minister and Commissioner, through the GPA and GPC, to a reasoned determination by the Governor. The Policing Protocol will set out the arrangements for its publication, review and periodic amendment. HMICFRS will be asked for their views on the Policing Protocol.