



House of Commons  
Home Affairs Committee

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# **Policing Large Scale Disorder: Lessons from the disturbances of August 2011**

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**Sixteenth Report of Session 2010–12**

*Additional written evidence*

*Ordered by the House of Commons  
to be published 22 December 2011*

## The Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

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### Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 3276; the Committee's email address is [homeaffcom@parliament.uk](mailto:homeaffcom@parliament.uk).

# List of additional written evidence

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# Written evidence

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## Written evidence submitted by Tony Baldry MP

I am writing further to the Chair of the Select Committee's letter to Parliamentary colleagues inviting them to submit evidence relating to the Select Committee's inquiry.

I enclose a copy of a letter that I have sent to the Chief Constable of the Thames Valley—Sara Thornton (Annex 1)—together with an article from the Banbury Guardian.<sup>1</sup>

I hope that my letter to the Chief Constable is self-explanatory.

I appreciate that the Select Committee is going to have to be considering a whole number of aspects of the Policing and Police's response to the recent public disorder.

However, I hope the Select Committee will pay particular regard to the impact of social networking and, in particular, the use of Facebook.

It is extremely alarming that a 14 year old boy using Facebook can, within a very short space of time, generate an instant crowd that all too easily turns into a mob and in this case did cause some criminal damage and almost certainly would have caused more serious criminal damage if it hadn't been for the speedy intervention of the Thames Valley Police locally.

*26 August 2011*

## Annex 1

Firstly, on behalf of my constituents, I should like to thank the Thames Valley Police and all the Thames Valley Police Officers for all that they were doing both nationally and locally during the recent disturbances and I would particularly like to thank Inspectors Steve Duffy and Neville Clayton for helping ensure that matters didn't get out of hand in Banbury.

I enclose a copy of the front page of last week's Banbury Guardian, which I think clearly highlights a new phenomenon in terms of maintaining public order and that is of the exploitative use of social media and social networking sites.

In my experience from the time that I was practising on the Oxford/Midlands circuit, serious public order offences such as affray were invariably alcohol based punch-ups between large numbers of youths—usually of different factions (punks versus skinheads etc)—which were not necessarily pre-planned but which had simply got completely out of hand.

It is a crazy situation where any 14 year old boy is now able to use social networking sites to incite and organise a public disorder.

Clearly that is an offence and I see that the Courts are already imposing deterrent sentences of four years' imprisonment in similar cases but I suspect that every Member of Parliament in due course would be interested in ACPOs' views on whether there is any specific action or powers that need to be given to the Police technically to cause social networking sites, which may be reasonably thought to be inciting of a criminal offence, to be taken down.

As we both know, it is not always easy to mobilise significant numbers of Police Officers at "short notice".

Policing public order has largely been based on the ability to reasonably predict events on the basis of information or intelligence but unchecked and uncontrolled abuse of social networking can clearly easily lead to "mob rule" not just in terms of mindless public order riots in town centres but one could well imagine a situation whereby local residents, either rightly or wrongly, believe someone living in the neighbourhood was a "paedophile" or that they decided to take the law into their hands for some other reason and used social networking to mobilise a large number of people at a particular place at a particular time and I think it is clear that people acting in a crowd take on the mores of a mob and people in a crowd will very often do things that they would never dream of doing as a single individual.

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<sup>1</sup> Not published.

### Written evidence submitted by Dr Roger Patrick

The recent riots in England appear to be linked to a rise in gang related criminal activity. The evidence presented suggests that the impact of Performance Management on Policing in the UK has been, and still is, an obstacle to the effective implementation of strategies to counter this threat to civil society. The police imperative to improve overall performance in relation to national and force wide priorities has led to an under-investment in long term strategies designed to respond to gang related activity. In some cases this has resulted in officers being re-deployed from deprived areas to more affluent neighbourhoods.

1. The evidence presented is based on a study of the impact of Performance Management on Policing over the past decade. Some of the findings, in particular the tendency to improve performance by concentrating resources on activities which are the subject of performance indicators, may be pertinent to your inquiry.
2. Investing resources to curtail the activities of criminal gangs appears a poor investment in such an environment. I refer to this phenomenon as “skewing”, encapsulated by the term “what gets measured gets done”. This type of activity falls under the general heading of “gaming” and the research concluded that police forces were improving their overall performance by employing such tactics. A detailed survey of the re-organisation of the West Midlands Police in 1997 highlighted how this force systematically re-deployed officers from inner city areas to more affluent suburbs (Patrick 2004). Whilst this evidence may be somewhat dated the methodology of super-imposing police numbers before and after the re-organisation on geographical maps showing levels of deprivation is sound. There is also evidence to suggest this trend is continuing. Tarique Gaffur, a former Assistant Commissioner of the Metropolitan Police Service, suggested that a strategy to respond to the threat posed by gangs by concentrating police resources on the deprived areas of the capital had not been implemented as “it would have taken officers away from the politically favoured policy of neighbourhood policing” (*The Sunday Times* 14 August 2011). Councillors in the Ladywood Ward of Birmingham recently disclosed that the Local Police Command Unit responsible for policing the areas affected by the recent riots had seen officer numbers reduced by seventy when the force restructured in 2010.
3. Whilst it was difficult to gain access to the detailed information on police deployments to replicate the mapping exercise for every force in England it was possible to gain further information on “skewing” from official reports, some accessed under the provisions of the Freedom of Information Act.
4. Her Majesty’s Inspector of Constabulary reported on the dangers of “skewing” as early as 1999 and viewed the practice as unethical:
 

“The drive for continuing improvements in detections should, however, be controlled to ensure high volume crimes are not unnecessarily pursued at the expense of proper investigation of more serious crime. There was evidence in one force that a divisional commander refused to allow his detectives to put more than minimal resources into a serious sexual crime investigation, preferring instead they concentrate their efforts on less serious crime such as car theft. This occurred because whether they solved a rape or the theft of a car radio, the division would only be credited with one detection.” (HMIC 1999:20)
5. The deaths of Police Constable Malcolm Walker in 2001 and Letisha Shakespeare and Charlene Ellis in 2003 exposed the vulnerability of the West Midlands Police to respond to the rise in gang related criminality. The force had been warned about “skewing” by Her Majesty’s Inspectorate of Constabulary (HMIC) in 2001 (HMIC/WMP 2001:2). Similar deployment trends were apparent from the reports on Nottinghamshire Police following the Chief Constable’s declaration that his force could not cope with a rise in murders (*The Times* newspaper 14.3.2005):
 

“Resources were devolved to the BCUs Officers and staff were realigned with community beats and response teams. Detective capacity at headquarters was reduced and this included the disbandment of the Force Drug squad. In March 2003 HMIC noted some aspects of the reorganisation had not been handled well and the challenges were exacerbated by a rise in serious crime, both in terms of drug-related gun crime and an abnormal level of murders committed in 2002.” (HMIC/Notts. April 2005 unpublished)
6. The rise in organised crime, particularly gang and gun related activity, resulted in HMIC undertaking a thematic study of this threat (O’Connor 2005). This report could only commend three forces, Avon and Somerset, Greater Manchester Police and the Metropolitan Police Service for their investment in measures to counter more serious crime. However concerns about “skewing” continued to be expressed by operational officers:
 

“Every borough is playing the game; those that are not are seen as under-performing. Policing has completely lost its way. We only investigate crimes that matter in terms of performance data.” (Police Federation Conference 2007)
7. Evidence of this type of “gaming” activity was also apparent in a number of investigations conducted by the Independent Police Complaints Commission (IPCC). These included the investigation of Derbyshire Police’s response to the brutal beating and robbery of the riding instructor Tania

Moore;<sup>2</sup> the response of the Metropolitan Police Service leading up to the shooting of Peter Woodhams in East London in 2006; the performance of West Mercia police officers prior to the murder of Craig Hodson-Walker, the son of the Bromsgrove postmaster<sup>3</sup> and the Met's investigation of the serial rapist Kirk Reid.<sup>4</sup> Despite the consistent pattern evident throughout these cases it did appear that the IPCC was unwilling to consider the organisational nature of these failings, being content to hold operational officers responsible.

8. Whilst the above information does not provide an explanation for the riots it does highlight some of the obstacles hindering the implementation of strategies designed to address the rise in gang related crime. The discontinuance of centrally set performance targets appears to have had little impact on the focus of police forces where a performance culture has become embedded.

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*September 2011*

#### **Written evidence submitted by Robert F Bartlett MA (Cantab), Retired Chief Superintendent**

1. I am a long retired chief superintendent from the Surrey Police. A graduate of Churchill College, Cambridge and of the 28 Senior Command Course. I spent many years as a Police Support Unit inspector, a public order ground commander and in my last years of service, had responsibility for public order operations, equipment and training. Training was hard, intensive and costly in terms of vehicles, equipment and man hours. However, such a commitment of resources was seen as vital and a contribution to the national good from an area where inner city rioting was not likely.

2. It has been recognised probably since 1829, that the Metropolitan Police are the "gold standard" for maintaining public order and responding to disorder. In the past it has been almost unknown for the Metropolitan Police to call for mutual aid from forces outside London yet, since the student fee riots, it has become the norm for major events. Why is this? It is probably an indication that the numbers of officers trained for Police Support Unit work in London have been reduced.

3. I was told by a recently retired Police Support Unit inspector that despite a significant increase in numbers of police officers in the Surrey Police (they took responsibility for the Metropolitan Police part of Surrey, in I think 2001) the number of Police Support Units have been reduced from six to four, they no longer train or exercise with the Metropolitan Police nor does the training now include dealing with petrol bombs. I use Surrey as an example but there is little doubt that one force could not reduce their contribution by a third without national acceptance, probably driven by budgetary and manpower restraints. I am sure the current cost of a fully equipped and trained Police Support Unit is known.

4. The rationale as I understand it, was the lack of demand as there had been no inner city rioting and someone concluded, heaven knows how, that petrol bombs were no longer to be a problem during disorder. If this is so, then a lack of "top end" training may lead to reluctance to get involved. Once trained petrol bombs and fire hold few fears.

5. Lack of trained officers, fully equipped and able to be mobilised may be one of the many causes of the way the riots were dealt with. Other contributing factors to delay in mobilisation are the fewer numbers of trained personnel on duty and the fact that officers can live a long way from where they work. Your committee may well benefit from asking the CHMI about Police Support Unit numbers and training for 2011, 2001, 1991, information that exists in various force annual reports. In my time I believe it was 12.5% of the service were trained and equipped for deployment as Police Support Units. I would be very surprised if this percentage has been maintained.

<sup>2</sup> [www.ipcc.gov.uk](http://www.ipcc.gov.uk): 2006

<sup>3</sup> [www.ipcc.gov.uk](http://www.ipcc.gov.uk): March 2010

<sup>4</sup> [www.ipcc.gov.uk](http://www.ipcc.gov.uk): June 2010

6. I hope none of this is seen as critical of the Metropolitan Police or any other police force. The lack of rioting has led to a loss of experience and understanding of best practice. Leadership style has become more relaxed and moving from the day to day to life threatening responsibility may have been hard for some, which is a certain case for realistic and difficult training as undertaken certainly in the past, by the Metropolitan Police.

7. To sum up it may assist your committee when making recommendations to understand:

- (a) The number of trained Police Support Unit officers as against 10 and 20 years ago.
- (b) The costs involved of training and equipping a Police Support Unit.
- (c) The level of training and exercising including regional exercises.

*September 2011*

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#### **Written evidence submitted by Association of Professional Ambulance Personnel**

I feel compelled to write to you as a national officer of Association of Professional Ambulance Personnel (APAP) and a front-line paramedic with over 30 years experience, with the intention of offering an ambulance perspective from our union to any planned enquiries/investigations into the civil disorder that took place in our city centres over the last week or so.

Only today, in an interview for BBC radio Berkshire, I highlighted the contrast in the provision of the personal protective equipment (PPE) that ambulance crews in London have had at their disposal, in comparison to those working in other parts of the country.

London Ambulance (my trust), is the only trust that affords its crews body armour as part of the package of PPE that they carry with them at all times and crews were required to wear it at all times during the height of the civil disorder that blighted our capital city.

The public disorder was obviously not confined to London, but ambulance personnel in the rest of the country were not given the “privilege” of this enhanced protection as London Ambulance continues to stand out as a beacon of common sense in an otherwise barren landscape. You may find it surprising, but body armour is conspicuous by its absence in virtually every other trust other than in Dorset and Essex where provision is a legacy from the premerger of ambulance trusts in 2006.

APAP has campaigned tirelessly since 1997 for body armour provision to be made available to all front-line personnel in England, and we have received the same tired arguments about why this goal should not become a reality.

I am writing to you to offer to give oral evidence to your committee on this and the wider issues surrounding the terrible events that occurred over the last week or so.

As something of a bit of background, I am attaching a synopsis of our union and one of a number of articles I have written on the subject of body armour. I am also attaching two recent press releases for your perusal with some press copy from the BBC. I did give oral evidence on behalf of APAP to the Health Select Committee in 1994, when it investigated the London Ambulance computer crash of 1992.

I felt this correspondence was important considering recent events and look forward to hearing from you soon.

*September 2011*

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#### **Written evidence submitted by Anthony Sims**

I expect the following have been posed many times since the recent events of serious disorder:

1. It seems obvious that if the police had been positioned to quell the disorder on the Saturday, the subsequent events would not have resulted in such destruction and disorder. Why were they not prepared for such an event, given the “local” history of similar escalations?
2. I know that if the government, London authorities and police had been asked to confirm that plans for policing during the Olympics were on-track/in-place they would have ridiculed anyone questioning their “positive” responses. It is obvious that they were under a mis-apprehension! If these events had occurred in the weeks prior to the Olympics or during the Olympics (and anywhere in the country)—on a scale remotely approaching the level just witnessed—cancellation would have been the only realistic outcome and the damage could have been far worse, with resources at that time concentrated in London. Why is there such naivety in those who should know better—with our experience of dealing with terrorism over many decades and, particularly, following the disastrous response to the bomb attacks in 2005 (the latter showed how poorly prepared we really were)? Is now the right time to even consider cuts to policing, let alone the government forcing them through?
3. Given the sight of so many onlookers—taking snaps and finding the whole series of events so

hilarious and amusing—is it now time to consider outlawing such by-standing, thereby giving the authorities better access to the scenes of disorder? Charge the onlookers!

August 2011

### Written evidence submitted by the National Black Police Association (NBPA)

#### INTRODUCTION

The National Black Police Association (NBPA) comprises of 46 Affiliated Associations established within Police Constabularies and Agencies across England, Wales, Scotland and Northern Ireland.

As a Charity, our objective is to promote good race relations and equality of opportunity within the Police Services of the United Kingdom and the wider community.

We work in the interest of the UK Police Services as an integral partner to ensure equitable service for all and for the Black and minority staff whom we represent. We also advocate the needs and expectations of Black and minority ethnic communities by delivering and supporting strategies and initiatives which have a positive impact on all.

The NBPA welcome the opportunity to contribute to this inquiry particularly as we have a proven track record of supporting communities and policing at critical difficult moments.

#### BACKGROUND

Riots and disturbances are not new phenomenon in the context of British history, we have documented incidents from 1196 poverty riots through to the most recent incidents triggered in Tottenham following the shooting of Mark Duggan by the Metropolitan Police. Jonnson, in his paper, “the illusion of inclusion,” explains how riots and responses are cyclical, “terribly familiar cycle. The cycle goes something like this. There is a problem which is followed by a conference, the conference is followed by research. The research reinforces what we already know....Then nothing happens” (Hall, 1987, taken from Benyon and Solomos, 1987, p.45).

Incidents of note are listed for information:

- 1958:** Violence breaks out in Notting Hill Gate, west London.
- 1978:** Riots in Southall lead to the death of Blair Peach at the hands of the Special Patrol Group (SPG) of the Metropolitan Police.
- 1981:** More than 300 people are injured, including 200 police officers, crowds hurl petrol bombs in Brixton, South London.
- 1985:** Riots in Handsworth, violence break out when a black woman, Cherry Groce, is mistakenly shot by police who burst into her home.
- 1985:** Broadwater Farm. PC Keith Blakelock is murdered with knives and machetes during rioting.<sup>5</sup>
- 1993:** Stephen Lawrence murdered—persistent campaign by Stephen’s parents Neville and Doreen Lawrence leads to the Labour party commissioning a public inquiry.
- 1995:** Three nights of fighting causes more than £1m worth of damage after gangs of Asian youths run amok in Manningham, Bradford.
- 1999:** Lawrence Inquiry report published—total of 70 recommendations in all and concluded that the Metropolitan Police were Institutionally Racist.
- 2001:** Saw a large scale disturbance erupt in Bradford, West Yorkshire, the battle lines were drawn along that of ethnicity.
- 2011:** On 21 April, there was a riot in the Stokes Croft area of Bristol following a raid by police on a squat named “Telepathic Heights”.
- 2011:** Riots in London and elsewhere, following the shooting of Mark Duggan during a Trident operation.

From the cycle we reference a series of reports which contain numerous recommendations (Scarman, 1982, the HMIC thematic series “Winning the Race”, Lawrence 1999, Cattle 2001, 2004 and 2005).

The recommendations from these reports, if implemented and maintained would most likely have given us an opportunity to demonstrate their effectiveness. However, as we see the agenda changing, many of the recommendations which sought to challenge the status quo have been ignored, implemented then phased out or identified as impractical or too costly. Including:

- Ministerial priority of trust and confidence—Removed.
- A representative police service—Not achieved.
- Proportionate and fair use of stop and search—Worse than 1999.
- Greater police accountability for their actions—IPCC.
- Increased equality training—Diversity units disbanded, diversity training minimal.

<sup>5</sup> [http://en.wikipedia.org/wiki/Broadwater\\_Farm\\_riot](http://en.wikipedia.org/wiki/Broadwater_Farm_riot)



- Her Majesty’s Inspectorate of Constabulary (HMIC) to have a HM Inspectorate for Equality and Diversity—Removed assistant HM Inspectorate for Race and Diversity.
- Community Cohesion agenda—Absent from policing policies.

#### CORPORATE MEMORY

In 1985 Cherry Groce, was shot by police, local residents went to Tottenham police station requesting answers. The information was not provided, later that day disturbances grew into riots.

In 2011 Mark Duggan, was shot by police, local residents went to Tottenham police station requesting answers. The information was not provided, later that day disturbances grew into riots.

It is imperative in a policing environment as complex as London that officers and staff have cognisance of the potential for incidents to escalate based on local factors.

We are yet to hear how Operation Trident and CO19 (Specialist Firearm Command branch of the Metropolitan Police Service) came to be in the situation which resulted in the death of Mark Duggan—which we will not comment on—we are however, concerned by the initial information that suggested that there had been an exchange of gunfire, when it was known that minutes before Duggan was tweeting that he was “being followed by the feds”. By the time corrective information had been officially released it was too late for many who had summarized that the police had not told the truth again.

*It is absolutely crucial that information provided by the police is accurate and timely*

This prevents false representations and encourages the public to trust the content of the information provided, this is currently not the case and maybe linked to public statements made by the police in the cases of Jean Charles DeMenezes, and Ian Tomlinson which were both found to be inaccurate.

The NBPA review 2009 “ten years after Lawrence” by Crichlow identifies UK wide concerns of the retrograde steps with regard to minority ethnic policing issues and reluctance of the police service to accept that Institutional racism continues to be an issue:

- Majority of respondents to the NBPA survey stated that trust and confidence on the part of Black and Minority Ethnic (BME) Officers/Staff and BME Community in their force remained problematic.
- This analysis paints a picture of inconsistency across the country in relation to the implementation of the Stephen Lawrence Inquiry Recommendations.
- Other peculiar stereotypical notions have emerged over time through narratives, most notably the notion that Black, Asian and Minority Ethnic staff are treated more favourably than white members of staff, this appears to have contributed to the phenomenon of members of staff being subjected to unwarranted pressure which potentially leads to unlawful acts of discrimination.

Coupled with recent suggestions to delete the Association of Chief Police Officers (ACPO) Equality, Diversity and Human Rights Business (EDHR) portfolio, to mainstream equality and to only formally consult with statutory bodies (ie not the NBPA, British Association for Women in Policing or Gay Police Association etc) it is difficult to picture an inclusive police organisation that consistently has the trust of the public.

Although these series of riots started with a Black man being shot, the events in totality were not about Race, although some reports and media responses have attempted to focus in these areas. Neal (2003), highlights how highly charged media reporting on Race issues polarises opinion.

#### COMMUNITY COHESION AND THE POLICE

In response to the “Northern disturbances” in 2001 the Home Secretary established a Ministerial Group on Public Order and Community Cohesion or review team and was established to identify good practice, key policy issues and new and innovative thinking in the field of community cohesion” (Cantle, 2001).

Cantle identifies a way forward linked to the community cohesion agenda with additional dimensions to Race.

The Commission on Integration and Cohesion (CIC, 2007), “The commission’s” definition of an integrated and cohesive community has stated that it must have:

- a defined and widely shared sense of the contribution of different individuals and groups to a future local or national vision;
- a strong sense of an individual’s local rights and responsibilities;
- a strong sense that people with different backgrounds should experience similar life opportunities and access to services and treatment;
- a strong sense of trust in institutions locally, and trust that they will act fairly when arbitrating between different interests and be subject to public scrutiny;
- a strong recognition of the contribution of the newly arrived, and of those who have deep attachments to a particular place—focusing on what people have in common; and

- Positive relationships between people from different backgrounds in the workplace, schools and other institutions.” CIC (2007).

There are further definitions provided by the Local Government Association (LGA) (2002) and Communities and Local Government (CLG) (2007).

Smikle’s (2010) research “What does community cohesion mean to policing?” identifies that most police services in England and Wales (94%), have no policy on “Community Cohesion”, furthermore, that there was no single agreed definition, limited training and that 67% of the respondents had a fair/poor understanding of the term.

The absence or lack of community cohesion as an impact on people to have the ability to capacity build and to prevent and manage tensions.

## ZERO TOLERANCE

The concept of zero tolerance means many things to many people, the notion that any deviation from the rule of law would be dealt with robustly minimizes the opportunity for officers and staff to use discretion or to treat individuals as individuals. The popular belief was that this approach in New York was all positive, this is incorrect. During this period in 1997 Abner Louima a Haitian man who was assaulted, brutalized and forcibly sodomized with the handle of a bathroom plunger by New York City police officers after being arrested outside a Brooklyn nightclub.

We believe that, there is a real risk that unlawful actions including excessive use of force by police officers will become a part of every day life for communities if a programme with the term “Zero tolerance” were to be implemented. The excessive use of Section 60 search powers coupled with the very low arrest rates is indicative of a generalized random approach to detect crime that alienates innocent members of the public.

Part of the fundamental aspects of the Peelian principles relates to the effectiveness of the police: “Whether the police are effective is not measured on the number of arrests, but on the lack of crime. Above all else, an effective authority figure knows trust and accountability are paramount. Hence, Peel’s most often quoted principle: The police are the public and the public are the police” (Lentz & Chaires, 2007).

Targeted, intelligence led operations with appropriate checks and balances will lead to greater support for policing and police activities.

The firm policing and community activity that brought the disturbances to an end are wholly supported by the NBPA.

The NBPA acknowledge the expertise from police specialists from outside of the UK, we acknowledge however that a large number of external policing specialists operate in very different environments.

Our police service operates in a consensual policing environment, in the main, without firearms (handguns or rifles). The tactics which can legitimately be employed in this environment may not necessarily translate when imported from places such as the USA. We do not automatically discount external advice, in fact we welcome the concept of multi-point entry into the police service which should improve minority representation (NBPA Submission to Winsor).

Dhani and Kaiza (2011) Police service strength data shows an increase in minority ethnic officers by 0.2% since 2010. However, there is actually a quantitative reduction in minority ethnic officers from 2010. More worryingly, the number of ACPO minority ethnic officers has reduced from nine to three over the same period.

Since its’ inception the NBPA has and continues to support recruitment and progression initiatives, including the National Policing Improvements Agency (NPIA) extension of National Senior Careers Advisory Service (NSACAS) support to Chief Inspectors, supporting the High Potential Development Scheme (HPDS) through circulations, executive meetings and advertisements on the NBPA website. The shockingly low representation of BME women in policing is highlighted in the Gittens report from 2004, reinforced by the fact that there has only ever been one BME female officer in ACPO in the history of policing, this is quite frankly a disgrace.

The public, especially young people, need to see role models within policing that they can identify with and see that they too can succeed within that environment. The NBPA women’s’ group has highlighted the need for mentors and support for BME officers and staff. According to Peel’s principles, “the police are the public and the public are the police” this concept is linked to the trust and confidence agenda. The homogeneity of the police service limits the nature and scope of effective policing, the ability to function in diverse environments can be and has been compromised by the lack of diversity (surveillance, counter terrorism, vice investigations, test purchasing, police corruption, covert operations and Operation Trident).

## NBPA RESPONSE TO THE RIOTS 2011

In support of the policing of the initial disturbances the NBPA publicly denounced the violence circulating a press release to the media (2011 Tottenham riots).

This was closely followed by a round table discussion with local BPAs in London, Bristol, West Midlands, Manchester and Liverpool as it was clear to us that the trouble was likely to move beyond the capital:

- Early liaison with Chief Officers in force.
- Community meetings and preventative solutions.
- Youth programmes accessed to cascade information to prevent young people being swept up in the disturbances.
- Social media used to discourage anti-social and criminal behaviour.
- We suggest that having social media blocked is not the best way forward. We recognise the importance of such a decision and would welcome this to be done on a voluntary basis by the service provider as opposed to one mandated through legislation.

These regional meetings allowed other organisations and stakeholders to prepare for likely disorder and ensured that pro-active measure could and were taken which minimised the spread of violence. These meetings were minuted, confirming the positive contributions BPAs around the UK make to policing.

In addition to the above the NBPA attended Community tension meetings at New Scotland Yard with DAC Stephen Kavanagh, Baroness Warsi, Cindy Butts, Strategic Alliance of Communities Rejecting Youth Destruction (SACRYD) and other community members to discuss preventative measures and solutions to the disturbances.

A further meeting took place at Portcullis House on Wednesday 10 August 2011 with the Rt Hon Tom Brake MP, Baroness Hussein-Ece, Councillor Duwayne Brookes, Supt Leroy Logan MBE, Bevan Powell MBE, DCI Shab Choudhury, DS Wendell Henry.

We discussed the causes and impact of the riots and suggested areas that would mitigate and prevent further unrest which included the Met BPA VOYAGE programme and the NBPA Trust and Confidence Task Force proposal (NBPA press release, 2011).

The NBPA and local BPAs continues to meet with community members and stakeholders as we believe that it is the right thing to do.

#### SUMMARY

- Trust and confidence is again a critical issue in police and community relationships.
- The police service needs to maintain a corporate memory which will prevent history repeating itself.
- It is absolutely crucial that information provided by the police service and partner agencies is accurate and timely.
- Community Cohesion (CoCo) needs to be a crucial component of the policing lexicon with policies which support the ethos of CoCo.
- Phrases such as “Zero tolerance” should be avoided unless it is part of a specific strategy that has been appropriately consulted on, agreed and resourced.
- Specialists from outside of UK policing are able to give an alternative perspective which need to be contextualised.
- The NBPA to be viewed and utilised as a full partner in improving equality issues within the police service—The Police service strength data 2011 (Dhani and Kaiza) and NPIA Equality in employment reports highlight the lack of progress on senior BME officers.
- The NBPA and local BPAs will continue working with community groups developing programmes aimed at young people.
- We recommend the establishment of a national Trust and Confidence forum, to be linked with the NBPA trust and confidence task force, in partnership with community groups, internal and external stakeholders.
- The Independent Police Complaints Commission (IPCC) has acknowledge the errors in relation to verbal disclosures surrounding the Duggan briefings—there is currently a serious risk of public confidence in the IPCC deteriorating if clear communication protocols are not adhered to.

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- September 2011

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**Written evidence submitted on behalf of the Lozells, Handsworth and Birchfield Community  
(Perry Barr Constituency, Birmingham)**

**1. PURPOSE**

This report is submitted on behalf of the Lozells, Handsworth and Birchfield community (Perry Barr Constituency, Birmingham) as evidence to the Home Affairs Select Committee Inquiry into Policing Large-scale Disorder.

**2. BACKGROUND**

The riots in Birmingham occurred between 8–9 August. We witnessed looting in the city centre, disorder in suburbs, public transportation brought to a standstill, vehicles set on fire, businesses closing early and the tragic loss of life for three men defending their property. These events have stimulated as much speculation about their causes as they have caused anxiety for the city’s majority population of law abiding citizens. Government has blamed family breakdown and a complete lack of responsibility in parts of our society. Media coverage gives the impression that the riots were fuelled by racial undertones. Young people have been branded as criminals and just about everyone has an opinion of how the police handled the riots.

The riots have been particularly painful to residents in North West Birmingham. Barely two months’ ago (9 July 2011) residents in Lozells, Handsworth and Birchfield came together in a People’s Conference themed “Citizens unite to make change”. The Conference considered how, with fewer resources, residents, third sector organisations and public sector organisations could work together to make the area a better place in which to live and work. Far from being an abdication of responsibility, the People’s Conference was a vivid testimony to Big Society principles. The same sense of responsibility was the impetus for convening an emergency People’s Conference for residents to voice their concerns about possible causes and consequences of the Birmingham riots.

The Conference was organised around four thematic workshops and a plenary panel discussion:

- Young People.
- Parents and Families.
- Community Safety.
- Community Cohesion.

This report summarises the key messages and recommendations flowing from workshop discussions and closes with a list of questions to which delegates are inviting responses.

### 3. MESSAGES

Across the workshops it quickly became apparent that individual themes could not be considered in entire isolation from other themes. Furthermore, feedback reports highlighted the prevalence of cross-cutting issues—issues such as “sense of community” that have a bearing on all four themes under consideration. As a consequence, the messages are presented under a series of cross-cutting issues.

#### 3.1 *Race*

(a) These disturbances should not be considered in the same way as the disturbances in 1985. People from all races were involved. It was not a race riot.

(b) What was not an issue of race is being whipped up as a racial issue and creating fear. Delegates were unanimous in their concerns racial stereotyping by the media and malicious individuals using race and racial tensions to feed their own interests.

#### 3.2 *Community cohesion*

(a) The rioting was branded as criminality and not a breakdown in community cohesion. However community cohesion tensions arose out of the fear of attack—eg Sikhs protecting their property against attacks from other communities and the irresponsible portrayal of young African Caribbean males as the majority rioters. The popular perception was that 90% of media pictures showed young Black males, thereby creating negative views and fear about this specific cohort.

(b) A cohesive community mourns the untimely death of any of its residents. African Caribbean deaths within the locality have not stimulated the same intensity of response as afforded to the three Asian men so tragically killed. The perception of differential treatment breeds resentment and tension.

(c) In view of what has been happening and the associated horrors and traumas, there is a deep sense of fear in sections of the community. The African Caribbean community feels particularly demonised as perpetrators and the majority group in the riots.

(d) The government, media and the courts are creating a climate of racial tensions through demonising the African Caribbean community and disproportionate sentencing.

(e) The African Caribbean community is taking the brunt of the blame, fuelling tensions within the African Caribbean community and against it.

(f) Communities are not being brought together through natural or even contrived mechanisms. Nevertheless, some very good relationships do exist between Asians and African Caribbeans. These should be celebrated and shared—not flushed away.

(g) There is some fear (difficulty to quantify) of Muslim backlash after Ramadan.

#### 3.3 *Police and policing*

(a) The riots caught police on the hop. There appeared to be either a lack of awareness or a lack of readiness—or even both. There was no presence of police in some areas despite warnings via social media and a general view of a slow response time. Communities felt that they had no option but to protect their properties, particularly those with homes above shops.

(b) The Police needed to act quickly in order to prevent crime and disorder and should have been present prior to the incident that resulted in three lives being lost. The Police failed to the job that they were paid to do.

(c) Baton rounds could have killed and or seriously injured people and possibly inflamed the situation.

(d) The Police Strategy failed to engage with local people leading the community to feel it was not protected. The Police need to seriously review how they responded to the difficulties.

(e) The Prime Minister’s use of inflammatory language when referring to an all-out war on gangs and gang culture was unhelpful and undermined some good work undertaken locally between Police, communities and gang members.

(f) There was a wide scale view including from former police officers, that policing in Handsworth and Lozells is conducted differently to other areas in the City. Illustrations cited included slow response times, non-attendance, people being targeted and abused by the Police, ignoring evidence and use of excessive force. The Police need to be called to account for the way they enforce the law.

(g) Cuts have affected front line policing and if there are more cuts what will happen in two years' time if the police force is reduced?

(h) Community confidence in the Police is based on relationships that have developed over years. It is still high albeit tempered by concerns about their capacity to deliver an adequate service post-cuts. Delegates urged the Police to engage in more dialogue with grass roots communities and to share with them what impact Police cuts would have in terms of their ability to tackle crime and promote community safety.

### 3.4 Families

(a) There are many single parents doing a great job, often better than two parent families. Stereotyping single parent families is at best an over-generalisation and at worst insensitive and offensive.

(b) Parents love their children but are sometimes disempowered by the state. Parental rights to discipline their children and provide the right values have been eroded. Cuts and the loss of amenities, facilities and trained staff are making matters worse.

(c) Economic status impacts on parenting. In some families worklessness and outsider culture are inter-generational whilst in other cases unsociable working patterns make it difficult for people to be good parents.

(d) Current immigration controls are contributing to the absent fathers' syndrome.

(e) It takes a whole village to raise a child. We need to recreate a "together identity" where local people feel empowered to "clip an ear" of wrong doers and take an interest in the wellbeing of their community.

### 3.5 Young people

(a) We must ensure that the actions of a few do not tarnish a whole generation of young people. In addition we must ensure that those young people who err on the side of antisocial behaviour and criminality are not seen as being "rewarded" through special programmes (eg outdoor activities and residential) when these are denied to other young people.

(b) Young people know right from wrong but seem to have been tempted by the excitement of events and unable to tear themselves away from peers engaging in looting. The community and agencies need to focus on building young people's resilience to deter them from such temptations.

(c) Who influences young people? The third sector was formerly the main means of engaging with young people but it is now in decline. We need to provide greater support and opportunity for all young people. There are insufficient activities available for young people during the long summer holidays and yet schools lie empty. Can they be put to more effective use by local communities?

### 3.6 Jobs

(a) Employment and jobs are key. Birmingham City Council's Unemployment Briefing August 2011 confirms that at 12.3% unemployment rates in Birmingham are more than twice the national average of 5.5% and higher than any of the core cities against which it is compared. Drilling down to ward levels shows unemployment in Lozells & East Handsworth at 26.4%. Delegates estimated that for under 25's in the area the unemployment rate is approximately 50%. Young people cannot get jobs. They have certificates but are not employable.

(b) Training for young people is not working because there is a lack of jobs for people to take up after the training is completed.

(c) Apprenticeships are not leading to jobs. The Work Programme is not comprehensive enough, is not offering enough choice and has such tight budgets that much valuable Information, Advice and Guidance (IAG) work provided by third sector organisations has disappeared as they have been priced out of the programme. Pastoral care, mentoring and IAG are important in communities that do not have the in-built experiences and advantages of middle class communities. Our young people are becoming an alienated generation.

(d) Public agencies need to consider their roles as employers of young people. How can public sector procurement processes be designed to generate sustainable training opportunities and jobs for local young people?

### 3.7 Political leaders

(a) Our political leaders need to become upstanding moral citizens themselves and use sensible adult language choosing their words carefully to avoid demonising any particular section(s) of the community.

(b) There is resentment towards out of touch politicians cutting budgets leading to cuts in services.

(c) People were confused about who was supposedly speaking on their behalf—elected Councillors/Members of Parliament or “community leaders”? Local councillors were not very visible on the television, in the press or on the streets and some of the individuals who proclaimed they were speaking on behalf of the community were unknown to the community.

### 3.8 *Ignoring experience*

(a) Each bout of riots has been followed by government-sponsored inquiries as well as independent research. What does that research tell us about causes and consequences and what can we learn from the remedial strategies adopted? Is there any evidence that we are learning from this body of knowledge?

### 3.9 *Funding cuts*

(a) We know what works in supporting young people in coming to terms with a hard and complicated world. Mentoring programmes have been important as have parenting support initiatives and family intervention in general. Provision developed and provided by local communities and organisations is particularly valuable, yet this provision has been decimated in the expenditure cuts.

(b) The loss of services has had a disproportionate impact on the local community. Youth services are essential for both development and diversionary purposes. Youth Workers have played pivotal roles particularly as positive male role models and voices of authority. This work is expensive but does provide real results.

(c) When services are cut back it undermines trust and confidence—eg if the state can withdraw funding from vital public and voluntary sector services what does that say about its attitude to socially and economically deprived communities?

(d) Blanket cuts can result in “throwing the baby out with the bath water”. Many valuable services have been lost and communities left bereft of essential support. Government and local authorities should undertake a review of what was working and retain/reinstate programmes that make a real difference, eg Surestart.

### 3.10 *Community/Communities*

(a) Through the amplified voices and actions of a few, everyone is suffering.

(b) Society has become too complacent. The community has a collective responsibility for creating a safe environment. It is neither necessary nor desirable to leave it all to state. Communities need to have more ownership and control over decision-making processes. We need to build on solid foundations, whether faith-based or reflecting traditional community values. We have a range of community foundations on which we can build—neighbourhood forums and residents’ groups, third sector organisations, faith organisations and private sector networks. Some of this is becoming increasingly fragile as a consequence of funding cuts, a trend that needs to be reversed as a matter of urgency.

(c) We need to invest in our community infrastructure and in our people. A hypothesis was raised that 95% of all funding into the area is consumed within the system. This needs to be explored and more specifically, more funding needs to be getting through to local grassroots community organisations.

(d) Delegates acknowledged the swift action taken by Birmingham City Council to clear rubbish after the disturbances and compared it to everyday issues of rubbish clearance in local neighbourhoods. They expressed concern that the Council needs to improve on this over the long term in order to be trusted on larger more complex issues. They raised concerns about the loss of environmental wardens and depletion of services, concluding that communities are now getting “less” help.

## 4. RECOMMENDATIONS

This section lists the recommendations proposed by Conference delegates. The recommendations uphold the consensus view that this is a complex situation which will not be resolved by a single intervention or a single stakeholder group. Notwithstanding this, the government is perceived as the body that must take the lead and create the environment (policy and financial) where other stakeholders can play their part.

### 4.1 *Policing*

(a) More (not less) robust and responsive neighbourhood policing.

(b) The style of neighbourhood policing needs to be sensitive to issues such as Stop and Search as Stop and Search has the potential to damage police/community relations as well as community cohesion.

### 4.2 *Funding*

(a) No cuts in policing funding.

(b) Funding attracts organisations into an area but when the funding ends they go and there is no sustainability. Funding should be targeted at organisations already located within the area.

#### 4.3 *Youth provision*

(a) Increase youth provision to counter the impact of loss of access to people to whom young people could relate and identify as (positive) role models.

#### 4.4 *Employment*

(a) Increase job creation through third sector organisations.

#### 4.5 *Strategic direction*

(a) We need a well thought through economic strategy for our cities, through which young people can embark upon career paths with realistic expectations of fulfilling their ambitions.

(b) More work is required regarding what works rather than instituting a knee jerk response and pouring more money into an area that has not reviewed its needs and how it will address them.

#### 4.6 *Young people*

(a) Compulsory six months community service (National Citizens' Service?) for young people.

#### 4.7 *Strategic engagement of communities*

(a) Public policy needs to not only empower people to take control but to give resources also.

(b) Give youth representative organisations more status so that those in power are obliged to listen to what young people have to say.

(c) Create a joined up ethos and shared values between the government, the local authority and communities as a basis for cross-sector collaborative working.

#### 4.8 *Third sector*

(a) Conduct a review of third sector provision—availability, breadth, quality, gaps and impact as a forerunner for renewed investment in frontline third sector services.

(b) Support is provided to assist third sector organisations to overcome barriers to participation in public sector commissioning processes.

#### 4.9 *Community action*

(a) Harass the local authority.

(b) Need to get people talking to one another.

(c) Positive use of social media and contacts to keep people informed.

### 5. SUPPLEMENTARY QUESTIONS TO THE HOME AFFAIRS SELECT COMMITTEE

This section lists questions that delegates are inviting the Select Committee to consider and address in its final report:

1. CCTV is now an everyday phenomenon with suggestions of further increases in its. There is talk of tackling the issue of social media. Where is the invasion into our privacy going to end?
2. Given recent experiences with MP's expenses, impropriety by the press and possible police collusion, is the sentencing policy for those involved in the riots fair and consistent?
3. What do we learn from previous riots and responses? How will government capture good practice?
4. What will replace EMA, future jobs fund to help young people into employment?
5. What is government doing to support victims in the community and rehabilitation when convicted return to their communities?
6. Are young people being taught social responsibility and the consequences of their action?
7. Will the Labour party give a commitment to pursue the actions that we raise today and to feedback to us on its response?

### 6. CONFERENCE DELEGATES

To follow.

September 2011



**Written evidence submitted by Mothers Against Violence, Fathers Against Violence and Carisma**

After the riots—what's next? Youth speaks out!

Hosted by Mothers Against Violence (MAV), Fathers Against Violence (FAV), Carisma.

Summary of points raised by young people at meeting held on 1 September 2011.

Young people from Chorlton, Levenshulme, Moss Side, Old Trafford, Fallowfield areas of Manchester.

*Q: What is your opinion of the media portrayal of the recent disturbances in Manchester?*

A:

- Some young people did not see the news, just pictures of Miss Selfridges on fire.
- The news only shows what they want other people to believe, there were predominantly young people being shown but older people took part also.
- The news made things look worse than it was, for example one window smashed in the Arndale Centre but the news made it look as if the whole of Manchester city centre had been smashed up, and this made me angry.
- “If I went to the disturbances, I would have been classed as being involved just because of how I dress”, if there were a group of black youths and white youths, the police would target the black youths, there was a campaign on Facebook saying it was not just black kids involved in the riots.
- Reports on the news kept referring to “1976” but didn’t explain what happened in 1976.
- Young person told by elders if they were demonstrating against the police the elders would have helped them.
- When people look back historically all that will be seen is black youths being involved in the violence.
- The riots started in London which has a higher proportion of black people so it would look as if it was mainly black youths involved. There were no black kids involved in the Salford disturbances and this wasn’t shown as much, outside communities would think it was just black kids in Manchester involved in the disturbances.
- A number of young black youth went to look but the media made it look like they were involved.

*Q: Apparently the riots were sparked form a young man being shot by police in London and footage of a young girl being beaten by the police is this good enough a reason for the riots?*

A:

- There was no reason Manchester should have got involved, ego made people take part, nothing to do with people who died or were beaten.
- Makes no difference if sentences are harsh because people don’t think you’re going to get caught.
- If I had shot someone my face would have been all over the news, why wasn’t the police officer who shot the man in London shown all over the news?

*Q: How do we progress and move forward and make our community safer?*

A:

- More black politicians are needed to represent us (it was pointed out that MAV, FAV and Carisma will support any young person to do this) it is not out of our reach, you just need to want to change and say this is what I want to happen.
- More black role models, I can’t think of any role models in my area. We could set up a website or have facilities showing black heritage history showing positive things for us to access.
- I have a strong mind I could have gone and taken part, if it was on my mind it would have been on others minds.

*Q: How do we move respond to these disturbances?*

A:

- The best way to share news is social networking, letters but word of mouth is the best way to pass on a message.
- Young people will organize the next meeting MAV, FAV and Carisma will facilitate the venue etc., young people will network to get participants for next meeting.

Other points raised by the young people:

- The police didn’t deal with the situation in the right way.

- It's wrong that parents get evicted, if someone chooses to take part it's not their parents faults, it's an individual choice to get involved.
- We can't all be Di Vinci or Einstein, some young people want to be rappers or footballers. I want to be a footballer but my teachers have told me I need a plan B, so divide my dream 50/50 I don't want to do that, I want to give it 100%, we should be encouraged to follow our dream and if you put your mind to it you can achieve it. Alan Sugar had no qualifications but he is a multi-millionaire.

Young people's contact details given, support and facilitation of next meeting to be decided by young people and networking for participants in next meeting.

*September 2011*

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### **Written evidence submitted by Cheshire Police Authority**

In response to the invitation to submit written evidence to the above Inquiry into the recent wide scale disturbances, please find below a brief outline of Cheshire Police Authority's experiences during the disturbances.

Whilst Cheshire was not directly affected by public disorder, work to prevent disturbances taking place and the provision of mutual aid to other Forces had a substantial impact upon police resources in Cheshire.

Cheshire was only able to mobilise the officers it did because of the numbers currently in place and even then, had the disturbances continued or spread more widely, the service would have been severely stretched and would rapidly have reached a critical state. Therefore, the Authority has grave concerns about continued reductions in police numbers to meet the current financial constraints. With this in mind, I have recently written to all Cheshire Members of Parliament and Lords asking them to reflect on the recent civil disturbances and urging them to reconsider the cuts to police budgets and the proposed implementation of costly and untested governance arrangements.

#### **POLICE APPROACH**

The Constabulary established a multi agency Gold Group at the outset and this met at least once each day during the disturbances, with the Chairman representing the Authority at these meetings. A silver control room was also set up at Constabulary Headquarters to co-ordinate the response and deal with requests for assistance from other Forces.

The Constabulary adopted a highly visible presence on the streets to prevent disorder and reassure the public, particularly in town centres and shopping centres where there was a great potential for disturbances. Cheshire public order trained officers and uniformed staff moved to 12-hour shifts to provide resilience.

The Constabulary had an increase in the number of calls from members of the public, with the majority of calls relating to postings on social networking sites or text messages circulating which caused local people concern. An intelligence cell was established to monitor social media trends and identify any emerging risks. Eight people were arrested on suspicion of inciting public disorder following postings on social networking sites. Two further arrests were made in connection with anti-social behaviour. A number of young people were spoken to with their parents, and advice given regarding entries on social networking sites, or comments passed via Twitter.

In terms of mutual aid, Cheshire provided assistance to both the Metropolitan Police and Greater Manchester Police.

#### **COMMUNITY ENGAGEMENT ACTIVITY**

As part of joint work with partner agencies, advice was available to local retailers and businesses by police, fire, and council staff. Officers worked closely with the retail sector and security staff to maintain order. Consequently, there were very few flashpoints and only a small number of people had to be arrested for public order offences.

Local employers released members of the Special Constabulary from their daily jobs, in order to volunteer their services alongside those of their regular police colleagues.

Press and Communications staff answered social media site enquiries, formulated and widely disseminated reassurance messages, and encouraged positive responses to the police effort. The public sentiment was overwhelmingly supportive of the Constabulary's efforts and the Authority picked up a number of examples of positive feedback about the hard work of the police.

I hope this information will assist the Select Committee in conducting its inquiry.

*September 2011*

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**Written evidence submitted by Councillor Paulette A Hamilton, Handsworth wood ward,  
Birmingham Perry Barr**

Specially convened group of representatives from the African and Caribbean Communities in the wake of the August Riots.

**INTRODUCTION**

Following discussions between members of Birmingham's African and Caribbean communities on the increasingly fragile relationship between them and West Midlands Police, it was decided to write to the Home Affairs Select Committee to highlight observations made prior to, during and after the riots which took place in and around Birmingham in August 2011.

In doing so, we wish to make clear from the outset that we do not condone the violence and destruction that occurred.

However, the continuous barrage of negative media reporting that has explicitly or implicitly blamed the African and Caribbean communities for the riots has so angered and incensed our communities that a response was deemed necessary.

We are not alone in expressing these concerns. Gus Johns, a leading African Caribbean Professor, felt compelled to write an open letter to the Prime Minister David Cameron to challenge the rhetoric being used in speeches and articles as it relates to white and African and Caribbean youths. We hope that this letter will also form part of your committee's considerations.

The submission itself summarises points made at a specially convened meeting called by Councillor Paulette Hamilton and others, hosted by the Drum Arts Centre on 25 August. Cllr Hamilton represents one of the most deprived wards in Birmingham. Twenty-seven key figures in the African and Caribbean communities who are recognised for their valuable work and contributions in the City of Birmingham attended. They represent a cross section of organisations from the community in terms of age groups and relevant sectors with the ability to disseminate information to the wider African and Caribbean Communities.

The observations address the first point of your stated terms of reference: Police relations with the communities where violence took place before the riots, including similarities with and differences from previous public disorder events.

**CONTEXT**

Birmingham has the largest concentration of African and Caribbean people outside of London and Luton. The 2001 census says there were approximately 60,000 people from Black ethnic communities living in Birmingham. This represented 6.1% of the population and 20.7% of the non-white population. This will change with the new census figures for 2011.

To understand the state of the relationship between the Police and these communities it is important to be aware of their history and profile. This history and emerging profile and the stories and or picture it paints of each key learning moment over the last 60 years and in particular the last decade cannot be ignored if we are to successfully establish an effective, interlocking community relationship which is mutually beneficial to both parties in ensuring a shared goal of community safety and cohesion in Birmingham. Historically the African and Caribbean communities have been viewed as a criminal element on the fringes of society and this has been reflected in the media's reporting of incidences that may or may not have anything to do with these communities.

These communities have entrenched problems that are exacerbated by the police's approach and attitude to young African and Caribbean people. This is supported by statistics on key issues, for example disproportional figures relating to stop and search, the national DNA database, numbers in prisons on first or minor offences and unsolved black murders which are not necessarily mentioned in the press.

Overall the African and Caribbean communities in Britain suffer disproportionately from school exclusions, underachievement in education, over representation in the prison population and the criminal justice system, and high levels of unemployment. These communities are still under represented in politics, business and civil life. All of these startling facts will do little to foster future harmonious relationships with other communities and with West Midlands Police unless more progress is made in implementing the recommendations of the Lawrence Inquiry.

These communities have now become so alarmed and angered by these statistics that it has galvanised support for a lobby group to tackle these concerns.

**CONTRIBUTORY FACTORS**

The riots of August 2011 appeared to have been co-ordinated and planned with social media playing a major part in Birmingham. While people viewed live footage of looting in London it quickly went viral with people being accurately advised where the next explosive situation would happen. Many people were aware of what was happening and where with Facebook and Blackberry offering minute by minute updates and directions to

people on the streets and at home. Only a very small group of people were actually organised enough to capitalise on the “opportunity” this presented by, for example, getting transport to move any stolen goods. Not all participants were simply interested in material goods. According to one local journalist covering the riots some participants were from anarchist groups. These text messages ensured that a large group of people of all ethnicities and ages congregated in Birmingham City Centre.

Most adults ignored these messages and even dismissed them as comical. They were therefore taken by surprise at the alarming rate at which events escalated. Eye witnesses reported complacent policing with officers standing by as people entered and exited vandalised shops helping themselves to whatever they could carry. People were heard phoning friends and urging them to join the action before everything went reassuring them that the police were not arresting people.

Privately owned shops in the city centre arranged their own vigilante support groups to take on rioters, in some cases bringing in guard dogs. This could have given rise to further altercations and even injury to those protecting their shops.

The following are some of the points raised by the representatives as contributing to the disturbances in the West Midlands:

- Policing of the African and Caribbean/Asian communities.
- Police in Tottenham falsely alleging that Mark Duggan had shot at officers.
- Police being disgruntled with the government regarding reduction in the number of police officers (hence their complacent policing during the riots).
- Poverty among young people, especially in one-parent households.
- Education Maintenance Allowance (EMA) allowances being removed from those families in financial need.
- Inadequate youth provision for young teenagers and the closure of quality projects.
- Negative media coverage of young black youths, especially during the riots.
- Stop and search policy and increasing use of stop and account by officers who have no knowledge of the communities and their diverse make-up.
- Racial profiling.
- Local authority officers misleading members of the Black Minority Ethnic (BME) communities within Birmingham resulting in further isolation of African and Caribbean advocates who engage, in particular, with urban youths.
- Poor auditing by Local Authority Officers and West Midlands Police to account for the large sums of money drawn down from Central Government on special programs that target youth and crime interventions.
- The impact of redundancy on the income of one parent house-holds.
- Poor education and poor parenting skills.
- Increase in youth stress and mental health issues.
- Government cutbacks.

## PROPOSED SOLUTIONS

### *Our Understanding of Effective Community Engagement*

Good community engagement provides opportunities for people to shape the place in which they live, creating better and more sustainable communities.

Engagement suggests a different sort of relationship. It suggests that there is a “governance” system and a “community” system. In order to build the collaborative relationships on which complex activities such as community empowerment and confidence building would depend, it is necessary for the governance system to fully understand the dynamics of the communities with which it seeks to work, and to be prepared to adapt and develop structures and processes to make them accessible and relevant to those communities. In this way, the term engagement warns us against making assumptions about communities: it asks for a dialogue. It also implies that the development of the relationship itself will be a key focus for attention: “police” will need to engage with communities as well as asking communities to engage with them.

What do we want from the new engagement strategy?

1. Assurance that the African and Caribbean community is empowered to be involved and influence local policing delivery.
2. Increased awareness of the policing needs and issues of these communities with a view to building confidence and trust, and promoting a more cohesive approach to policing.
3. That West Midlands Police polices with the consent of the community by delivering local policing thereby discharging their duty to provide accountability to this community and vice versa using the IAG (Information, Advice, Guidance) model of engagement.

4. Increased awareness of and confidence that West Midlands Police is an effective means for visible and transparent police accountability amongst these communities and other partners.
5. Improved West Midlands Police understanding of these communities and their complex structures so that we then ensure that we are empowered and able to influence the delivery of policing in our neighbourhoods.
6. A comprehensive tactical plan for communications and community engagement that sets out a forward work programme that is sustained and not reactive. This plan is to be reviewed on an annual basis for the life of this strategy with a measure of the West Midlands Police performance against objectives.
7. Independent inquiry into deaths in custody.

#### *Proposed Community Engagement Model*

Historically, African and Caribbean community engagement with the police has been reactive rather than proactive. This is a one-dimensional approach to conflict prevention. It is important that a new approach to community engagement and consultation starts from a position of “normality” so the police can engage meaningfully with the African and Caribbean communities before, during and after incidents like those that occurred in August.

To achieve this we need a community-led review of policing. We also need to replace the Independent Police Complaints Commission, which has failed in its primary statutory purpose, ie to increase public confidence in the police complaints system in England and Wales, with a watch-dog body that is truly independent and community led.

We propose a two-tier approach to community engagement as highlighted below:

#### *Two-Tier Approach to Effective Community Engagement Model*

1. Down time (no incidents) engagement process:
  - Relationship building activities and events.
  - Exploring traditional and emerging communication channels.
  - Making the police accessible to the community.
2. Active time (incident) engagement process:
  - Pre-police action in the community dialogue:
    - Crisis point mediation to ensure community cohesion.
    - Having a clear point of contact to serve as the thermometer and thermostat for informed and measured police action in the community.
  - Police presence in the community—how we will work with the police in ensuring:
    - Effective targeting and not profiling.
    - Appropriate use of enforcement process—especially in raids.
    - Communication of police action in the community.
  - Post-police action in the community:
    - Effective media reporting.
    - Soliciting of community support.
    - Exploring the moral and business case for police action.
    - Praising and rewarding community support and engagement with the police in solving the problem.
    - Support for Community Development Trusts (CDTs).

Section 17 of the Crime and Disorder Act 1998 imposes a duty on the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on citizens. The Crime and Disorder Act 1998 also calls on local authorities to do all that they reasonably can to prevent crime and disorder in their area. The levels of unemployment and other disadvantages among members of the BME communities, including educational underachievement and disaffection among young people, would make this provision quite relevant in seeking “exceptional” assistance to facilitate the development and implementation of strategies to prevent crime and disorder within our communities.

#### CONCLUSION

The group on whose behalf this paper is presented is not claiming exclusive representation of the African and Caribbean communities, but seeking primarily to ensure that the widest possible interests and needs of the African and Caribbean communities are identified and protected through a process of meaningful cooperation and collaboration, at a strategic level, with the City Council and West Midlands Police.

The group also sees this as an opportunity to build our capacity and infrastructure, and position ourselves to take greater advantage of commissioning opportunities, building upon our community access and experience of service delivery, particularly in respect of so-called “hard to reach” or disengaged and vulnerable groups.

The Evidence confirms that in 2008 Be Birmingham carried out one of the largest and most comprehensive mapping exercises of public investment in the UK, which makes it possible for Birmingham to immediately respond positively to the principles and challenges of “Total Place”.

At the Moving Beyond Project Funding Conference organised by Improvement and Efficiency West Midlands (18 May 2010), Stephen Hughes, Chief Executive Officer of Birmingham, appeared to be calling for the citizens of Birmingham to be accountable and be counted for their contribution to the transformation of the city, and rightly so. He went further by expressing confidence that Birmingham’s programme of transformation towards achieving the “Total Place” agenda will be successful as it takes on a “customer first” and “needs led” approach.

Those who have contributed to this submission appreciate and support the above approach and have direct experience of the barriers to refocusing services to local needs that could inform policies and strategies. For example, evidence and direct experience confirm that the lack of secure, well-resourced local delivery points is a significant barrier. Our request is therefore to retain and develop existing and new parts of the third sector African and Caribbean infrastructure to provide key delivery points in disadvantaged urban communities.

We believe that the best means of co-ordinating these efforts is by providing resources for the development of an African and Caribbean Communities Development Trust whose role would be to oversee and manage assets for the whole community.

In positively supporting these proposals, we of the African and Caribbean communities would seek to work creatively and collaboratively with the local authority, using the principles of “Total Place” to shape new policies that would respond to, embrace and expand the contributions of the African and Caribbean communities.

Anything less than a positive response is likely to trigger a reduction in the number of those, mainly experienced, BME professionals actively involved in constructive community engagement. We anticipate that what will then follow are the dismantling of the remaining assets and other components of an already weakened infrastructure in the mainly disadvantaged and deprived African and Caribbean communities of Birmingham. We anticipate that if action is not taken swiftly, rebuilding an active contribution from African and Caribbean citizens who are becoming increasingly disillusioned and disengaged will become increasingly remote with unpredictable consequences.

*September 2011*

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### **Written evidence submitted by Amnesty International UK and the Omega Research Foundation**

1. Amnesty International is a worldwide movement of people who campaign for internationally recognised human rights to be respected and protected. Our vision is for every person to enjoy all of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. Our mission is to conduct research and take action to prevent and end grave abuses of all rights—civil, political, social, cultural and economic. From freedom of expression and association to physical and mental integrity, from discrimination to the right to shelter—these rights are indivisible.

2. The Omega Research Foundation (Omega) is an independent, UK based research organisation which provides rigorous, objective, evidence-based research on the manufacture, trade, and use of military, security and police (MSP) technologies. We currently receive funding from the European Commission for a project on the appropriate use of force and policing equipment by law enforcement agencies in a range of situations, including crowd control. This short submission draws on the interim findings of this project.

3. We address several aspects of the inquiry, namely: the techniques used by the police to address the disturbances, particularly deployment of non-standard techniques; the legislation regulating normal policing processes and Her Majesty’s Inspectorate of Constabulary (HMIC) and Association of Chief Police Officers (ACPO)/National Policing Improvement Agency (NPIA) public order guidance. We make recommendations concerning:

- The process for approving new weaponry, and the degree of discretion afforded to Police Chiefs.
- ACPO/NPIA guidance on Attenuating Energy Projectiles and Counter Strike (CS) Smoke.
- The types of weaponry under discussion for potential police use.

#### **NON-STANDARD TECHNOLOGIES: THE ROLE OF POLICE CHIEFS**

4. The discussion around, and public pressure for, the introduction of additional policing technologies to deal with the recent disturbances was intense. A You Gov poll found that 90% of those polled supported the use of water cannon, and over 70% supported the use of Taser and tear gas.<sup>6</sup> Against this backdrop, the

<sup>6</sup> YouGov (2011). YouGov/The Sun Survey Results

various police forces engaged in containing the recent disturbances should be commended for handling the situation without having recourse to additional weaponry. This notwithstanding, Amnesty International UK and Omega have concerns about the use of non-standard technologies.

5. Previous evidence to this committee<sup>7</sup> has revealed that police chiefs have considerable discretion to select the equipment in use by their force. There is nothing in statute that specifies what the police can or cannot use. Indeed, Section 54 of the Firearms Act of 1968 enables police officers to “purchase or acquire firearms and ammunition for the public service without holding a certificate”. Statutory Guidance—the 2003 Home Office Code of Practice on Police Use of Firearms and Less Lethal Weapons, sections 3.2 and 4.1—which Chief Police Officers must “have regard to”, gives them responsibility for “the acquisition of weapons requiring special authorisation for use in their force areas” and the power to decide “what types of weapons need to be available within their forces”.

6. The UK’s selection and testing process is widely regarded as one of the best in the world, with considerable technical and medical assessment. It uses a needs based, standards based process, testing technologies against operational requirements (eg for accuracy and precision) with technologies that fail to meet these standards not being authorised for use. It then subjects them to a separate medical assessment, including their impact on vulnerable population groups, before seeking Ministerial approval for their deployment.

7. Amnesty International UK and Omega are very concerned that this rigorous process, carefully developed over a number of years, can be so easily bypassed. Police chiefs have the ability to deploy equipment that may not have been given Ministerial approval, nor have passed the operational requirement test or meet the required standards of accuracy and consistency. Indeed, the equipment may not have been tested at all, nor had specific safeguards and guidance put in place for its use.

8. The deployment of the wireless electroshock projectile, the Extended Range Electro-Muscular Projectile (XREP), in the Raoul Moat case in 2010, is one incident which highlights these concerns. Testing commissioned by the UK’s own testing and selection agency, HOSDB,<sup>8</sup> and published in 2009, had found the XREP to be inaccurate at 20 metres and to vary considerably in the length of electric shock delivered. Whilst some rounds were “electrically dead”, others delivered an electric shock for “more than five minutes after being activated”.<sup>9</sup> Further testing in 2011 confirmed that the projectile was highly inaccurate, unable to hit the target at 12 metres, let alone the 30 meters advertised.<sup>10</sup>

9. Allowing forces to use unapproved equipment asks them to make judgements on the medical and other impacts and risk of weapons that even medical specialists are sometimes hard-pushed to do. It also risks exposing officers to the potential dangers of using untried and ineffective weapons. Under these circumstances it is difficult to see how the police can discharge their legal obligation to ensure that the use of equipment is lawful, necessary, reasonable and proportionate.

- We recommend all necessary changes are put in place to ensure that Police Chiefs are only able to deploy technologies which have gone through a full testing, selection and evaluation process and received Ministerial approval.
- One way of working towards this would be through a revised Code of Practice on Police Use of Firearms and Less Lethal Weapons. Consultations on revisions to the 2003 version of this Code were held in 2009. The Home Office has subsequently advised that “work on a revised version has been put on hold whilst Home Office officials work with key partners to understand how the Code’s of Practice are aligned with the onset of the Strategic Policing Requirement”. Amnesty International UK and Omega recommend that the review is restarted and these points are made explicit in the revised Code.

#### GUIDANCE ON ELECTRO-SHOCK AND DISTANCE WEAPONS

10. Amnesty International UK and the Omega Research Foundation agree with the Home Affairs Select Committee recommendation that “the police continue their self-imposed ban on the use of Taser in public protest situations. More generally we urge the police to reject the use of “distance weapons” in policing demonstrations. Instead of investment in expensive equipment to give the police “distance” while policing large scale protests, we suggest that the money could be better spent on training for front-line officers and in the planning of operations, removing the need for such “distance weapons”.

11. The use of electroshock devices for crowd control presents several difficulties, including; the risk of danger to officers if the device does not incapacitate or if s/he is overwhelmed by the crowd, the danger of hitting individuals other than the target, the risk of inducing panic in the crowd more generally and difficulty ensuring the timely provision of medical assistance to individuals suffering adverse consequences.

<sup>7</sup> Home Affairs Committee (2011). Fifth Report: Police use of Taser. See, for example, Memorandum from the Parliamentary Under Secretary of State for Crime Prevention to the Chair, Home Office Select Committee

<sup>8</sup> The Home Office Scientific Development Branch, now known as CAST, the Centre for Applied Science and Technology

<sup>9</sup> Sherman, D and Bir, C (2009). A test methodology for the complete characterisation fo the Taser XREP Munition paper presented to the 2009 Ettlingen Symposium on Less Lethal Weapons.

<sup>10</sup> Kunz, S; Graw, M Peschel, O and Grove, N (2011). “Long-distance Conducted Electrical Weapon XREP function and ballistic features” in sixth European Symposium on Non-Lethal Weapons 16–18 May 2011, Ettlingen, Germany

- In his evidence to this Committee in December 2010 Simon Chesterton, ACPO lead, noted that the “national guidance is that Taser should not be used in relation to public demonstrations”, and Amnesty International UK and Omega recommend that this be made more explicit in ACPO guidance relating to crowd control and the use of Taser.

12. Moreover other “distance weapons”, although currently not used in UK policing, are being reviewed by the Centre for Applied Science and Technology (CAST). A report by CAST’s predecessor, the Home Office Scientific Development Branch, states that directed energy weapons—including ocular weapons and millimetre waves—“could in the future provide a capability for the UK Police to engage individuals at a greater range and with more precision than is currently achievable”.<sup>11</sup> Acoustic weapons such as the Long Range Acoustic Device (LRAD) have been used for crowd control in Canada and the USA, although not without controversy. Such weapons have serious medical and human rights implications. Their introduction would also represent a significant deviation from the British model of policing.

13. Acoustic weapons are relatively indiscriminate, targeting sections of the crowd instead of targeting specific individuals within it, and the same level of exposure has been reported to affect individuals differently. Studies have noted “very high variable individual sensitivity”<sup>12</sup> to acoustic weapons, with noise induced hearing loss seeming to occur randomly.<sup>13</sup> There are also a number of health risks associated with the use of such weapons, particularly at close range, loud volume and/or excessive lengths of time. Such risks range from temporary pain<sup>14</sup> to permanent hearing damage.<sup>15</sup>

14. Whilst millimetre wave systems are designed to produce nothing more than pain, or possibly short term redness or blistering,<sup>16</sup> longer exposure, especially one at higher power, could lead to second or third degree burns. If such burns occur over 20% or more of the body they become life threatening and require specialist burns treatment. At least one such exposure was reported during official testing<sup>17</sup> and the risk of such consequences may be exacerbated in crowd situations where individuals may be unable to move out of the way of the beam.

- We recommend that ACPO guidance states more explicitly that electro-shock devices are inappropriate for crowd control.
- We agree with the Committee’s earlier recommendation on the use of “distance weapons” for crowd control and recommend further that there is specific reference to emerging technologies such as acoustic and millimetre wave weapons.

#### GUIDANCE ON ATTENUATING ENERGY PROJECTILES (AEPs) AND WATERCANNON

15. Amnesty International UK and Omega note that the police decision to refrain from using water cannon was appropriate under the circumstances; indeed, as Sir Hugh Orde noted, it was not suitable for this type of disturbance.<sup>18</sup> Further, the ACPO/APCOS/NPIA *Manual of Guidance on Keeping the Peace* (hitherto referred to as *Keeping the Peace*) states that a possible criteria for use of Attenuating Energy Projectiles (AEP) include “situations of serious public disorder where there is the potential for loss of life, serious injury or widespread destruction”. Whilst the police were thus enabled to use AEPs, their decision to refrain from doing so was appropriate under the circumstances. Indeed, as the *ACPO Attenuating Energy Projectile (AEP) Guidance* (amended 16 May 2005) notes, “the AEP has not been designed for use as a crowd control technology but has been designed for use as a less lethal option in situations where officers are faced with individual aggressors whether such aggressors are acting on their own or as part of a group”.

16. AEPs were introduced as a safer alternative to their predecessor, the L21A1 plastic baton round. However, an analysis of the injury patterns caused by the AEP highlighted an unexpectedly high rate of serious injuries to the head and upper body which contradicted previous research.<sup>19</sup> The study found that “the AEP requires ongoing evaluation, and it is too early to conclude that it provides a safer alternative to the L21A1.”

- We recommend that further research and evaluation is undertaken into the AEP in order to better understand the associated injury pattern and risks.

<sup>11</sup> HOSDB (2008). *Less Lethal Technologies Review of Commercially Available and Near-Market Products for the Association of Chief Police Officers* Publication No. 49/08

<sup>12</sup> NATO (2004). *RTO Technical Report: Non-Lethal Weapons and Future Peace Enforcement Operations* TR-SAS-040

<sup>13</sup> The Canadian Centre for Occupational Health and Safety quoted in Bradford Non-lethal Weapons Research Project (2005) *Non-lethal weapons: saving lives but still serious areas of concern* presented at Jane’s 8th Annual Less Lethal Weapons Conference, the Royal Armouries, Leeds.

<sup>14</sup> Bradford Non-lethal Weapons Research Project (2005) *Non-lethal weapons: saving lives but still serious areas of concern* presented at Jane’s eighth Annual Less Lethal Weapons Conference, the Royal Armouries, Leeds.

<sup>15</sup> NATO (2004). *op cite*

<sup>16</sup> JNLWP (Joint Non-Lethal Weapons Program), *Frequently Asked Questions Regarding the Active Denial System*, 31 Oct. 2006, [www.jnlwp.com/Resources/Misc/FAQ%20FINAL%2031%20OCT%2006.pdf](http://www.jnlwp.com/Resources/Misc/FAQ%20FINAL%2031%20OCT%2006.pdf)

<sup>17</sup> K.Osborn, *Airman injured in heat bean test*, *Army Times*, 7 April 2007. [www.armytimes.com/news/2007/04/defense\\_burnedairman\\_070405/](http://www.armytimes.com/news/2007/04/defense_burnedairman_070405/) accessed 27 June 2011

<sup>18</sup> Orde, H (2011). *Now is not the time for the police to use water cannon and baton rounds*. Available online at [www.guardian.co.uk/commentisfree/2011/aug/10/water-cannons-baton-rounds-hugh-orde](http://www.guardian.co.uk/commentisfree/2011/aug/10/water-cannons-baton-rounds-hugh-orde)

<sup>19</sup> Maguire, K et al (2005). “Injuries caused by the attenuated energy projectile: the latest less lethal option” in *Emergency Medical Journal* 2007; 24:103–105



## GUIDANCE ON CS SMOKE

17. *Keeping the Peace* provides, in part, that “CS smoke” may be used “in serious public disorder, as a last resort, where loss of life, serious injury and widespread damage are likely”. Amnesty International UK and Omega understand that the device authorised for use is a CS irritant pyrotechnic hand grenade,<sup>20</sup> whilst the development of a Discriminating Irritant Projectile (DIP) is also ongoing.

18. The use of CS needs further research. CS can be particularly dangerous—possibly even lethal—in enclosed spaces. One study found that, although “in most situations the amount of injury is small”; “riot control agents sometimes cause permanent injury or death, especially when used in enclosed spaces or against those with existing cardiopulmonary compromise”.<sup>21</sup> An independent report into deaths following the use of CS in confined spaces in the USA found that “there is a distinct possibility that this kind of CS exposure can significantly contribute to or even cause lethal effects”,<sup>22</sup> if people are unable to leave the most exposed areas. Other reports have shown that inhalation of high concentrations of CS could result in “fatal pulmonary oedema”<sup>23</sup> and have highlighted “the very real risk of causing burns and serious injury” if used in an enclosed area.<sup>24</sup> This makes its use particularly problematic for use in large scale disorder situations like the recent riots, where individuals are likely to be in enclosed spaces (eg shops and other buildings). Some research has also indicated the potential health risks including the heightened possibility of longer lasting consequences if individuals are wet or have wet clothing.<sup>25</sup>

19. The use of grenades also needs further research. One report by the Borden Institute of the US Army Medical Department found that “the metabolic effects and health issues associated with acute CS exposure and its hydrolysis products appear to have been thoroughly studied; however, recent investigations into potentially harmful CS-derived compounds produced during thermal dispersion have raised new concerns. Many of these compounds have not been evaluated for their potential to produce acute or chronic effects.”<sup>26</sup>

- We recommend that ACPO guidelines make explicit the delivery mechanisms that are authorised to be used in the deployment of CS smoke.
- We recommend that the guidance notes the heightened risk that may be posed by interaction with water, as well as the risks associated with the use of grenades, and the danger of its use in confined spaces.

September 2011

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**Written evidence submitted by World of Hope**

1. *Introduction*

World of Hope is an organisation that provides various support services to young aged five to 21 and their families. The aims are to raise youth ambassadors by reducing youth crime, breaking the circle of offences, tackling poverty and reduce unemployment amongst our young people. World of Hope operates in Lewisham, Southwark, Greenwich and Lambeth with aim to cover greater London and beyond.

2. *World of Hope Intervention in Dealing with the Riot*

World of Hope was present in Woolwich on the day of the riot (8 August 2011). The reason was to discourage young people from participating in the riot. Several phone calls and texts made warning our young people to stay away from the riot in order to abstain from obtaining criminal record. We also intervened through regular visits to the affected areas and businesses in Woolwich, Peckham and Lewisham, attending meetings at the New Scotland Yard to be a voice to our communities place us in a better position recognise what went wrong and why. We also held a local inquiry in Greenwich Borough with the Borough Commander, Young people, Councillor, affected businesses and other people from our community. This was also broadcasted on BBC News at 6.30 and 10.00pm on the day (31 August 2011)

3. *Summary*

This report will address the issues surrounding the recent riot in London and identify the lesson that may be learnt. This report will also be focusing in specific areas in London such as Lewisham, Woolwich, and Peckham.

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<sup>20</sup> *Suffolk Police Policy on: Police use of firearms—specialist munitions*  
[www.suffolk.police.uk/NR/.../PoliceUseofFirearmsSpecialistMunitions.pdf](http://www.suffolk.police.uk/NR/.../PoliceUseofFirearmsSpecialistMunitions.pdf)

<sup>21</sup> Salem, H Gutting, B; Kluchinsky, T; Boardman, C; Tuorinsky, S; Hout, J “Chapter 13: Riot Control Agents” *Medical Aspects of Chemical Warfare*

<sup>22</sup> Heinrich, U (2000), Possible Lethal Effects of CS tear gas on Branch Davidsons during the FBI raid on Mount Carmel compound near Waco, Texas 19 April 1993 P6

<sup>23</sup> “Hu et al quoted in Euripidou, E, MacLehose, R, Fletcher, A “An investigation into the short term and medium term health impacts of personal incapacitant sprays. A follow up of patients reported to the National Poisons Information Service (London) in *Emerg Med J* 2004;21:548–552

<sup>24</sup> Police Complaints Authority (2000). *CS Spray? Increasing Public Safety?* p31

<sup>25</sup> Solomon, I Kochba I, Eizenkraft, E and Maharshak, N (2003). Case Report Report of accidental CS ingestion among seven patients in central Israel and review of the current literature

<sup>26</sup> Salem, H Gutting, B; Kluchinsky, T; Boardman, C; Tuorinsky, S; Hout, J “Chapter 13: Riot Control Agents” *Medical Aspects of Chemical Warfare*

This is because World of Hope covers these areas with close monitoring, regular visits, and working in partnership with local police in all the Boroughs mentioned above. This also involved feeding back to Community Engagement Board in New Scotland Yard and Local businesses to ensure adequate support to the victims. Florence Emakpose, World of Hope's founder is a representative on the board.

#### *4. Police Relations with the Communities where Violence took place before the Riots*

There was evidence of breaking down in relationship between police and black young people in some areas in London where predominately by Black. This is from the feed back World of Hope gets from young people regards to stop and search. There are some black young people who claimed that many black boys seem to be targeted. On the other hand looking at the population of the young people involved in the youth crime there is an indication that there is a high number of black boys involved in the crime compared to their white counterparts which could send a wrong signal to the police to be more vigilant in ensuring that more of the black boys get search as it could be difficult for Police to get it right all time without presuming that any black young boy on the street are not potential criminal. This could lead to breakdown in the professional relationship between the young people and the police which is already happening. The home office document called equality of human pointed out that "The evidence in "Stop and think" suggests that some forces are exercising their powers not on the basis of intelligence or reasonable suspicion but on stereotypical assumptions, which is not helping to make society safer. Black people are at least six times as likely to be stopped as white people; Asian people, around twice as likely".<sup>27</sup> There is still a big concern amongst the young people as they experience an increase in youth involvement in crime which made them feel unsafe. However, most young people will argue that they need to carry weapon as a means of protection without realizing that those who carry weapon are likely to use the weapon either to defend or get kill or injured with the same weapon during argument or fight. According to the Crime stopper, it was highlighted that "Young people think knife crime outlook is bleak—25% of people know someone who has been a victim of knife crime" (29 June 2009).<sup>28</sup>

5. There is a need to realise that there is a huge responsibility within the Police to work closely with the voluntary organisations that engage with young people in educating them on the roles and responsibilities of the Police within our communities. It is equally important for young people to be taught on the right attitude towards the Police even when under arrest which could enhance their opportunity of getting issues resolved on the spot with the police without aggravating more issues. Also the Police need to undergo more training that can be tailored to the feed back from the Local communities and young people in order to carry their duties with ease.

#### *6. Similarities with and differences from previous public disorder events*

From the feedback World of Hope got from the communities during out street outreach and visitation after the riot in the affected areas as mentioned above. There were unresolved issues with the student protest against increase in tuition fees which it left some places like Lewisham, Westminster and Centre London to face riot which affected Prince Charles and his wife. There is a tension which it must not be ignored by the government as everyone should have right to education. It seems that having police intervention to stop the riot seems not helping Police relationship and the student. It appeared that the numbers of student affected by this decision are huge. Also this issues of increase in tuition fees is ignored by the government which could leave the student with the sense of misinterpretation of police role as it could be seen as police defending the government by blocking them from fighting for their rights. Also police are in a tight position whereby their job is to tackle social disorder regardless of any circumstances to prevent further damage, loss and death.

#### *7. The role of social media in spreading disorder and in the response to it*

There was an issue of media interpretation of the law terminology in a wrong way. The social media at a stage has to be corrected with them calling the looter and rioter "protester" which could be seen as been supported by the media. Also the media fails to show the level of damage in some areas such as Woolwich which could leave people with mind set of under estimating the level of the damage. Also there were lacks of accurate of information at the point where Mark Duggan murder was wrongly reported in which the Police has to be asked to amend their media report which was carried out accordingly. This case could also make the community to lose trust in the media and the Police.

#### *8. The role of organised groups in promoting disorder*

There are numbers of groups such as BNP and EDL who were seeking to take advantage of the situation without been sensitive to the pain people are going through in the communities. At a stage council has to circulate letters of withdrawer of their participating in any event conducted by these groups.

<sup>27</sup> [www.equalityhumanrights.com/uploaded\\_files/raceinbritain/ehrc\\_stop\\_and\\_search\\_report.pdf](http://www.equalityhumanrights.com/uploaded_files/raceinbritain/ehrc_stop_and_search_report.pdf)

<sup>28</sup> [www.crimestoppers-uk.org/crime-prevention/latest-crime-statistics](http://www.crimestoppers-uk.org/crime-prevention/latest-crime-statistics)

9. *The role of the Independent Police Complaints Commission (IPCC), Her Majesty's Inspectorate of Constabulary (HMIC), and Association of Chief Police Officers (ACPO)/National Policing Improvement Agency (NPIA) public order guidance*

It appears that these groups tried their best to correct the damage caused by the few police on Mark Duggan killing. They also create time to consult the community representative from every borough in London in New Scotland Yards for any action taken. This needs to be recognised and appreciated. It can also be improved as it seems that to get things right it requires time and effort.

10. *The techniques used by the police to quell the rioting, including:*

(a) *Decisions taken over the deployment of police officers (availability of officers, response times)*

This seems to let the police down in the sense that the system of deployment of staff did not work which resulted in leaving some boroughs with a shortage of Police Officers. Even though, the high level of network of the rioters was unexpected but nevertheless it is a good practice not to leave a police station uncovered with appropriate numbers of police Officers.

(b) *The use of standard techniques: containment, dispersal, specialist public order officers, dogs, horses*

From the evidence of the destruction caused during the riot, the use of standard techniques seems appropriate. Even though, some people will argue that they do not expect all. In our opinion it seems that if those techniques were not in use more damage and loss could have occurred as the rioter seems not to care. This left a question to ask if drugs were not influence the action of the rioters and looters.

(c) *The deployment of non-standard techniques: armoured police cars, baton rounds, water cannon, curfews*

Due to the high level of the destruction the deployment of non-standard techniques will not be appropriate as this could reduce the level of damage, number of rioters and looters. It will also send a message of zero tolerance.

11. *Variations in the responses of different police forces*

This is expected as different people have different ways of responding to situations. This is where the role of Community Engagement comes on board in the New Scotland Yards to correct and insert any necessary response that could trigger the situation.

12. *Lessons to be learned from the police response to previous public disorder incidents*

The system of deploying staff needs thorough assessment before carried out as this has left some boroughs with a shortage of police. Government cut is affecting Policing in the UK. Also more resources are needed for Voluntary organisation to engage more with young people to improve their relationship with their local police. Any information released to the media needs to be accurate.

13. *Training of officers to deal with riots*

The police need adequate training to deal with riot and to be effective in applying the necessary gadgets and to equip them to be able to apply them when required without any presumption especially that riot is becoming an issue for the country. This will also prevent what happened to Mark Duggan.

14. *Whether there were any constraints on the police such as limited resources or powers*

Yes—The deployment of standard resources such as armoured police cars, baton rounds, water cannon and curfews should have been their last resort.

15. *Whether there should be any changes to the legislation regulating normal policing processes during times of major disorder*

Yes there should be.

16. *Whether the age of many of the rioters constrained the police in their use of anti-riot techniques*

This could be the case as there is a record of younger age as far as 11 years old participating in the riot which left a question for parents to answer as to what they were doing. And how do they monitor the movement of their children as most of the riot took place in the night time. However, if anything goes wrong in the process of intervention of the police the public will react to that as well. It is unfair on the police to be expected to control social disorder and to be restrained due to the age of children who do not think of their age and capability before committing crime.

### 17. *The application of the Riot (Damages) Act 1886*

To revisit relevant recommendations made in previous Home Affairs Committee reports into *policing the G20 protests* and *Knife crime*, and other relevant recommendations, to assess if they have been implemented by successive governments.

There is currently no outstanding effect for the riot damage Act 1886 that is known.<sup>29</sup>

### 18. *Recommendations*

- More Police are needed.
- There is a need for more resources to Voluntary organisations working with youths to engage with youths in educating them on the role of the police and how to conduct themselves when dealing with the police. There should be a place to complain of police rather than taking the law into their own hands.
- There is also a need for good police to be awarded openly and show case the good work police do with young people in the media.
- There should be transparency of how police deal with complaints.
- The role of police is to control public disorder which many people will always get caught and arrested which could lead to the role of police been misinterpreted.
- There is a need for Government to bring back discipline to schools and parents.
- Government needs to stop cutting and encourage higher education.
- Young people want to see their political leaders as positive role model and fair justice to everyone at every level regardless of their title and class.

September 2011

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## **Written evidence submitted by Cambridgeshire Constabulary**

### SUMMARY

1. The purpose of this evidence submission is to provide evidence to the committee of the views of Cambridgeshire Constabulary around the large scale public disorder that occurred around the country during August 2011.

2. Cambridgeshire Constabulary supplied Police Support Units as mutual aid resources from the beginning of the disorder and continues to supply units to date.

3. The evidence supplied on this submission has been provided by a number of members of staff who were involved in the Cambridgeshire policing operation.

4. In terms of police and community relations the Constabulary has recently responded to two English Defence League (EDL) demonstrations in the county. Community relations forged before, during and after those events provided us with the mechanisms for effective communications with the people of Cambridgeshire.

5. The Constabulary has used social media widely during the large scale disorder, particularly Twitter and the use of our force web-site. We tweeted 80 times and we have increased our followers three fold from 1,200 to 4,000. Images of disorder suspects received more than 21,000 hits and resulted in eight arrests. The force had a 200 per cent increase in web-site traffic (from 6,600 to 13,300) during the period. Our officers did use social media during public order deployments.

6. The Constabulary did not see evidence of any particular groups in promoting disorder.

7. Association of Chief Police Officers (ACPO)/National Policing Improvement Agency (NPIA) guidance is considered sufficient.

8. Deployment of officers was challenging for the Constabulary in terms of numbers, time and distances involved.

9. Whilst many forces train to Common Minimum Standards this is not consistent with the tactics undertaken by the Metropolitan Police.

10. The Constabulary responded effectively to requests from the Police National Information Co-ordination Centre (PNICC) and deployed 120 officers per day for a considerable period of time. The force only has 240 officers Police Support Unit (PSU) trained and abstraction has stretched the forces resilience.

11. Our force lost contact with the members of planning teams from other forces which did create some challenges for us logistically.

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<sup>29</sup> [www.legislation.gov.uk/ukpga/Vict/49-50/38/contents](http://www.legislation.gov.uk/ukpga/Vict/49-50/38/contents)

12. Cambridgeshire Constabulary is of the opinion that our officers are well trained in public order. We use Common Minimum Standards as our tactic type. We train with our regional colleagues and the training has been observed by the Her Majesty's Inspectorate of Constabulary (HMIC) and has received praise, particularly through its use of members of the public, including young people, as role players.

13. We are of the opinion that present legal powers are sufficient.

14. The Constabulary did have extremely limited resources throughout the period both in staffing and equipment terms.

15. Anecdotally, we do not believe that our officers were not operationally affected by the age demographic of "rioters".

16. We believe that Riot Damages Act 1886 is unhelpful and that the legislation should be re-visited.

17. We recommend that the presumptions around large scale public disorder are considered by the committee.

18. The Constabulary does not consider any of the evidence submitted to be sensitive.

19. The Constabulary does not wish any of its officers or staff to provide oral evidence.

20. Cambridgeshire Constabulary acknowledges that this submission will become the property of the Home Office Committee and that no public use may be made of it without permission.

## RESPONSE

1. Police relations with communities where violence took place before the riots including similarities with and differences from previous public disorder events:

1.1 Cambridgeshire has had two recent large scale demonstrations involving the English Defence League (EDL). Similarities with the recent incidents may be that unresolved issues within the community became the catalyst, the trigger point, for violent incidents seen around the country. Underlying issues and unresolved grievances with sections of the community towards the EDL within Peterborough may have contributed to a recent violent assault within the city. Such catalysts provide the trigger points for violent incidents which then take on a "life of their own".

1.2 Our policing response to the EDL demonstrations included a significant communications and engagement plan. Social media provided active and valuable channels throughout the policing operations. As a result the county suffered no significant disorder.

1.3 During the recent incidents Peterborough formed a Multi Agency Communications Group (MACG). The group contained a representative from the Youth Parliament.

2. The role of social media in spreading disorder and in the response to it:

2.1 Cambridgeshire Constabulary made extensive use of social media during the recent countrywide events.

2.2 A significant amount of information that was posted by the public on Twitter about disorder within Cambridgeshire and we used this information to respond to reports of incidents. For example, the constabulary investigated a report posted on Twitter of a fire being lit in Peterborough and that this may be related to the large scale disorder. When officers visited the scene they discovered that the report of smoke was in fact steam from the Nene Valley Railway.

2.3 We used Twitter, our force website and e-cops (an e-mail subscriber service) to keep the public up to date about our current county situation. Our objectives also included dispelling rumours and requesting information to identify individuals involved in our single incident of disorder.

2.4 From 8–14 August the force tweeted 80 times and responded to 69 @mentions or joined with other Twitter conversations relevant to national tensions and their local impact.

2.5 The constabulary's Twitter following increased more than three-fold from 1,200 to 4,000 during this period and most new followers continue to follow our feed extending its value as a tool to regularly communicate with the public online.

2.6 Nine images of individuals connected with a single public order incident in Cambridge received more than 21,000 hits. They were extensively re-tweeted including two images re-tweeted by over 100 users. Eight of the 14 arrests resulted from Twitter.

2.7 The force received a significant number of messages of support and thanks from the Twitter community which were posted internally and played a role in boosting the morale of officers and staff.

2.8 There was a 200% increase in traffic, from 6,600 to 13,300, to the force website during this period. 60% of those visiting our site were new.

2.9 The constabulary recognises the advantages and disadvantages of social media. Our Corporate Communications Department is an integral part of policing operations and the use of social media is a legitimate operational front line tactic. The speed and span of communications through social media can "outstrip" the ability of police to respond in a traditional way. Our

view, based on our successful experience is that if this does occur we should use social media to counteract this.

- 2.10 During debriefs we identified anecdotal evidence of officers broadcasting images from the disorder using Facebook to illustrate what they were facing. This prompted some calls locally to ban the use of such devices by officers. However, this needs to be set against the operational benefits of using those devices to enable details to be sent to those self same officers.
3. The role of organised groups in promoting disorder:
    - 3.1 Cambridgeshire Constabulary did not see any particular groups seeking to promote disorder.
    - 3.2 Any incidents of disorder tended to be caused by individuals seeking to fuel their own agendas and to maintain the momentum of disorder experienced nationally. The EDL were trying to make a conscious effort to distance themselves from the disorder and it's associations with their ideals.
    - 3.3 An operational officer performing mutual aid suggested that there was "no organisation in any groups". He also described disorder in London as "anarchy at its earliest beginnings with people doing what they pleased".
  4. The role of the IPCC, HMIC and ACPO/NPIA public order guidance:
    - 4.1 The Constabulary has no knowledge of, and is not in a position to comment on the activities undertaken by the IPCC following the shooting in London which is cited by many commentators as a trigger for the public disorder which followed. However, our extensive experience of dealing with critical incidents such as the recent disorder and many before (eg Soham, the Bichard enquiry, an adverse inspection report, deaths in custody, community cohesion issues and murders of victims from minority groups) have all demonstrated the value and importance of good, timely, consistent and repeated communications work from a senior spokesperson. It follows that the IPCC must do the same.
    - 4.2 The view of the force is that ACPO/ NPIA guidance around public order is sufficient and that no further guidance or clarity is required. The full range of tactical options currently being trained is well able to meet the risks we experience. The issues from our observations related only to the logistical issues of getting sufficient officers on the ground quickly enough to use these tactics.
  5. The techniques used by the police to quell the rioting, including: a) Decisions taken over the deployment of police officers (availability of officers, response times), b) The use of standard techniques: containment, dispersal, specialist public order officers, dogs, horses, c) The deployment of non-standard techniques: armoured police cars, baton rounds, water cannon, curfews:
    - 5.1 Decisions taken over the deployment of officers should properly reflect the extant need to respond to threat harm and risk informed by intelligence. In Cambridgeshire we incrementally increased the availability of resources by extended tours of duty, cancellation of rest days and finally "back to back" shifts for all officers. A further step of a cancellation of holiday leave was considered but not required to meet with requests from Police National Information Co-ordination Centre (PNICC) and our local demand. Our view therefore is that it was not any shortfall in resources that presented deployment problems, but simply the inescapable logistics of getting these officers on the ground.
    - 5.2 Whilst many forces train to Common Minimum Standards this is not consistent with the tactics undertaken by the Metropolitan Police. Clearly, any joint deployment in the future will be hindered if this is not changed.
  6. Variations in the responses of different police forces:
    - 6.1 Cambridgeshire Constabulary responded to a PNICC request to provide mutual aid for the disorder problems.
    - 6.2 We were able to provide two Police Support Units (PSU) to the Metropolitan Police District (MPD) during the first week of the disorder as well as providing two within our own force. This continued, for example over the weekend 3-5 September Cambridgeshire PSUs were still being deployed to the MPD to support policing operations in London.
    - 6.3 This deployment involved 120 officers every day. The constabulary has approximately 240 officers trained in PSU.
    - 6.4 With normal abstraction for rest days and sickness our force resilience was stretched and at one point we decided to send drivers down to the MPD to ensure the safe return of our officers due to the long number of hours that our officers were deployed.
    - 6.5 Consideration should be given to re-visiting national mutual aid agreements in order to recognise the differences between pre-planned and spontaneous incidents.
  7. Lessons to be learnt from the police response to previous public order incidents:
    - 7.1 We have no specific comments to make within this area.

8. Training of officers to deal with riots:

- 8.1 Cambridgeshire Constabulary is of the opinion that its officers are appropriately trained for public order policing whatever the scale.
- 8.2 The force trains to Common Minimum Standards (CMS) along with the majority of forces.
- 8.3 Our views around the use of tactic types are contained in previous paragraphs, however, it is important to recognise the affects of this on training. It is as impractical to train two tactic types together as it is to deploy them together. When training together individual forces maintain interoperability by using their own tactic types and maintaining effective communications about the objectives to be achieved.
- 8.4 Regional forces visit Cambridgeshire to take part in public order exercises. During these exercises forces will use either Metropolitan Tactics or CMS and use the interoperability described in paragraph 8.3.
- 8.5 The regional exercises described in paragraph 8.4 have been observed by officers and staff of Her Majesty's Inspector of Constabulary and the force has received positive comment about them.
- 8.6 PSU training within Cambridgeshire is as "life like" as possible and uses members of the public as role players including young people. This provides officers with the most realistic conditions and ensures that our officers are proportionate in their actions.

9. Whether there were any constraints on the police such as limited resources or powers:

- 9.1 We believe that the present legal powers are sufficient to effectively police public disorder situations.
- 9.2 The constabulary did have limited resources during this period. An operational commander described resourcing during this period as "cut to the bone with no surplus, no fat". At times there were gaps in our resourcing that were dynamically risk assessed to avoid compromising local response to crime and disorder.
- 9.3 Vehicle resilience proved challenging for the constabulary. Our garage staff were fully stretched keeping our vehicles going. At one stage we had to hire vehicles to maintain our resilience.

10. Whether there should be any changes to the legislation regulating normal policing processes during times of major disorder:

- 10.1 We believe that the current legislation provide us with all of the necessary options we need.

11. Whether the age of many of the rioters constrained the police in their use of anti-riot technique:

- 11.1 Anecdotal evidence from our officers that were deployed in London during the first week suggests that there were no particular age groups involved in the disorder.
- 11.2 We would refer to comments made in paragraph 8.6 and the use of young people in the public order training environment. A public order tactics advisor suggests that this helps officers in live situations. The same officer went on to stress the importance of this issue as it helps our officers train for the reality of situations.

12. The application of the Riot Damages Act 1886:

- 12.1 The Riot Damages Act is unhelpful. The arson in Croydon was, arguably, not part of riot. It is not clear whether media terms such as "riotous behaviour" are a de facto determination that an incident was, in fact, a "riot". It would be helpful to revisit this legislation.

13. To revisit relevant recommendations made in previous Home Affairs Committee reports into policing the G20 protests and Knife crime, and other relevant recommendations, to assess if they have been implemented by successive governments:

- 13.1 An operational commander suggested that at present the presumption is that the starting point for the police in protest situations is that protest is assumed to be peaceful. The historical approach was that police traditionally assumed that protest would be violent unless it could be seen that it was not.
- 13.2 We would wish the committee to consider the presumptions around policing large scale public disorder.

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## Written evidence submitted by Airwave

### 1.0 ABOUT AIRWAVE

1.1 Airwave designed, built and runs the Airwave network, which provides critical voice and data communications to organisations that keep the public safe—the police, fire and ambulance services, local authorities, health, utilities and transport providers.

1.2 The Airwave network was purpose designed and built to meet the exacting high standards that are required by the emergency services. This means that it is totally secure, covers 99.9% of Great Britain and is interoperable, which means that members of different emergency services from across the country can communicate with one another.

1.3 In addition to running the Airwave network, Airwave helps the emergency services to plan their communications and to maintain systems in the most testing circumstances.

### 2.0 EXECUTIVE SUMMARY

2.1 Effective policing requires a secure, reliable, interoperable and scalable national emergency communications service. This was particularly important during the August 2011 riots because of the rapidly escalating situation and the large number of officers that needed to be deployed in London from around the country.

2.2 The network is designed to offer the same levels of service both day-to-day and during major events, planned or unplanned and with the ability to adapt with speed. Despite unprecedented levels of police activity in London, Manchester and Birmingham over the period of civil unrest, communications were maintained throughout without any form of disruption. Airwave's experience of supporting the emergency services, together with the technical expertise of its highly specialised engineers and the network's resilient design, meant that the communications service continued to work to the high levels expected of it, with no disruption despite the 100% increase in radio traffic.

2.3 In London, the Metropolitan Police and the 25 cross-border forces that under mutual aid, descended on London to support their operation, were all able to communicate effectively with each other, due to Airwave's single standard telephony system that is used universally across the country.

### 3.0 AIRWAVE AND POLICE DEPLOYMENT AT THE AUGUST 2011 RIOTS

3.1 Access to secure, robust and immediate information is essential to successful policing. It is particularly important during large scale disturbances to ensure that all officers understand the situations they are facing and allow instructions to be passed down the chain of command.

3.2 Airwave's role is to ensure that the emergency services always have access to the communications they need. During the riots, a highly specialised team worked around the clock to ensure that the Airwave network allowed constant communication and that all the emergency services could effectively manage their information.

3.3 In the build-up to the Olympic and Paralympic Games (London 2012) the London network has an extra 100 paired channels (2 x 2.5MHz) spectrum capacity, meaning that the 16,000 police in London during the riots all had access to communications. To supplement this, Airwave put incident management plans into place to ensure that communications were maintained throughout the disturbances. This extra capacity will not be available after London 2012 and the spectrum capacity in London for the emergency and public safety services will return to the levels available in 2010, potentially making responses of this nature less feasible.

3.4 The emergency services understood the importance of good communications to their response to the riots. Nick Gargan, Chief Executive of the NPIA said:

“The network itself coped very well with the increased usage and capacity issues of moving vast numbers of police officers to disorder locations. In the London area, the average number of police officers on duty in a night was about 2,000 and the network was able to cope with a total of 16,000 officers, many of whom came from other forces thus showing the true interoperability capabilities of the Airwave service. We believe this was a great example of partnership working between the police service and Airwave in very trying circumstances.”

### 4.0 ACTIVITY ON 9 AUGUST

4.1 As soon as trouble broke out in Tottenham, Airwave's Network Management Centre registered the increased emergency service activity in the area and moved into “incident management mode”—an incident manager and incident coordinator are put in place from senior management to call in additional engineers and others from around the business if needed.

4.2 Airwave's staff supported the emergency services during the riots by working with the police and other users to ensure the network capacity was managed for the optimum usage in the specific areas it was required as the incidents developed, in real time. Separate teams supported the police, fire and ambulance services and



specialist engineers were on standby. The engineers were both dealing with difficulties as soon as they occurred, and were able to make instant changes to the network, boosting capacity as soon as it was needed. For example, air-to-ground capacity was enhanced to allow five police aircraft to remain in contact, rather than the one or two usually flying.

4.3 A conference call line was opened, meaning that the emergency and public safety services users could instantly contact Airwave technical and customer support teams for advice on network management and to resolve technical issues. The emergency services also used this to keep in touch with one another about communications issues, which allowed quick exchanges of information and immediate reactions to fast moving events.

4.4 In the days after the riots, Airwave's standard system of constant network monitoring was enhanced, meaning that any further outbreaks of trouble could be responded to quickly.

## 5.0 NETWORK CAPACITY

5.1 The number of police on the streets during the disorder led to unprecedented traffic on the Airwave network. The Airwave network is built to withstand 20% surges in traffic, however during the riots traffic on the network increased by more than 100%, from two million calls on 2 August to four million on 9 August.

5.2 The Airwave network was able to handle this unprecedented upsurge in traffic around the Greater London area, thanks to the additional capacity installed to cater for the heavy emergency service presence at the London 2012 Games. This additional capacity was added as part of a network retune earlier this year, facilitated by the free issue of additional temporary radio spectrum, but will revert to 2010 levels in 2013, after the 2012 Games.

## 6.0 POLICING TECHNIQUES

6.1 During this period of civil unrest and despite unprecedented pressure, the network remained fully operational because of new Airwave developed monitoring tools which have been in place since the beginning of 2011. The proactive monitoring technology is known as Insite, and it shows Airwave and the police real time call traffic levels, incident and coverage data. This was used during the riots to manage police officers and their communications.

6.2 Insite was particularly important during the riots as the quickly changing situation and the deployment of 25 different police forces in London meant that there was little time for briefing and limited local knowledge. It allowed the police forces to quickly and efficiently identify inefficient use of the network, showing where capacity could be freed up and reused in other areas.

6.3 Insite data was also used by Airwave's teams to show which areas were likely to suffer congestion before this occurred, allowing pre-emptive action. This allowed constant network availability to be maintained and meant that the emergency services were not distracted from their core tasks by the need to manage communications.

### 6.4 *Emergency Communications at Major Incidents*

6.4.1 The Airwave network was purpose built for the emergency services, both in day-to-day use and during major incidents. Specific features which enable this are described below.

### 6.5 *Coverage*

6.5.1 The Airwave network is contractually required to cover 99.9% of Great Britain. This level of coverage was requested by the emergency services when the network was built; before this there were large black spots in central London caused by the "shadows" of large buildings.

6.5.2 The civil unrest in August mainly took place in town centres where the police are regularly on patrol. This level of coverage means that the police will always be able to communicate, no matter where in the country disturbances occur.

### 6.6 *Interoperability*

6.6.1 Major incidents require joint working between the emergency services and between different forces, which in turn requires a common communications platform. Lady Justice Hallett's 7/7 inquest report noted the communications difficulties faced by some first responders to the bombings because communications, before Airwave's introduction, were not shared. Airwave's service is fully interoperable across the Emergency Services.

6.6.2 This relatively recent development was particularly important in the civil unrest in August: in London on the night of August 9, thousands of additional officers from 25 different police forces bolstered Metropolitan Police operations under mutual aid. In these circumstances it is vital that all members of the emergency services use the same communications platform and have sufficient spectrum capacity to allow co-operation and an efficient chain of command. Without the use of one standard communications system, these cross-border forces would have been unable to communicate effectively with each other. Also there are no additional costs and prolonged set up times for re-retraining and familiarisation that would be experienced if different forces used different systems.

### 6.7 National Roaming and Officer Deployment

6.7.1 The deployment of officers from outside London was possible because standard Airwave equipment and procedures are used across the country. Before Airwave's introduction, officers working outside of their forces' areas had to be issued with a second radio, which was difficult to facilitate quickly.

### 6.8 Security

6.8.1 The analogue radios used before Airwave's introduction could be easily eavesdropped. This allowed sensitive surveillance details to be overheard and troublemakers to have advanced warning of operations. To combat this, Airwave communications are fully encrypted and cannot be scanned.

### 6.9 Resilience

6.9.1 Critical communications systems must be reliable. This was ensured through the Airwave network's highly resilient construction (including a complete shadow network which can take over should the primary network face difficulties), and a large team of highly specialised engineers who maintain the network and respond swiftly to any difficulties.

6.9.2 Because the Airwave network stands alone from any consumer networks, in the event of mass mobile use or indeed a Government ordered shut down of mobile operators, the emergency services' communications would remain in full working order.

## 7.0 LESSONS LEARNED

7.1 Further to Airwave's robust response during the London riots, with an increased police presence at the Notting Hill Carnival of 5,000 officers, Airwave resumed "business as usual" operations as one million people took to the streets in West London over the August Bank Holiday weekend.

7.2 As a result of these testing circumstances, Airwave is confident in its experience and expertise to ensure a robust and effective police response to the significantly increased usage at next year's 2012 Games.

7.3 It is worth noting that the police response to the London riots has been managed successfully with the increased pre-London 2012 levels of capacity and spectrum. Post London 2012, as the spectrum and capacity is removed from emergency and public safety service use, Airwave is concerned that unprecedented public order incidents of a similarly large scale, such as those seen this August, will place an unmanageable risk to the communications systems required to protect the general public.

*September 2011*

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## **Written evidence submitted by the Association of British Insurers (ABI)**

### 1. INTRODUCTION

1.1 The UK insurance industry is the third largest in the world and the largest in Europe. It is a vital part of the UK economy, managing investments amounting to 24% of the UK's total net worth and contributing the fourth highest corporation tax of any sector. Employing over 275,000 people in the UK alone, the insurance industry is also one of this country's major exporters, with a fifth of its net premium income coming from overseas business.

### 2. THE ROLE OF THE INSURANCE INDUSTRY FOLLOWING THE RECENT RIOTS

2.1 The insurance industry has played a major role in responding to the recent riots in England. Coverage against damage caused by riots is a standard feature of home and business insurance policies (which is not the case in several other European insurance markets surveyed by the ABI, see Annex 1).

2.2 Insurers and loss adjusters have helped many home owners and businesses that were affected by the riots to get back on their feet by offering practical help and advice, arranging alternative accommodation, providing cash payments to meet their immediate needs etc. As a result, many businesses have been able to set up and continue to trade from different premises. The insurance industry has dealt with thousands of claims resulting from the riots, the total cost of which will exceed £200 million (more detailed figures will be available shortly and will be submitted to the Committee).

2.3 The ABI has also provided advice and guidance on the establishment of the compensation scheme set up by the Government to help the uninsured whose property was damaged during the riots.

### 3. THE RIOT DAMAGES ACT 1886

3.1 Recent events have also shown clearly that the Riot Damages Act, despite being on the statute books for over a hundred years, remains fit for purpose and a useful piece of legislation which shares the risks between the State and the private sector.

3.2 While the insurance industry offers policies to cover homes, businesses and vehicles against riot damage—and naturally we would encourage people to buy these products, which can be tailored to all kinds of businesses, possessions and properties—the reality is that not everyone takes out insurance. We expect thousands of claims to be made under the Act by the uninsured and without it they would be left uncompensated against acts of violence and looting which were no fault of their own. We believe that, just as victims of crime can be compensated under the Criminal Injuries Compensation Scheme, victims of the recent riots should also be afforded compensation for their losses.

3.3 Insurers can, of course, recover some of their outlay under the Act, but it will, by no means, be all of their outlay. Business, home and car insurance offer wider coverage than is available under the Act (for example, home insurers offer contents cover on a “new for old” basis, whereas the Act is likely to compensate on the basis of the value of the item taking into account any depreciation) and insurers will not be able to recover their costs where policy coverage exceeds the protection provided under the Act.

3.4 It should also be noted that business, home and motor insurance markets are all highly competitive and operate on very tight margins. Contrary to how the industry is often portrayed, profits, where they exist, are not excessive. Riot is a standard feature of property insurance in the UK. However, the availability and price of these products is determined to a large degree by claims experience. The existence of the Riot Damages Act is taken into account by insurers when they are deciding whether to offer cover to a customer and the premium, terms and conditions they wish to offer.

3.5 Without the comfort that insurers take from the existence of the Act and the fact that they can recover a proportion of their losses under it, the insurance market is likely to behave differently than it currently does. Insurers would be more likely to seek to try to assess the risk of rioting and the likely cost of rioting in particular areas and for particular businesses and properties. Claims experience would, undoubtedly be a more significant factor in the minds of underwriters. Consequently, customers based in those areas which had suffered from riots would be more likely to see their premiums rise and the terms and conditions change (for example, through higher excesses for riot or even riot exclusion clauses) than is the case with the protection afforded to insurers and their customers by the Riots Damages Act.

3.6 In conclusion, therefore, while it may seem to some to be perverse for insurers to be apparent beneficiaries under the Riot Damages Act, the reality is that the insured public are the real beneficiaries because they benefit from the wide availability of coverage against riots throughout the UK (in contrast to many insurance markets) and from lower property insurance premiums than would be the case if the Act was not in force.

September 2011

## APPENDIX 1

Table to show countries where damage caused by riots is, or is not, a standard feature of home and business insurance policies:

	<i>Home/commercial property insurance coverage of rioting</i>	<i>Notes</i>
France	√	
Italy	x	Extensions available for riot damages
Turkey	x	Extensions available for riot damages
Sweden	Varies*	
Norway	x	
Finland	√	
Hungary	x	
Estonia	x	
Portugal	x	Extensions available for commercial policies

\*Of the providers queried, all compensated home policy holders but only a subset compensated commercial policy holders.

### Source

The content of this annex is based on correspondence with various organisations in Europe including the CEA, several national insurance associations and their member firms. As such it may not provide a complete picture of the markets in question.

### Written evidence submitted by Greenwich Action for Voluntary Services Submission

Greenwich Action for Voluntary Service (Greenwich's Councils for Voluntary Service) conducted a survey of Greenwich voluntary and community organisations around the disturbances in the London Borough of Greenwich Area between 22 August and 6 September. This survey looks at a number of issues beyond the terms of reference of your committee, but also includes police issues.

The survey responses mainly focussed on police relations with the communities where the violence took place. Key findings were that:

- The disturbances significantly increased fear in the local area particularly amongst vulnerable groups. Many local charities reported that their service users are still extremely worried about venturing out of their houses. This is despite increased police presence in the affected areas. Many groups asked that the police engage more with the local community, particularly younger people and undertake reassurance work beyond just an increased police presence.
- Just under a third of organisations felt that the police dealt with the recent disturbances in the borough badly. Although a minority, this is a significant minority and re-inforces the need to undertake further police reassurance work and to spend more time with the users of voluntary and community organisations in the borough. This is particularly important as policing in this country is “by consent”.
- There was particular praise for the way safer neighbourhood teams and their panels engage with local communities but a strong desire for the police to spend more time with young people listening to their concerns and explaining police work. There was a significant minority of groups (just under a quarter) who felt that the police currently engage with civil society organisations in the borough not very well or poorly. Concern was also expressed around how the cuts in policing may affect community engagement work.
- Of great concern for many groups in Greenwich was the reopening of racial tensions in the area because of the English Defence League (EDL) presence in Eltham during the time of the riots. The police along with their partners including civil society organisations need to consider how this anxiety is countered in a way to promote community cohesion. Many lessons can be learnt from past experience of community cohesion work to ensure that these racial tensions do not reappear.
- In terms of the other areas of the Committee's interest, very few comments were received. Interestingly there was no mention of the use of social media or specific role of organised groups promoting disorder. However a significant number of youth groups felt that their work would promote positive behaviours amongst young people thus reducing the negative effects of organised groups. In terms of police techniques a major concern of organisations was the fear that the police would not be able to contain subsequent disturbances, no matter how large their presence.

#### RECOMMENDATIONS

That the police:

- Engage more with the local community, particularly listening to the concerns and explaining police work to younger people and engaging with other users of voluntary and community organisations in the borough.
- Undertake reassurance work beyond just an increased police presence.
- Are aware that there remain substantial concerns that even with a large police presence that they may be not be able to contain subsequent disturbances and reassurance work will need to focus on this area.
- Ensure that any potential deterioration in community cohesion that has arisen from the disturbances is tackled quickly using past successful experiences of partnership work in this area.

#### INTRODUCTION

Greenwich Action for Voluntary Service's (GAVS') is a Councils for Voluntary Service (CVS) organisation that provides a strategic leadership role in representing and building the capacity of the voluntary, community and faith sector in the London borough of Greenwich. GAVS conducted an identical telephone and on line survey of Greenwich voluntary and community organisations around the disturbances in the London Borough of Greenwich Area between 22 August and 6 September. This survey looks at a number of issues beyond the terms of reference of the committee, but also includes police issues. The information gathered is from 35 Civil Society Organisations in the borough of Greenwich.

#### FACTUAL INFORMATION

##### *Areas of Disturbances*

From the information collected in a local survey 78.1% of organisations surveyed were affected by the recent disturbances in Greenwich Borough both directly or indirectly. 53.1% of those who responded were affected by the disturbances caused in Woolwich, 25% were affected by the disturbances in Charlton, 21.9% were

affected by disturbances in Eltham and 6.3% were affected by Blackheath. Although 21.9% were not affected by the disturbances.

#### *Initial and Subsequent Responses*

The most common response of local organisations was one of concern; for their clients, their premises and their own safety. People were shocked, saddened and disgusted by the ferocity of those causing the disturbances. Many people were concerned about the ages of those involved and were disturbed by the number of adults who took part. Key too many groups was that their users felt extremely frightened and subsequently still feel afraid to venture out in their local areas. People were also concerned that the disturbances could lead to other problems in the area particularly the fear that the English Defence League (EDL) presence in Eltham would reopen racial tensions in the area. Another major concern of organisations was the fear that the police would not be able to contain subsequent disturbances, no matter how large their presence. There was also a lot of anger at those responsible for the damage and pain they caused businesses and organisations. Feedback indicates that people believe those who cause the disturbances were motivated by greed and an opportunistic desire to profit from the confusion. Many people believe that discussion is the key to understanding the circumstances of the participants and their motivation and hopefully how to stop it happening again.

Several weeks after the disturbances initial feelings have not changed, people are still angry about the damage done and the resulting impact of the disturbances on businesses. Even though some people feel a degree of empathy toward some of those who were caught up in the moment, they still believe that what happened was theft and vandalism and have not changed their initial feelings of anger and disappointment.

#### ROLE OF CIVIL SOCIETY ORGANISATIONS

##### *Key Issues*

Many organisations believe that there are a range of underlying issues that may have started and help influence the spread of the disturbances:

- The most prominent issue stated by organisations is the social exclusion and alienation of young people. They have become disenchanted and disillusioned with the lack of employment and opportunities for advancement in life. They are disengaged from their communities and do not feel valued within society.
- Another issue that was raised by organisations was the absence of parental control. Organisations believe that parents have lost control of their children as they fear the consequences of disciplining their children.
- Organisations believe that there should be more policing and better police interaction with young people in the communities as a preventative measure.
- There also seems to be an overwhelming focus on material possessions that was demonstrated by the theft of technological goods from stores and the organisation of the disturbances using social media networks.
- Finally, on a smaller scale, organisations have noted that there has been an increase in racial tensions on several different levels. They have noted that there are divided communities between different ethnic groups that make social inclusion difficult. There was also the issue of racism with the Eltham disturbance with the presence of the EDL igniting racial issues within the community.

##### *Activities*

65.5% of organisations said they had previously been undertaking activities which they feel could have helped prevent violent incidents similar to those that had recently occurred. Activities included working with other organisations and pooling resources, workshops and youth activities afterschool and during term holidays. By engaging with and keeping young people occupied many organisations have said, with confidence, that their members were not involved in the disturbances.

Although a lot of organisations are not doing any activities in direct response to the riots, many of them are continuing their previous activities in the hope that they can prevent a repeat of the disturbances. Some have also started to advise parents on dealing with the impact of the disturbances and encouraging them to contact police for more information.

When asked what more could organisations be doing both individually and collectively, there were several responses:

- The most prominent response was to promote inclusivity of young people in their communities, so they do not feel as alienated or marginalised.
- They also believe thought that young people should be listened to and have forums in which to express their views in a peaceful manner. The argument was made that young people are the adults of tomorrow and they need to feel that their opinions are and will be valued in the future.

*Further work*

61.3% of organisations said they would be interested in doing further work, both individually and collectively, in response to the recent disturbances. A further 29.0% said they would consider it if the opportunity was presented to them.

Most organisations are interested in doing more work within the community, but unfortunately due to cuts in public services and public funding 66.6% would be impacted in the way they, as an organisation, could prevent and respond to future disturbances. Only 23.3% of organisations said they would not be affected by cuts in public services.

**THE POLICE***Opinions of success in dealing with disturbances*

Opinions about the success of the police response to the disturbances were mixed.

In the survey 25% of organisations felt the police responded “Not Very Well”, although the majority of organisations believe the police responded well with the resources they had. Only 7.1% believed that the police responded “Very Well”, with a 17.9% response that of “Well” and 21.4% of “Adequately”. Only 3.6% believe that the way in which the police dealt with the recent disturbances was done “Badly” (25% said they “Don’t Know”).

*Engagement with Civil Society Organisations*

The response to police engagement is mixed—although 58.6% of organisations believe the police engage positively with organisations within the borough (20.7% believe they engage “Well” and 13.8% think they engage “Very Well”) a further 13.8% responded that their engagement was “Not Very Well” with 6.9% feeling it was “Poor”. 24.1% of those surveyed felt that police engagement with civil society organisations is “Adequate” and 20.7% said they “Don’t Know”.

*Improving relationships*

When asked if the organisation had any ideas on how to develop and strengthen relationships between the police and Civil Society Organisations a number of suggestions were put forward:

- A large majority expressed the desire to communicate and meet more with the police. They believe that a closer relationship between the police and organisations would increase communication and cohesion between them.
- Organisations have stated the desire for police to attend Civil Service Organisation events, especially those catered for young people in order to improve police relationships with young people.
- Another suggestion was for the police to make transparent the various issues that cause young people to go through the criminal justice system which would enable organisations to identify positive streams of work.
- Also, it was recommended that police talk to and engage with young people face to face in order to hear all the different issues rather than assuming they all have the same issues.

There was a mixed view about using big screens in Woolwich market to show the pictures of people the police wished to apprehend. Some organisations felt the police should adopt a more personal approach to detection by talking to the community as well as using the big screen approach. People were also critical about the fact that they felt the police were more interested in apprehending the culprits than in working with the community to prevent further occurrences. People believe they should have divided resources so they could do both.

*September 2011*

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**Written evidence submitted by Atmospherix Change Agency**

My Name is Mark Ingram and I run the Atmospherix Change Agency based in Kettering. Our mission is to see communities being transformed through communication, partnership and the empowering of all agencies, community groups and individuals. One of the projects that we are currently operating is to monitor and analyze the unrest that is taking place in our country, the reasons that may be causing it, and how communities across the country can assist the government and our emergency services to assist in looking at the implementation of the responses which are required.

My evidence and main points are as follows:

1. What we witnessed during the riots was the destruction of communities and I am sure we will all agree that this caused no positive development. There are many stories of cleanups taking place across the country; however the story of the clean up that took place in Clapham is one which I would like to highlight to you. It was co-coordinated by a helicopter pilot, and someone

who had worked for the Red Cross disaster team in Pakistan, Chile and Gaza. He stated that there were similarities to this clean up operation compared to those in other countries, the main one being that it was about communities pulling together. I would like to suggest to you that what we also saw during the riots was the rising up of young people to clear up the destruction, injury, mess and loss of life that had been caused. We must find strategies to build on the positive signs of Community engagement which have been evidenced to us during these incidents.

2. Some of the work that we are currently undertaking is to look at the role of organized groups who portray a peaceful mission, but practical evidence of their behaviors reflect otherwise. As we have monitored and reflected upon the behavior of some of these groups, it would seem clear that a particular protest causes unrest with other groups and this then causes counter protests. Our work suggests that much of the unrest caused, was by a small core of people that are calling others together under the peaceful banner, but that those who are organizing these events often have a common goal to bring violent behavior to our streets causing damage and injury to our communities. Whilst not condoning this behavior in any way, we would like to suggest that many of these young people if offered a positive alternative could become peaceful citizens of our communities, making a peaceful and positive impact on our country.
3. I believe that the police force in this country is full of passionate officers that want to do their job and see peaceful communities. I do not believe this to be an easy job to do at this moment, and would commend these officers who in some cases put their lives in danger to protect citizens of our country. As you look at the police response and how if these incidents occur again in the future government and police responses may be different, we would like to point out that the police carry out the role of upholding justice and peace, this is an extremely difficult objective, and it would seem that social networking made this more difficult, I would like to suggest that the police are only able to carry out a caretaking role, and that the responsibility of finding ways forward lies within our communities. I am sure that lessons are being learnt with this, and I do not profess to be a professional in this field, but the importance of us all coming together to discuss ways of understanding our communities and working together with the Police, emergency services and those from our different communities and cultures could never be more important for us as a country.

Our summary to you is that the following recommendation be made in your report:

That Government set up a community forum made up of senior police officers, government ministers those involved in community groups and those involved in clean up operations during the riots. This could then be replicated across the country on smaller scales. Its objective would be to look at how communities have pulled together and their motivation to do so, looking at how we can engage those experienced leaders from the corporate world who helped to coordinate the clean up, with those who feel that violence is the way to achieve results. The objective would be to look at how we can implement practical strategies to build on this in our communities in the future.

In conclusion, I believe that we live in a country that knows what community means. Many of the areas that were affected by the recent riots were affected by bombings in the war where communities and families pulled together, whilst during the early 1900s local entrepreneurs rose up bringing employment, education and real strong leadership to our communities all over the country. I believe that the answer to the problems that we are facing lies in our communities and that we must find ways of engaging with them. I passionately believe that although our country is in a time of recession and difficulty, we can promote community transformation through working together, even with some of the most difficult and hardest to reach areas of our community. I therefore submit my evidence and recommendation to you.

*September 2011*

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#### **Written evidence submitted by Liberty**

Riots across England in August filled our TV screens with terrible images of violence and criminality. Victims of the disorder and damaged communities have rightly demanded answers about the strategy of the authorities. Liberty therefore welcomes this wide-ranging inquiry by the Home Affairs Select Committee. As countless voices have attempted to explain why such violence occurred and how we should try to prevent it happening again, it is important to remember that lessons learned and any future reforms in policy or legislation need to be informed by evidence and shaped by the principles we seek to uphold as a society. Liberty doesn't have easy answers as to why so many were swept up in waves of self-destructive madness in July. We do, however, have 77 years of experience of holding the police to account and have developed some understanding of the challenges of public order policing. In this short response we limit our comments to the authorities' handling of the initial protest which sparked the first riot; the policing response to the wider disorder; broader issues concerning police and community relations and police accountability; the political response to the disorder and the law reform proposals which have been mooted.

## SHOOTING OF MARK DUGGAN AND THE AUTHORITIES' RESPONSE

On 4 August Mark Duggan was shot by a firearms officer in Tottenham Hale and died from a single gunshot wound to his chest. The case was immediately referred to the Independent Police Complaints Commission (IPCC) to investigate.<sup>30</sup> In the days that followed a protest was organised by the family and friends of Mark Duggan to take place outside Tottenham police station on 6 August. Those who attended reported that a peaceful protest took place for several hours. The family of Mark Duggan have since said that they were frustrated by the lack of police engagement with the questions that they asked.<sup>31</sup> While the subsequent widespread rioting and looting was evidently unconnected to the shooting of Mark Duggan, in evaluating events the Mark Duggan case and the response of the authorities must not be ignored. As the Metropolitan police have since acknowledged, more could have been done to engage with the family and local community in Tottenham following the shooting of Mark Duggan.<sup>32</sup>

Liberty successfully lobbied for the creation of the Independent Police Complaints Commission (IPCC) and we believe strongly in the importance of an independent institution empowered to investigate allegations of police misconduct. That said, the existence of such a body should not mean that victims or grieving relatives are ignored while investigations are ongoing. Perhaps even more disturbingly, soon after the disorder seen in Tottenham on 6 August, it was reported that the IPCC had provided incorrect information to journalists about the circumstances of the shooting. In particular, the IPCC reported that a bullet fired by Mark Duggan had been recovered from a police radio, a statement which was later retracted following forensic tests.<sup>33</sup> Unfortunately, this is not the first time that the IPCC has been found wanting in its immediate response to questions about an investigation into police involvement in a fatality. In 2009 the death of Ian Tomlinson was referred to the IPCC when video footage emerged of a police officer striking Mr Tomlinson and causing him to fall shortly before he died. Soon after, the IPCC reported that there was no CCTV footage in the vicinity of the City of London. This information was inaccurate.<sup>34</sup> For obvious reasons, it is incredibly important that the IPCC is seen to be fair and impartial in its investigations into police conduct. Press responses and oral briefings to journalists which contain inaccurate information about factual circumstances can do enormous damage to trust and confidence in the IPCC and the investigation it is pursuing. This is especially the case where the inaccurate information disclosed can be perceived as an attempt to justify police actions or protect the police from full scrutiny.

One of the most significant obstacles faced by the IPCC in recent years has been a failure to effectively demonstrate independence from the police service. When the organisation was created by the Police Reform Act 2002, Liberty raised concerns about weak statutory guarantees of independence, with the body only required only to maintain an "appropriate degree of independence", leaving scope for independence to be compromised, particularly on cost-cutting and efficiency grounds.<sup>35</sup> Further, under Schedule 2, paragraph 6 (2) of the Police Reform Act, provision was made for police officers to be seconded to the IPCC's staff. The role played by former police officers in IPCC investigations does little to encourage confidence in its independence. Whilst according to the IPCC's 2010–11 Annual Report only 18 out of 85 investigators are former police officers, it is notable that eight out of nine senior investigators are former police officers and over half of deputy investigators are ex-police officers or ex-civilian police officers.<sup>36</sup> Liberty does not oppose the involvement of some police in the IPCC, because of their skills and expertise. However for the IPCC to maintain, and be seen to maintain its independence, limits should be placed on the numbers of former officers employed and the types of roles they are able to perform.

The IPCC has further been roundly criticised for the relatively small number of fully autonomous investigations it conducts. Last year only 164 independent investigations were completed; managed investigations, namely those carried out by forces but under the direction of the IPCC, totalled 171; this is out of a total of 22,100 complaints received by the IPCC, including direct complaints from the public, appeals and referrals from police forces.<sup>37</sup> Out of the 12,750 direct complaints received last year, 11,470 were forwarded to the police force to which the complaint related.<sup>38</sup> Liberty believes that an increase in the number of fully independent IPCC investigations will improve its credentials as an organisation able to effectively hold the police to account. To the extent that complaints continue to be dealt with at the level of local forces, we believe the IPCC should play a greater role in overseeing all complaints.

<sup>30</sup> Guardian article of 12 August available at: [www.guardian.co.uk/uk/2011/aug/12/mark-duggan-ipcc-misled-media](http://www.guardian.co.uk/uk/2011/aug/12/mark-duggan-ipcc-misled-media).

<sup>31</sup> Guardian article of 9 August available at: [www.guardian.co.uk/uk/2011/aug/07/police-attack-london-burns](http://www.guardian.co.uk/uk/2011/aug/07/police-attack-london-burns).

<sup>32</sup> It was reported in the Guardian that Deputy Assistant Commissioner Stephen Kavanagh said: "I want to apologise to the Duggan family because I think both the Independent Police Complaints Commission (IPCC) and the Metropolitan Police could have managed that family's needs more effectively." Article available at: [www.guardian.co.uk/uk/2011/aug/08/police-apology-mark-duggan-shooting](http://www.guardian.co.uk/uk/2011/aug/08/police-apology-mark-duggan-shooting).

<sup>33</sup> Guardian article of 9 September available at [www.guardian.co.uk/uk/2011/aug/09/mark-duggan-police-ipcc](http://www.guardian.co.uk/uk/2011/aug/09/mark-duggan-police-ipcc).

<sup>34</sup> [www.guardian.co.uk/uk/2009/apr/14/ian-tomlinson-assault-film-ipcc](http://www.guardian.co.uk/uk/2009/apr/14/ian-tomlinson-assault-film-ipcc).

<sup>35</sup> See *Police Reform Act 2002*, section 10.

<sup>36</sup> See IPCC Annual Report 2010–2011, Annex 2: [www.ipcc.gov.uk/en/Pages/corp\\_reports-plans.aspx](http://www.ipcc.gov.uk/en/Pages/corp_reports-plans.aspx).

<sup>37</sup> IPCC Annual Report 2010–2011, pg 46.

<sup>38</sup> IPCC Annual Report 2010–2011, pg 48.



## POLICE HANDLING OF THE RIOTS

In the days that followed the riots in London and other major cities in England, the police faced some public criticism for failing to initially contain the disorder. Liberty can understand this frustration. As violence spread across London on Monday 8 August images and reports indicated that there were simply not enough police officers deployed to be able to contain the disorder. As a result, individuals were able to commit criminal acts in public, sometimes in front of police officers and on TV cameras, without being arrested. With the benefit of hindsight it is now clear that on that day, the Metropolitan police were overwhelmed in terms of numbers and that Manchester police were similarly overwhelmed on the evening of the 9th. It is important to acknowledge that police numbers cannot be routinely set at a level appropriate to policing large scale disorder—this is an inescapable feature of tackling unexpected and far-reaching outbursts of criminality. However in London, following the sudden and widespread escalation of violence on Monday night, thousands of additional officers were drafted in and 16,000 officers were deployed on the following evening. Indeed, senior officers and the Home Secretary have since acknowledged that it was these additional human resources which meant that further disorder was prevented. In light of these frustrations, and with the benefit of hindsight, it is reasonable to ask how in future the police could be better poised to react to sudden public disorder in order to deploy sufficient numbers of officers to make arrests where appropriate and protect the public from harm and damage to property.

Liberty is well aware of the challenges of public order policing. Whilst it is important to emphasise that violent disorder has nothing to do with exercise of the right to peaceful protest, we have, throughout our history, acted as Legal Observers of the policing of marches and demonstrations some of which have involved disorder. We have consistently warned of the risks, inherent in the use of the blanket tools such as water cannon and baton rounds, and it was heartening to hear senior officers consequently rejecting their use. Indiscriminate use of such tools ends up targeting large numbers of people, regardless of their behaviour, punishing the innocent along with the guilty and creating widespread panic. Where possible it is far preferable for the police to make targeted arrests of those involved in committing criminal activities rather than imposing blanket measures. The ability of the police to make arrests is obviously in part dependant on police numbers present and the practical circumstances.

Since 1934, Liberty has been a critical friend to the police and has never shied away from holding the police service to account. However, similarly we must give credit where it is due. The UK has a long and proud history of policing by consent and despite huge provocation from the actions of a minority and pressure from some politicians and sections of the media, senior officers responded to the riots in a proportionate manner in word and deed. Police chiefs were robust in rejecting calls for military intervention, water cannon and plastic bullet rounds. Instead they took the operational decision to redeploy and inflate the numbers of officers on the streets with good effect. Tim Godwin, acting Commissioner of the Metropolitan Police, said that he would rather be the last man left in Scotland Yard, with his entire management team on the streets, than call for the army. Sir Hugh Orde, President, of the Association of Chief Police Officers (ACPO), dismissed the use of both water cannon and baton rounds as inappropriate for the circumstances. Past use of plastic bullets in Northern Ireland resulted in 14 deaths, including nine children. This time round in England, wise police leadership resisted the temptation to resort to dangerous riot control weapons and focussed on tackling the problem rather than fanning the flames. We urge the Committee when it assesses the events of last month in order to learn lessons for the future, that it takes into account painful lessons from past tragedies.

## POLICE AND COMMUNITY RELATIONS

While nothing can excuse the violence displayed in our towns and cities over a number of days last month, it would be short-sighted for the general state of police and community relations not to be examined in its wake.

Over the past decade, the police have been granted unprecedented powers, which have often been wide and blanket in nature. Examples abound of the way in which such powers have scooped up the innocent with the guilty and left minority ethnic groups dangerously exposed to discriminatory treatment. Section 44 of the Terrorism Act 2000 is a key example of a divisive police power, over-used and highly susceptible to arbitrary and discriminatory operational impact. While this provision no longer has operational effect following Liberty's successful challenge in the European Court of Human Rights, the use of the power has had a hugely negative impact on community relations with police. Thousands of predominantly young Asian men have been stopped and searched by police, sometimes on a daily basis.<sup>39</sup> Rifts in the relationship of police with their communities following the disproportionate use of such powers will always take time to heal.

Despite the welcome repeal of section 44, similar powers remain on the statute book. Stop and search without suspicion under section 60 of the Criminal Justice and Public Order Act 1994 (CJPOA) has a similarly alienating impact to section 44. Stops under section 60 have gone up dramatically over the last decade. In 2009–10 there were 118,446 section 60 stop and searches across England and Wales—a huge increase when

<sup>39</sup> *Gillan and Quinton v United Kingdom* (Application no. 4158/05), European Court of Human Rights. The Terrorism Act 2000 (Remedial) Order provides that stop and search without suspicion under section 44 ceases to have effect, proposals in the Protection of Freedoms Bill will replace the provision with a more tightly circumscribed power.

compared with the 11,330 carried out in 2000–01.<sup>40</sup> In the year 2009–10, the Met Police conducted 77% of all stops and searches in London (90,992 stops and searches); 41% of these were of Black people.<sup>41</sup> Based on Ministry of Justice statistics for 2008–09 across England and Wales, you are 26 more times likely to be stopped under section 60 if you are Black than if you are White.<sup>42</sup> Once searched, White suspects were the most likely to be arrested across England and Wales, with 9% arrested following being searched; Asian and Black suspects were less likely to be arrested, with 6% and 7% respectively arrested after being searched.<sup>43</sup> The discord between the number stopped and those consequently arrested reveals the arbitrary and discriminatory impact of a power which has little to do with intelligence-led policing.

Liberty was alarmed at Home Office proposals in late 2010,<sup>44</sup> subsequently dropped, to amend the PACE (Police and Criminal Evidence) Code in relation to stops and searches without suspicion under section 60 to allow explicitly for ethnicity to form part of the decision to stop and search.<sup>45</sup> Whilst this endorsement of racial profiling was removed following a quasi-public consultation, revised PACE Code A unfortunately also removes the national requirement to record “stop and accounts”. The removal of the mandatory requirement to record ethnicity when stopping, but not searching, an individual scraps a vital tool for monitoring the impact of section 60 on the ground and directly overturns a recommendation made by Sir William Macpherson’s inquiry into the tragic death of Stephen Lawrence.<sup>46</sup>

Liberty continues to believe that powers to stop and search without suspicion have made a significant contribution to ruptures in the relationship between the police and the communities they serve. The presence of these powers on the statute book and a lack of appropriate guidance puts police, called upon to make difficult decisions in high pressure situations, in an unenviable position.

#### GOVERNMENT’S RESPONSE TO THE RIOTS

Responding to the riots, the Prime Minister and the Home Secretary made a number of public statements and speeches. The Prime Minister also recalled Parliament for an emergency debate on 11 August. Events such as those witnessed on the 8th and 9th of August place significant pressure on political leaders to be seen to be responding appropriately. It is therefore common, as we saw on this instance, for knee-jerk policy proposals to be announced. Liberty urges parliamentarians to pause and reflect before introducing further police powers. As we have observed above, both senior officers and the Home Secretary have separately acknowledged that it was the deployment of greater numbers of police officers and not the use of blanket, authoritarian powers which brought the disorder under control.

Specifically, in his statement to Parliament on 11th August the Prime Minister proposed possible new powers in several areas, including:

- additional dispersal powers and a power of general curfew;
- police powers to require the removal of face coverings;
- powers to evict council tenants convicted during the riots; and
- powers to close social media networks.

The Prime Minister also urged the greater use of “Gang Related Violence” injunctions (GANGBOs); hinted that if current sentencing powers were not sufficiently tough to deal with rioters, he would legislate to increase them; and launched a prolonged attack on the Human Rights Act 1998 (HRA).

#### *Dispersal powers, curfew and face coverings*

While Liberty appreciates the inevitable pressure felt by political leaders during times of unrest, we are largely disappointed by the response. As we have explained above, the individual “law and order” policy proposals the Prime Minister suggested bore very little logical connection to the particular challenge that the

<sup>40</sup> Home Office Statistical Bulletin Police Powers and Procedures England and Wales 2009–10 (Second Edition) (14 April 2011), at page 37, 38. Available at: [www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/hosb0711/hosb0711?view=Binary](http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/hosb0711/hosb0711?view=Binary). A further 1,527 searches were undertaken by the British Transport Police in the same year.

<sup>41</sup> *Ibid*, page 43.

<sup>42</sup> Based on 41.6 section 60 searches for every 1,000 Black people (55,647 searches of Black people out of a total Black population of 15,540,100; and 68,172 searches of White people out of a total White population of 48,188,900 people; as estimated in 2009: [www.statistics.gov.uk/downloads/theme\\_population/PEEG-statistical-bulletin.pdf](http://www.statistics.gov.uk/downloads/theme_population/PEEG-statistical-bulletin.pdf)), compared with 1.6 for every 1000 White people. See supplementary tables, see table 3.05a 0809 of the Ministry of Justice Race and the Criminal Justice System 2008–09—Statistical tables (June 2010), available at [www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm](http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm). These statistics were articulated by the Stopwatch campaign: [www.guardian.co.uk/uk/2010/oct/17/stop-and-search-race-figures](http://www.guardian.co.uk/uk/2010/oct/17/stop-and-search-race-figures).

<sup>43</sup> Home Office Statistical Bulletin Police Powers and Procedures 2009–10, *ibid*, at page 43.

<sup>44</sup> See Liberty’s Submission on the Police and Criminal Evidence Act 1984 (Codes of Practice) (Revision of Codes A, B and D) Order 2010 to the Committee on the Merits of Statutory Instruments (November 2010), available at [www.liberty-human-rights.org.uk/pdfs/policy10/submission-to-merits-committee-on-the-pace-act-codes-of-practice-november-20.pdf](http://www.liberty-human-rights.org.uk/pdfs/policy10/submission-to-merits-committee-on-the-pace-act-codes-of-practice-november-20.pdf).

<sup>45</sup> PACE Code A; [www.homeoffice.gov.uk/publications/police/operational-policing/pace-codes/pace-code-a-2011?view=Binary](http://www.homeoffice.gov.uk/publications/police/operational-policing/pace-codes/pace-code-a-2011?view=Binary). Liberty’s briefing is available at: [www.liberty-human-rights.org.uk/pdfs/policy10/submission-to-merits-committee-on-the-pace-act-codes-of-practice-november-20.pdf](http://www.liberty-human-rights.org.uk/pdfs/policy10/submission-to-merits-committee-on-the-pace-act-codes-of-practice-november-20.pdf).

<sup>46</sup> The Inquiry recommended that police officers record all stops, including the self-defined ethnicity of persons stopped, and that these records be monitored and analysed. See Recommendations 61 and 62 of The Stephen Lawrence Inquiry Report by Sir William Macpherson, CM4262-I (February 1999), available at [www.archive.officialdocuments.co.uk/document/cm42/4262/4262.htm](http://www.archive.officialdocuments.co.uk/document/cm42/4262/4262.htm).

police faced over the duration of the riots. Current dispersal powers are already broadly defined—the reality is that someone who is prepared to commit violence, theft and criminal damage is unlikely to take notice of a police request to leave the area.<sup>47</sup> Similarly, in a riot situation, the ability of the police to enforce a general curfew or the usefulness of a general power to require the removal of face coverings is highly questionable. As to the latter, section 60 of the Criminal Justice and Public Order Act (CJPOA) enables an officer of or above the rank of inspector to authorise searches for weapons or dangerous instruments without reasonable suspicion. Criteria relating to serious violence must be met and the authorisation can only be given within a specified area for a specified period of time. Once a section 60 authorisation is in place, section 60AA CJPOA enables a similar authorisation to be given permitting constables to require the removal of face coverings if the constable reasonably believes these are worn wholly or mainly for the purpose of concealing identity. A person refusing to remove his or her face covering when requested to do so risks imprisonment for up to a month or a fine. Unless the Government is of the view that the riots did not meet the necessary criteria for a section 60 authorisation, it is difficult to see how further powers to require the removal of face coverings could be needed. In any event, as noted above, the usefulness of such a power in riot circumstances is questionable.

### *Social networking*

Plans to grant new powers to close social networking sights such as Facebook and Twitter now appear to have been abandoned. This is to be welcomed and the Government congratulated for not continuing down this wrong-headed path. In the wake of the Government's initial suggestion, parallels with preventative censorship often adopted or attempted to be adopted by the authorities in China, Iran and other authoritarian regimes were, quite rightly, not lost on the public. Supporting the realisation of human rights overseas while threatening to close Facebook at home is an uncomfortable position for any Government.

Principle aside, shutting down entire phone and social media networks—punishing innocent users and those warning others of violence—is as useless as it is disproportionate. After all, the current legislative framework provides the police with a number of relevant and intrusive powers to monitor and bring to justice those committing criminal acts online. As post-riot convictions have shown, inciting violence whether from your computer or a megaphone has long been a serious criminal offence. Closing networks could therefore easily interfere with the police's ability to gather intelligence and information on those inciting or organising violence, hampering efforts to investigate, prosecute and convict those responsible for wrongdoing. In any event, the effectiveness of stalling communications between potential rioters by shutting down networks should not be overestimated. There will always be another way to communicate. At the same time, the role of social media in the riots must not be overplayed. Even if social media played its part in the shocking spread of violence earlier this month, what about the rolling news channels with their constant images of where and how the disorder was spreading? Unsurprisingly the Government did not suggest that we should have routine news blackouts as well and there may well be a generational explanation for this. Fears about new forms of communication are, of course, not new. The printing press, the wireless and the creation of the internet itself all brought fears about the possibilities of greater communication in their day. Following the events of last month, it was perhaps not unexpected that the newest type of innovation—social networking—was the focus of concern. However, Liberty urges parliamentarians to remember that while many people indulge in social media for light PR and light relief, to a younger generation such communications are as fundamental as newspapers and radio. Shutting down these networks for anything short of a national emergency or invasion by an enemy power, is the modern equivalent of blocking TV signals and interfering with the postal system.

### *Eviction of council tenants*

Much has been made, including by the Housing Minister, of the possibility of evicting those involved in looting and disorder from social housing. Councils have long had powers to remove tenants where they are implicated in, for example, anti-social behaviour or damage to property in their locality, however a decision to evict lies ultimately with the courts. Liberty believes that evictions based on the criminality, or alleged anti-social behaviour of council tenants, are counter-productive when applied even to those genuinely involved in misconduct and have a devastating impact on family members, including children, who are in no way implicated in offending behaviour.

Where criminality is serious enough, the courts already have the power to remove somebody from their home by imprisoning them. For less serious offending it is difficult to see how making people homeless and placing responsibility on local authorities to find alternative accommodation will have any positive impact. Further, whilst the criminality we witnessed across the UK last month is attributable to a complex array of factors, on any common sense analysis, removing housing and other forms of basic support from those already at the margins in our society will increase social exclusion, exacerbating the problems that accompany it.

### *Increased use of Gang injunctions*

“Gangbos” were created in the Policing and Crime Act 2009 and brought into force in February this year. They are civil orders that can be granted by the civil courts if the local council or the police can show there is a 50/50 chance that a person has engaged in, encouraged or assisted gang-related violence and is the injunction

<sup>47</sup> See the general dispersal powers at s.30 of the Anti-Social Behaviour Act 2003 in addition to more specific powers such as those at s.27 of the Violent Crime Reduction Act 2006.

is thought necessary either to prevent repetitive behaviour or for their own protection. This shockingly low threshold aims to get around burden-of-proof safeguards developed by the courts in Anti-Social Behaviour Order (ASBO) litigation. What constitutes a “gang” is clumsy and vaguely defined in the 2009 Act, and “violence” includes the threat of violence, minor property damage and graffiti. The conditions that can be imposed far outstrip ASBO punishments and can restrict a person’s movement, who they can associate with, times they can be out in public, even the clothing they wear and pets they keep. Conditions can require a person to be in a certain place for up to eight hours—a curfew through the backdoor—and can last indefinitely. Breach of the injunction restrictions is contempt of court and can result in a hefty fine or two years behind bars. The seriousness of such consequences is even more abhorrent when one considers that all these restrictions can be imposed without the need for police arrest, prosecution or conviction.

Compelling evidence from American cities shows that similar measures in place since the 1980s have displaced, rather than reduced, gang activity. Discrimination and stigmatising of minority ethnic groups has simultaneously increased and academic studies have concluded that the targeted use of traditional policing methods is more effective than injunctions at dealing with gang violence. Furthermore, evidence from the UK already shows that measures in place to tackle gangs have similarly targeted and discriminated against minority ethnic children. We already know of a young black teenager who was suspended from school after the police informed the school that he was a gang member. He had no involvement in gang activities, wanted to study law at university, and had previously expressed anti-gang sentiments. The increased use of Gangbos will likely exacerbate this trend of targeting young people based on stereotypes rather than evidence. Indeed evidence already given by the Home Secretary to the Committee indicates that what underlay the riots was criminality and involvement of gangs in the riots was possibly “not as high as the government first thought”.<sup>48</sup> Accordingly Liberty cautions any rush to use these extremely restrictive measures without cause or reason which will have damaging unintended consequences. Those caught up in this new system will inevitably be the younger brothers or cousins of gang members or those who are just unfortunate enough to live in areas identified as gang “hotspots”. As stereotype replaces criminal suspicion, those most vulnerable to gang influence will be branded and treated as criminals instead of being given the support they need. While ASBOs are messy and counterproductive they do not, at least, aim to deal with serious criminality. Troublingly, this is not true of Gangbos which, while intending to target people suspected of serious crimes such as stabbings, shootings and violent robberies, will sweep up the innocent with the guilty. Civil injunction is surely no substitute for the full force of the criminal law in dealing with real gang violence.

### *Sentencing*

In a statement to Parliament on 11 August, the Prime Minister made clear his view that “anyone charged with violent disorder and other serious offences should expect to be remanded in custody, not let back on the streets; and anyone convicted should expect to go to jail.”<sup>49</sup> It is a matter of fundamental constitutional importance that our judiciary is independent of the executive with political influence over judges avoided at all costs. Even-handed sentencing by judicial decision makers, who are uniquely well-placed to assess all material considerations and divorced from political pressures, is a crucial aspect of due process in the criminal justice system. On this basis Liberty questions the appropriateness of any statement which can be read as an attempt to infuse criminal proceedings with distinctly political considerations. We have a series of public order offences, such as violent disorder, riot and affray, designed to capture the particular harm caused by the unrest such as that which broke out across the country last month. In the context of offences such as theft, sentencing guidelines provide for harsher sentences for those acting as part of a group or gang.<sup>50</sup> Unfortunately we have seen a number of recent examples of politicians, including some in Government, displaying a willingness to dispense with the constitutional bulwark of judicial independence. In the toxic debate over prisoner voting we saw many attacks, on the decisions of “unelected judges”, sending worrying signals about the Government’s commitment to the Rule of Law. It is ironic that at a time when politicians and others are rightly condemning lawlessness, there is reluctance by some to accept the need for a strong, robust and independent judiciary to hold those guilty of criminality to account.

### *Attacks on the Human Rights Act*

Most disappointing however was the ease with which the Prime Minister returned to a favourite populist cry—the need to repeal the Human Rights Act. This tired theme featured in his first public statements on the riots on 9 August where he said that “phoney human rights concerns” would not get in the way of police efforts to publish CCTV images of suspected riots. This widespread myth—that Article 8 of the HRA can prevent the publication of photos of wanted suspects—dates back to January 2007 when the Daily Mail reported that a Chief Constable was “refusing to release pictures of two escaped murderers amid fears it might breach their human rights”.<sup>51</sup> The paper claimed that the Derbyshire police force had refused to release pictures of two convicted murderers who had escaped from prison because the police force had to have regard to the

<sup>48</sup> As reported, see Guardian article of 8 September, available at [www.guardian.co.uk/politics/2011/sep/08/theresa-may-speculating-riots](http://www.guardian.co.uk/politics/2011/sep/08/theresa-may-speculating-riots).

<sup>49</sup> Hansard, 11 August, Column 1052.

<sup>50</sup> Pg 103 of the Magistrates Sentencing Guidelines, available at [http://sentencingcouncil.judiciary.gov.uk/docs/Magistrates\\_Guidelines\\_including\\_update\\_1\\_2\\_3\\_4\\_web.pdf](http://sentencingcouncil.judiciary.gov.uk/docs/Magistrates_Guidelines_including_update_1_2_3_4_web.pdf).

<sup>51</sup> See *Daily Mail* article of 5 January 2007, available at [www.dailymail.co.uk/news/article-426650/Wanted-crimes-common-sense.html](http://www.dailymail.co.uk/news/article-426650/Wanted-crimes-common-sense.html).

HRA. The Sun also ran the story with the inflammatory headline: “What about OUR rights”.<sup>52</sup> The following month, the Sun ran the story again quoting a North East Conservative MP claiming that “this is yet another instance of the rights of suspected criminals being put before those of the law-abiding population”.<sup>53</sup> And so the myth gathers pace. The truth is that the HRA does not prevent pictures from being published in order to help find a fugitive. This has been tested in a case which concerned a decision by the London Borough of Brent and the Metropolitan police to distribute leaflets and to publicise other material carrying the claimants’ images, names and ages, and details of ASBOs issued against them. In the case, Kennedy L J held that the publicity did not infringe the claimants’ Article 8 rights, saying that:

It is clear to me that whether publicity is intended to inform, to reassure, to assist in enforcing the existing orders by policing, to inhibit the behaviour of those against whom the orders have been made, or to deter others, it is unlikely to be effective unless it includes photographs, names and at least partial addresses. Not only do the readers need to know against whom orders have been made, but those responsible for publicity must leave no room for mis-identification. As to the remainder of the content of any publicity, that must depend upon the facts of the case.<sup>54</sup>

Contrary to what the Prime Minister appeared to imply, it is perfectly permissible under the HRA to publish pictures of wanted suspects. The Prime Minister returned to this theme in his statement to Parliament on the 11 August where he lamented “a culture” that “says everything about rights but nothing about responsibilities”.<sup>55</sup> This message was reinforced in his speech in Witney on 15 August where he attacked the “twisting and misrepresentation of human rights”, linking the attitude of rioters to the existence of the HRA. The trashing of the HRA culminated in an opinion piece by the Prime Minister in the Daily Express on 21 August entitled “Human Rights in my sights” in which he vowed to “fight back” which:

also means rebuilding the sense of personal responsibility that has been eroded over the years by many things, from the welfare system where work doesn’t pay to the twisting and misrepresenting of human rights. The British people have fought and died for people’s rights to freedom and dignity but they did not fight so that people did not have to take full responsibility for their actions. So though it won’t be easy, though it will mean taking on parts of the establishment, I am determined we get a grip on the misrepresentation of human rights. We are looking at creating our own British Bill of Rights. We are going to fight in Europe for changes to the way the European Court works and we will fight to ensure people understand the real scope of these rights and do not use them as cover for rules or excuses that fly in the face of common sense.<sup>56</sup>

Needless to say, at no point in any of his various attacks on the HRA did the PM point to a concrete example of how the HRA might be responsible for undermining personal responsibility or the outbreak of violence in our cities. This is unsurprising as the HRA expressly protects private property as well as personal safety. Nevertheless, his high profile attacks on the HRA sparked a flurry of media debate and discussion about the possibility of repealing the Act. The idea that the HRA somehow provides unfettered and limitless rights without any corresponding responsibilities is, of course, nonsense. Respect for the rights of others is built into the Act and rights can be limited for a number of legitimate reasons including public safety and national security. Further, the statute book is full of laws that we must all obey or face the consequences. The HRA is one of the very few pieces of legislation that allows individuals to hold the State to account. The false dichotomy of human rights versus “common sense” is easy to present when you are attributing to it colourful claims that have been argued but thrown out of court or attempted claims that have not even made it to the court door. The truth is that the Act is invariably responsible for “common sense” decisions. It is after all common sense that rape victims shouldn’t have to be cross-examined by their attackers;<sup>57</sup> that local councils shouldn’t be able to use targeted surveillance to police school catchment areas;<sup>58</sup> that a mother should be granted an inquest into her daughter’s murder that resulted from a prisoner being released too early.<sup>59</sup> All of these outcomes and very many more have been achieved through the use of the ECHR and the HRA. The depressingly familiar criticism that the Act has created a “soft” culture within public bodies again comes without evidence or full explanation. And if true, this surely points to a need for better public education and training rather than repeal.

The Prime Minister is of course right that previous generations fought and died to secure the freedoms contained in the HRA for future generations. These hard won British freedoms were exported to the rest of Europe when, in the wake of the Holocaust, the Council of Europe drew up the European Convention on

<sup>52</sup> See *Sun* article of 6 January 2007, available at [www.thesun.co.uk/sol/homepage/news/7022/What-about-OUR-rights.html](http://www.thesun.co.uk/sol/homepage/news/7022/What-about-OUR-rights.html).

<sup>53</sup> See *Sun* article of 10 February 2007, available at [www.thesun.co.uk/sol/homepage/news/17506/Fury-over-rights-of-suspects.html](http://www.thesun.co.uk/sol/homepage/news/17506/Fury-over-rights-of-suspects.html).

<sup>54</sup> *R (on the application of Stanley, Marshall and Kelly) v Metropolitan Police Commissioner & Anor* [2004] EWHC 2229 (Admin), at para 40.

<sup>55</sup> See House of Commons Hansard, Column 1054, 11 August 2011, available at: [www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110811/debtext/110811-0001.htm#1108117000784](http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110811/debtext/110811-0001.htm#1108117000784)

<sup>56</sup> See *David Cameron: Human Rights in my sights*, *Daily Express*, 21 August 2011, available at: [www.express.co.uk/posts/view/266219/David-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sights](http://www.express.co.uk/posts/view/266219/David-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sights)

<sup>57</sup> *JM v United Kingdom* 30 EHRR CD57

<sup>58</sup> *Paton v Poole Borough Council*, more information is available on Liberty’s website at: [www.liberty-human-rights.org.uk/media/press/2010/victory-in-school-mum-snooping-case.php](http://www.liberty-human-rights.org.uk/media/press/2010/victory-in-school-mum-snooping-case.php)

<sup>59</sup> For more information on the inquest into the death of Naomi Bryant see Liberty’s website: [www.liberty-human-rights.org.uk/news/2011/how-the-human-rights-act-delivered-justice-for-the-bryan.php](http://www.liberty-human-rights.org.uk/news/2011/how-the-human-rights-act-delivered-justice-for-the-bryan.php)

Human Rights (ECHR) with the help of British lawyers. The HRA incorporates the ECHR into UK law and allows British judges to adjudicate its values rather than requiring British citizens and residents to take human rights challenges straight to the European Court of Human Rights in Strasbourg. When, on the basis of myth and popular misunderstanding, the Prime Minister so casually denigrates the Act and its values he does a grave disservice to the sacrifice of earlier generations.

The Prime Minister's comments were in stark contrast to those of ACPO President, Sir Hugh Orde, who robustly defended the role of human rights in public order policing, writing in the days that followed the rioting that:

Equally, to suggest human rights get in the way of effective policing is simply wrong. The proportionate use of force up to and including lethal force is both lawful and human rights compliant.<sup>60</sup>

#### POLICE ACCOUNTABILITY

In the wake of the riots, members of the Government have spoken often about plans for directly elected Police and Crime Commissioners—one of the Prime Minister's flagship policies—as part of the solution to the disorder. The proposal contained in the Police Reform and Social Responsibility Bill, has already been subject to scrutiny by the Home Affairs Select Committee and recently subject to a significant revolt in the House of Lords. In his piece in the Daily Express in response to the riots the Prime Minister wrote:

We need a stronger presence on the streets, deterring crime and catching criminals instead of filling in forms or wasting time on phony targets. That is what people want. That is why elected Police and Crime Commissioners is a powerful idea; they will make policing more responsive to what the people in your neighbourhood need, to keep you safe.<sup>61</sup>

Liberty believes that the Government would do well to re-examine this revolutionary reform.<sup>62</sup> As several MPs pointed out in the emergency debate on the riots on the 11 August, plans for directly elected Police and Crime Commissioners come at an increased cost to the public purse and risk worsening police credibility and community relations. The policy is largely an import from the USA where political “sheriffs” have overseen endemic corruption and damaged race relations. As tensions have simmered in our towns and cities, and as politicians have sought to explain the events, the political independence of the police has meant that expertise, and not partisanship, has led the response. At times of strife and civil disorder it is more important than ever that the police act and are seen to act, as independent professionals, applying the law in a firm but even handed way. If the British model of policing is reformed in the way proposed, the operational independence of the police would be badly undermined. Independent police leadership during times of unrest would not be guaranteed in similar circumstances in the future.

September 2011

#### Written evidence submitted by Birmingham City Council

The majority of the terms of reference of the Home Affairs Committee inquiry are police specific. A few are particularly relevant to Council services, due to their broader nature. These are highlighted in bold in the table below and then considered in turn in this response.

- 1 Police relations with the communities where violence took place before the riots, including similarities with and differences from previous public disorder events;
- 2 The role of social media in spreading disorder and in the response to it;
- 3 The role of organised groups in promoting disorder;
- 4 The role of the Independent Police Complaints Commission (IPCC), HM Inspectorate of Constabulary (HMIC), and Association of Chief Police Officers (ACPO)/National Policing Improvement Agency (NPIA) public order guidance;
- 5 The techniques used by the police to quell the rioting, including: a) Decisions taken over the deployment of police officers (availability of officers, response times), b) The use of standard techniques: containment, dispersal, specialist public order officers, dogs, horses, c) The deployment of non-standard techniques: armoured police cars, baton rounds, water cannon, curfews
- 6 Variations in the responses of different police forces;
- 7 Lessons to be learned from the police response to previous public disorder incidents;
- 8 Training of officers to deal with riots;
- 9 Whether there were any constraints on the police such as limited resources or powers;

<sup>60</sup> See *Sir Hugh Orde: Water Cannon can make for good headlines—and bad policing*, *Independent*, 11 August 2011 available at [www.independent.co.uk/opinion/commentators/sir-hugh-orde-water-cannon-make-for-good-headlines-ndash-and-bad-policing-2335676.html](http://www.independent.co.uk/opinion/commentators/sir-hugh-orde-water-cannon-make-for-good-headlines-ndash-and-bad-policing-2335676.html)

<sup>61</sup> See *David Cameron: Human Rights in my sights*, *Daily Express*, 21 August 2011, available at [www.express.co.uk/posts/view/266219/David-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sights](http://www.express.co.uk/posts/view/266219/David-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sightsDavid-Cameron-Human-rights-in-my-sights)

<sup>62</sup> See Liberty's Second Reading briefing on the Bill, available at [www.liberty-human-rights.org.uk/pdfs/policy11/liberty-s-second-reading-briefing-on-part-1-of-the-police-reform-bill-april-.pdf](http://www.liberty-human-rights.org.uk/pdfs/policy11/liberty-s-second-reading-briefing-on-part-1-of-the-police-reform-bill-april-.pdf)

- 10 Whether there should be any changes to the legislation regulating normal policing processes during times of major disorder;
- 11 Whether the age of many of the rioters constrained the police in their use of anti-riot technique;
- 12 The application of the Riot (Damages) Act 1886; and
- 13 To revisit relevant recommendations made in previous Home Affairs Committee reports into Policing the G20 protests and Knife crime, and other relevant recommendations, to assess if they have been implemented by successive governments.

Whilst it is appropriate for West Midlands Police to comment on the detailed issues around policing, the Council would like to record our appreciation for the close working between the Police and Council during the disturbances. Council officials were engaged in Gold Command and the Control Room which was very helpful in ensuring an effective and coherent response.

#### COMMUNITY RELATIONS

West Midlands Police and Birmingham City Council (BCC) have sophisticated networks to engage with different groups in this extremely diverse city. Whilst West Midlands Police have established a Community Reference Group in consultation with the City Council, the City Council already has long established Community Networks as well as a Faith Round Table which enables it to gather intelligence regarding tensions between and across communities. An area that we may have to look at more closely for future developments is our relationship with young people. Consequently, the City Council is working closely with its Youth Service to ensure that we develop networks with young people in general but in particular with those who are disengaged.

#### SOCIAL MEDIA

BCC and West Midlands Police provided regular updates to internal and external contacts via a range of communication methods, including social media.

The Birmingham Resilience Team (bhamresilience) twitter account saw a significant increase in followers throughout the week, and received over 200 direct messages of support and appreciation for accurate, trusted and speedy tweets. Birmingham Resilience twitter account was utilised to reinforce police tweets to counteract rumours and incorrect information.

BCC appreciates the challenges that social media presented in these events. The use of social media in emergencies is increasingly regarded as a valuable addition to the range of warning and informing methods used to communicate with the public. The [www.birminghamprepared.gov.uk](http://www.birminghamprepared.gov.uk) website, which was also regularly updated, received positive feedback and experienced its highest number of hits since its launch. This reinforces the role of the internet in providing a source of information and advice during emergencies.

#### ROLE OF ORGANISED GROUPS

Whilst organised groups do not appear to have had a significant role in initiating the disturbances, some did respond to the disturbances in an opportunistic fashion. West Midlands Police will be able to provide further details in their response.

#### THE TECHNIQUES USED BY THE POLICE TO QUELL THE RIOTING AND ISSUES AROUND THE AGE OF MANY OF THE RIOTERS

Upon notification of the disorder and that a Police Operation was being established for the West Midlands, The Council's Resilience Team (BRT) immediately linked with the Police and activated the relevant Corporate Major Emergency Procedures. As per agreed multi agency procedures, Birmingham Resilience staff were based at the Police Events Control Suite 24 hours a day throughout the police operation. This enabled swift deployment by the Council in support of the police operation. For example, Resilience officers liaised with Council fleet and waste management colleagues at 4am each day, to relay information about sites affected by disorder so that street cleaning / debris removal could be undertaken without delay and in line with police forensic confirmation that their site investigations were complete.

Police strategies were shared with multi agency partners and were necessarily adapted as a consequence of a highly dynamic situation.

Senior Resilience officers from the Council attended all Police led multi agency Strategic (Gold) and Tactical (Silver) Meetings, which included input into the Multi Agency Gold Strategy. There was also strong political input, notably from the Deputy Leader. BCC officers worked in the Control Room itself.

Based on the information available at the time, the police response was appropriate given the age and behaviour of most of the looters.

We are concerned at the apparent mismatch between media images of what was happening in London and the actual nature of the disturbances in Birmingham—which led unnecessarily to heightened fear and public/media calls for stronger interventions.

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## APPLICATION OF THE RIOT DAMAGES ACT

One of the key concerns of the Council was the perception that claims for compensation depended on a decision by the Police on whether to declare the recent civil disorder in Birmingham as a “riot” within the context of the Riot (Damages) Act 1886.

Our understanding now is that this decision is not a prerequisite for affected parties to make claims for damages, however the initial perception (together with the lack of an early decision on whether to declare a riot) caused concern particularly for local businesses and made it difficult to process financial support by BCC under the High Street Support Scheme.

The Government has, in their guidance notes, advised that to give claimants more time to submit their claims the normal deadline of 14 days is being extended to 42 days. This is welcomed.

## CONCLUSION

Birmingham has robust emergency response and recovery arrangements that have served us well in dealing with the recent public disorder. The police were faced with a highly dynamic situation that was further challenged by the apparently disparate groups that converged into large scale organised criminality.

As per usual practice, single and multi agency debriefs will identify any lessons learned that can be taken forward to continually improve our arrangements.

BCC continues to work with multi agency partners, communities and businesses to restore business and community confidence as part of recovery activities. It is anticipated that the joint efforts of the Council, our communities and partners will bring about lasting trust and stability for the City.

The Council is considering how best to investigate the underlying causes of the disturbances and hence the medium and long term actions appropriate to ensure timely recovery and reduce the risk of further occurrences of this nature.

*September 2011*

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## Written evidence submitted by StopWatch policy group

StopWatch is a coalition of academics, legal experts, civil society groups and young people that works to reduce disproportionality in and promote best practice in stop and search powers.

Along with the rest of the nation StopWatch were horrified by the scenes of violence witnessed around the country during the August disturbances. We feel that it is vital that the right lessons are learned to prevent this from happening again.

We are concerned that the inquiry seems to be focussing only on enforcement issues and neglected the vital role that community relations played in causing the riots and could play in preventing them in the future.

We feel that it is a mistake to ignore the specific history of the area in which the riots took place, an area with a long history of tension between community and police force which has often been caused or exacerbated by the excessive use of stop and search.

StopWatch recognises that the police are operating at a time of constrained resources. However, we do not feel that improved resources would significantly reduce the probability of disturbances breaking out again. Instead the solution lies in improving communication and reducing the extent and disproportionality of the deployment of stop and search.

In terms of police tactics we feel that, while more forceful tactics may have limited the spread of the riots, they would not have prevented them. Better relationships with the community are the only long term solution.

On the matter of Police powers we feel that there is significant improvement that could be made which would significantly reduce the chance of future disturbance. However we feel that this would not result from an increase in the licence granted to police officers on the streets. In fact we feel that the deployment of police powers to stop and search plays a significant role in exacerbating the kind of tensions which erupted so destructively across the country.

Finally we conclude that the riots were complex and, in order to be effective, fair and democratic the response must be nuanced. Excessively punitive or simplistic measures will simply exacerbate the problems which caused the riots in the first place.

## ABOUT STOPWATCH

1. StopWatch is a coalition of legal experts, community activists, civil society groups, academics and young people that works to reduce disproportionality and promote best practice in stop and search powers. StopWatch is formed of three groups: legal, policy and youth that each tackle different areas of the stop and search agenda.



2. StopWatch was as horrified by the riots as the rest of the country but we fear that unless the correct lessons are learned there is the real risk that they will recur. We are therefore keen to offer what knowledge and expertise we have in the hope that these lessons can be learned and future violence can be avoided or curtailed.

#### CONCERNS ABOUT THE INQUIRY

3. The Home Affairs Committee's (the committee) request for submissions makes special reference to the issues of: police powers, funding, tactics and equipment. We believe that there are vital questions to answer about these subjects. However we are concerned that the way they are framed implies an approach that is based purely on enforcement. We feel strongly that answers to these questions that do not undermine the traditions and ethos of British policing cannot be found simply through improving the enforcement capabilities of the police force.

#### COMMUNITY RELATIONS ARE VITAL

4. Police—community relations are vital to this inquiry. It has been claimed that the riots were the result of apolitical criminality and therefore unrelated to a given community's experience of policing. However, it would seem strange to disregard the fact that riots exploded in a community (Tottenham) with a history of over-surveillance and under-protection which have contributed to a tense relationship between that community and the local police. The community's reaction to the death of Mark Duggan and the subsequent handling of the investigation by the Independent Police Complaints Commission seems to exemplify this.

5. It is unwise to draw simple, hasty conclusions. Nonetheless there are indications that the riots were closely linked to the experience of policing. In community forums like London 24 residents have explicitly linked the eruption of violence to young people's anger at being subject to excessive stops in Tottenham, Hackney and in Lewisham. We feel that stop and search is intrinsic to understanding both why the riots happened and how they can be avoided or minimised in the future. The location of much of the violence corresponds to areas of high social tension such as Birmingham, Hackney, Lewisham and Tottenham; there is a danger that the presence of looting in outlier areas such as Barnet distorts this. At the very least it seems clear that people who burn buildings and smash windows feel that they have little real stake in their community.

6. Dr. Ben Bradford has discussed the role of stop and search in undermining a community and an individual's feeling that they belong to wider society (Bradford, 2011). This must surely a prescient consideration in the context of the riots.

7. On 7 September the Committee on the Elimination of Racial Discrimination issued their response to the presentation of government policy to the UN in Geneva. The committee was a pains to highlight its concerns regarding the use of stop and search:

8. The Committee regrets the increased use of "stops and searches" by the Police which disproportionately affect members of minority ethnic groups, particularly persons of Asian and African descent.

9. We also feel it is enlightening to consider the event that sparked the riots—the death of Mark Duggan—in the light of the death of Steven Lawrence as insensitive treatment of the relatives of the deceased marked both cases. It is disheartening to see that 10 years later such clumsy handling of community and family relations persists.

#### KEY ISSUES FOR THE INQUIRY

10. We will now address some of the key issues raised by the inquiry and discuss how we feel a focus on community—police relations and consent based policing can be beneficial in answering them.

#### POLICE RESOURCES

11. Like many public services, the police are facing massive funding cuts. The committee have asked whether the police had sufficient resources to deal with the unrest. We feel that the government does not have sufficient resources to fund the police to a level that would prevent or significantly curtail the disorder witnessed in August and that increased resource can only be, at most, a partial solution. There is also a question of the priorities adopted by the police in their deployment of such resources they do have available. Since the riots large-scale resources are being devoted to operations to identify, arrest and prosecute riot participants. This heavy deployment of police in riot areas runs the risk of further incidents, such as the killing of Mark Duggan reoccurring.

12. A more useful response to the riots would be to look at how police can improve their relations with the community. Improved communications but also a reduction in the use and vitally in the disproportionality of stop and search would prove beneficial here. This would reduce the sense of grievance within the community, and in doing so reduce the burden on resources and improve safety as members would feel less resentment and more inclined to cooperate with the police. There is evidence that they would feel more invested within their communities reducing risk of future riots and reduce participation in the event of recurrence of disorder.

## POLICE EQUIPMENT AND NON-STANDARD PROCEDURE

13. Some commentators assume that if police have sufficiently high tech equipment they will be in a position to enforce better enforce the law. We feel that unless the police have the right attitude and relations with community, increased equipment will simply improve their ability to inflict violence when disorder occurs but do little to prevent it from erupting. It may be that equipping the police with certain equipment would deter future disorder. However it would involve radical changes to the nature of British policing; for instance the introduction of armed police patrols on the streets. We feel this would be an intolerable breach in the tradition of British policing, and one that would have little support either among the public or many police officers.

## POLICE TACTICS

14. The committee asks whether special training could be employed to improve police tactics in the future disturbances. It is entirely possible that a quicker, firmer response may have limited the degree to which the riots spread across London and the country. It also seems highly likely that much of the disturbance was a result of local tensions erupting, in Birmingham for instance, or Tottenham. Harder and faster police response would have had a limited impact upon these tensions. On a more pragmatic level, it should be noted that when London was flooded with police this involved 16,000 police officers many drawn from areas outside London. Croydon has a population of 340,000 of which 21% are aged 16 or under. If a significant number of that population refuse to be policed then no degree of robust policing or sophisticated tactics—or at least none that should be countenanced by a democratic society—will be able to police it.

## POLICE POWERS

15. The debate over police powers exemplifies these issues. Arguably it is the excessive or clumsy deployment of the powers already available which has contributed so much to the tensions which erupted in August.

16. Since the Police and Criminal Evidence (PACE) guidelines were introduced the use of stop and search has increased exponentially. At the same time the licence given to officers to subject citizens to temporary detention has also expanded to a worrying degree. The number of stop and searches carried out has grown from 100,000 when PACE was introduced to 1,126,258 in 2008–09. At the same time evidence consistently indicates gross disparity in the distribution of these stops. Black people are stopped and searched at seven times the rate of whites, Asians are stopped twice as often, yet the arrest rate for all groups remains broadly the same.

17. Recently police forces were released from the duty to even record and monitor their use of stop and account. This amounts to a major reduction in accountability in relation to a power which already causes significant tension between police and community.

18. In recent years we have also seen the extension of exceptional powers of stop and search, both on the streets and in ports and airports. Use of Section 60 of the Criminal Justice and Public Order act has grown over 282% in the period between 2005 and 2010. For ten years straight the whole of London lay under a Section 44 order which only ended when the European Court of Human rights ruled the law illegal. Meanwhile Schedule 7, which allows police at ports and airports to detain and question anyone, for up to 9 hours without reasonable suspicion or the right to a lawyer. Once these powers show drastic signs of disproportionality, section 60 is deployed against Black people at 27 times the rate of whites, Schedule 7 affects Asians at 42 times the rate of white people and it has been indicated is one of the most important factors affecting the Muslim community's relationship with the rest of the UK. (Ministry of Justice 2010)

19. Despite these worrying trends evidence for the effectiveness of stop and search remains at best slight. Only 2% of section 60 stops actually result in an arrest for violent crime related offences, only 4% result in any arrest at all. Counter-terrorism legislation like Schedule 7 has been linked to widespread feelings of persecution and harassment among Muslims that potentially undermines their purported aim of protecting the UK from Islamic extremist related violence. Yet less than 1% of Schedule 7 stops result in an arrest. (StopWatch 2011)

20. We would also point out that it is not simply advocacy groups and Tottenham residents who are disturbed by such disproportionality. In 2009, on the anniversary of the Steven Lawrence report the Home Affairs Select Committee noted: "In 1999, a black person was six times more likely to be stopped and searched under Section 1 of the Police and Criminal Evidence Act 1984; in 2006–07 it was seven times...balance...needs to be struck between use of the power to prevent or detect crime and the negative impact its use has on public co-operation with, and support for, the police." (Home Affairs Committee 2009)

21. It might be useful for the committee to enquire into the extent to which, in the months leading up to the riots, the areas affected had been subject to targeted 'anti-gang' raids or excessive use of police powers of stop and search, whether requiring reasonable suspicion (as under section 1 of PACE) or without (section 60 of the CJPOA 1994). The latter power is designed to prevent imminent acts of violence, but it may be that its use had the opposite effect in this instance.

22. Fundamentally there are no democratic ways of extending the power or licence that police officers exercise on the streets that would have had a significant impact either in curtailing the recent unrest, or preventing it in the future.

#### CONCLUSION

23. Since Sir Robert Peel founded the Metropolitan police force in 1829, the UK has operated with the recognition that the British Police Service can only act with the consent of the policed. The riots demonstrated what happens when that consent is withdrawn. Unless the committee is to propose serious incursions into liberty then there are no extensions of power, funding or licence that will prevent or dramatically limit the chances of a recurrence of the August disturbances. Such incursions would only be effective at the cost of a venerable tradition of British policing. One which achieves admirable levels of order and safety with few of the coercive mechanisms employed in comparable jurisdictions. It would also entail the loss of any workable relationship with Black and Minority Ethnic groups in the UK many of whom already often feel that they are subjects rather than beneficiaries of the police and criminal justice system. The riots were complex and our response must be nuanced. While the urge to act is understandable, simplistic reforms will exacerbate the very tensions that caused the riots.

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*September 2011*

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#### **Written evidence submitted by youth members of Stop Watch**

Over recent weeks a range of voices: politicians, radio presenters, journalists, have all expressed their views about the causes of the riots. However, young people have not been heard despite being the group that have been blamed for the uprising.

The government's response to the riots has shown they are out of touch. Recent comments from Justice Secretary Ken Clarke, that the rioters were a feral underclass demonstrate the general view that rioters were subhuman. Iain Duncan Smith recently discussed the need to tackle gang violence but failed to acknowledge the role his government's cuts had in drastically removing alternatives—youth centres etc—for young people.

In addition to the negative impact of the cuts, young people also suffer from excessive use of stop and search. They were targeted for being in the "wrong neighbourhood" or wearing the "wrong clothes". Meanwhile stop and search continues to have an unacceptably low hit rate. Only 10% of stop and searches lead to an arrest. Despite rising knife crime, incredibly half of all stop and searches are for drugs, mainly cannabis while the exceptional section 60 power aimed at violence only leads to arrest for knives in 0.5% of cases.

Now disproportionate policing is turning into disproportionate sentencing as 45% of those convicted of involvement in the riots have received custodial sentences compared to 12% of those convicted of the same offences in 2010.

Young people demand the same treatment from police as all other citizens. To be able to walk the streets un-harassed but protected.

#### OUT OF TOUCH—A YOUTH PERSPECTIVE

1. What caused the riots? Over the past few weeks, politicians, radio presenters and journalists have all expressed their views, but what about young people? Clearly you would think that the very group blamed for the uprising would be consulted to avoid repeated rioting in the future.

2. The phrase "out of touch" could not provide a better description of the governments' comments and battle plans to tackle the "riot issue" at large. Recent comments from Ken Clarke, describing rioters as a "feral

underclass” go some way in capturing general perceptions of the rioters as subhuman, beyond society and beyond hope.

3. In a recent article, Iain Duncan Smith talks of the need to tackle gang problems, adding that “a lot of these kids are desperate for a way out”. Mr. Smith rightly highlights the negative impact that gangs play in our communities, but fails to acknowledge the impact of the cuts which he and the government have implemented. In Haringey alone, eight out of 13 youth clubs have closed down, closing with them, the opportunity of positive activity away from the streets and away from gang culture.

4. Various organisations have issued warnings that government cuts would impact heavily on the most disadvantaged groups in society. With the advent of the August riots, these alarmist voices turned out to be prophetic an experience foreshadowed by the Brixton riots of 1981 in the midst of a recession and in an environment oppressed by heavy handed policing.

5. Even the government will admit that it is not a good time for young people. In a time where youth unemployment has reached record levels, with cuts to youth services, Education Maintenance Allowance (EMA) and an astronomical rise in university fees, many young people are wondering what the future has in store for them. This may go some way to explaining why the overwhelming majority of convicted rioters were under 25 and unemployed. When young people have nothing more to lose, is it surprising that the social norms restraining people from looting—fear of a criminal record, community exclusion and time in jail—become less of a deterrent than they otherwise would be?

6. While the cuts are taking their toll, so too is the steady increase in police use of stop and search to target young people. “Youth” from the “wrong neighbourhood” or wearing the “wrong clothes” are regularly hounded, humiliated and harassed by police while getting on with their daily lives. The unacceptably low “hit rate” or “arrest rates” only add to the injustice felt by many young people today towards the police. Only 10% of stop and searches lead to an arrest. Despite rising knife crime, incredibly half of all stop and searches are for drugs, mainly cannabis while the exceptional section 60 power aimed at violence only leads to arrest for knives in 0.5% of cases. While the police spend their time targeting low lying fruit and ignoring real community priorities; young people will continue to be criminalised, increasing distrust, disengagement and disrespect for the authorities supposedly here to protect—not persecute.

#### OVER-POLICED AND NOW OVER-SENTENCED

7. Now disproportionate policing is transforming into disproportionate sentencing with recent figures showing that 45% of those convicted after the August riots have been jailed against 12% for comparable offences such as affray, assault, burglary and violent disorder in 2010. David Cameron, when asked about the likeness between the rioters and members of the Bullingdon Club last week said; “we all do stupid things when we are young and we should learn the lessons.” Well let’s learn the lessons in productive way and not through a riot induced glut of expensive, disproportionate sentencing which is pushing our jail system to breaking point. In this time of austerity, community projects, such as the remaining youth clubs in Haringey, are in need of volunteers and act as beacons in what positive collective action can do. Community led “pay-back” schemes proposed recently by Nick Clegg will benefit both rioter and community much more than a stagnant stint in jail.

8. So what do we want as youth from police? Like most people really; to walk the streets without undue suspicion, to be protected when in need and to be treated equally regardless of our age, post code or fashion choice. Like the rioters, we don't need a second or third chance, we need a first chance; to contribute to our communities and to society as a whole. Listen to us; or lose touch at your peril.

*September 2011*

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### Written evidence submitted by Southwark Council

#### FOREWORD AND EXECUTIVE SUMMARY FROM CLLR RICHARD LIVINGSTONE, CABINET MEMBER FOR COMMUNITY SAFETY

The recent disturbances in Southwark had a huge impact on our community, local public services and businesses across the borough. Whatever deep-seated issues may be present in our society, the answer does not lie in tearing down our high streets and there is no justification for such despicable acts of violence. There was a section of people intent on causing needless harm and proportionate justice must be brought to them.

It would be all too easy to draw quick, simple conclusions and formulate hasty recommendations for change, without appreciating and understanding the full facts. In Southwark, these facts continue to come to light. We continue to work with our partners in the Metropolitan Police Service (MPS) to find out who did what and where. This will take time. Our submission to the select committee therefore does not attempt to set out any specific cause for the disorder or definitive conclusions to act on.

Instead, this submission presents some initial findings around the disturbances in Southwark. It introduces evidence which may help in drawing out what lessons need to be learned by the police and others, including what resources and tools (legislative or otherwise) may be required from government. We would also like to

offer our future input into the work of the committee, including oral evidence, as we continue to learn more about who was involved in the disorder and what may have caused them to become involved.

In considering the evidence, I would like to draw to the attention of the committee the amazingly positive response of the broader community in the aftermath of the disturbances. Both spontaneously and with the support of the council, people have come together in Southwark in ways that have underlined the strength of our community. This has been more than just through getting involved in the immediate clean-up operation, with a broom in hand, welcome as that was. Local people across the borough have shown a spirit and determination to move on from the disturbances and have wanted to express this explicitly through the “Peckham Wall of Love” and “Walworth Bunting”, photographs of which I attach.

My Cabinet colleagues and I have begun a series of “community conversations”, with the purpose of finding out from people directly why they thought the disturbances happened, what is needed to support local communities and how to help businesses, in particular smaller, independent traders. We are also asking local people what they might do themselves to help prevent such disturbances blighting our communities ever again. We would be pleased to share what emerges from these conversations with the committee, alongside our in-depth local research and analysis.

#### INITIAL FINDINGS ON THE DISTURBANCES IN SOUTHWARK

1. On Monday 8 August Southwark experienced disturbances across the borough, with concentration of activities in places like Rye Lane, Peckham and on the Walworth Road. The disturbances were a difficult and challenging time for all concerned. Pressure was put on stretched local resources. In some cases businesses reported long delays in police responses because police resources were so stretched during the disturbances.

2. Locally we are in the early stages of a long term police investigation and there will be significantly more arrests and charges that will take place. The council is working with MPS Southwark on those charged with offences related to the disturbances.

3. It is impossible to draw conclusions as to the cause of the riots at this time. There is a considerable amount of evidence that has not yet been fully assessed and the emerging picture appears to vary from one part of London to another. Any change of policy would need to be properly evidence based and relevant to the specific local circumstances.

4. Local analysis of those arrested and charged to date indicates a wide variety of individual circumstances, with no clear pattern emerging. The council is assessing these on an individual basis. Serious disorder was organised through social media sites and involved a cross section from the community. Based on the limited information known at this time, the majority of offending in Southwark is not believed to be linked to gangs. However, that is not to conclusively say that gang elements were not involved.

5. As of the end of August, initial evidence of those arrested for Southwark shows that there were 339 crimes reported and 76 people have been charged. Of those charged, 84% reside in Southwark, 49% were 18–23 years old, 10% were under 18, and some two fifths committed an offence over 2 kilometres from their home address.

6. In some instances, the same home address has been given by multiple people. To date, 53 Council tenancies have been identified as the home address of one or more of those arrested. Initial letters have been sent to the relevant tenants. In all cases follow up action is being taken and each tenant is being visited by experienced officers to explore their individual circumstances and recommend further action where appropriate.

7. It is understood that almost 40% of the charges made so far relate to commercial robbery. 140 local businesses have reported damage and looting to the police. In addition, there are businesses that have not been directly impacted by the criminal activity but lost trade during the period of the disturbances and immediately after (for example, their loss resulted from having to close due to the threat of disorder, rather than because of direct, physical damage). It is important that when considering business support and relief, for example the High Street Recovery Scheme, the government use the most complete and accurate data available.

8. About 50% of the businesses affected are small, independent traders who operate on very low margins and therefore are at greatest risk in terms of survival. Some of these lost special materials which are difficult to replace or even have to be recreated from scratch. Discussions with insurance companies reveal a fear that areas impacted may face punitive premiums. The council has set up an emergency recovery fund of £100,000 to provide immediate support to local businesses to get them “back on their feet” and will closely review whether this provision is enough. The council will also be contributing £20,000 to the Mayor of London’s high street fund. The business community is looking to the government to provide assistance as well, not only to help rebuild our local high streets in the short term but also look at sustainable solutions in the medium term.

9. The committee may wish to consider what work may be required to reassure business that the police will be there to support and protect where necessary in the future. Equally, modern measures to improve business security, including “safe by design” style advice from the police to prevent over-fortification of premises can be examined.

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THE “COMMUNITY CONVERSATIONS” IN SOUTHWARK

10. In the days following the disturbances the Leader of the Council, Cabinet Members and senior officers met with community representatives and members of the public to listen, learn and respond to what needed to be done by way of help for local areas.

11. This series of community conversations were inspired from the community-led “Peckham Wall of Love”, where local people set up a space to post their messages on what they thought of the disturbances and their affection for their local neighbourhood. The Wall has been retained by the Council as a symbol of the positive and constructive community response to the disturbances and the community conversations continue.

12. The first community conversation took place in Peckham and local people were only too happy to share their thoughts on what happened during the disturbances, what some of the causes may have been and how to move forward positively. One typically heartfelt response was:

“They stole from shops, frightening behaviour towards normal citizens, destroying property that is important to the community. Opportunism, a way of stealing, taking stuff from electrical shops like Comet and other shops like the clothes shops, trainers and all that sort of thing.

Public relations are good, we live in a multi-cultural society in Peckham, and I think tolerance towards one another is important and respect for one another is important. I try my best to behave like this.

People need to use their conscience more. I try to get on with my neighbours and show kindness and show respect. I am interested in how we treat one another. I try to turn the other cheek and still forgive them.”

13. What is becoming clear is that local people identify no single cause to the disturbances or simple solution for delivery. People’s comments highlighted the complexity of trying to analyse the disturbances at this time. The council would be pleased to share other findings from our community conversations and outcomes of local research and analysis to help inform the committee’s work.

*September 2011*

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**Written evidence submitted by Zero Meridian (London chapter) of the National Association of Seadogs (NAS)**

On 5 August 2011, a young black man, Mark Duggan, aged 29, was fatally shot by police in Tottenham, North London. A few days later during what was meant to be a peaceful demonstration in front of Tottenham Police Station, organised by or on behalf of the family of the deceased and well-meaning members of the community seeking some clarification on the circumstances surrounding the shooting incident, wanton violence broke out that resulted in the looting and burning down of local businesses and substantial damage to local properties.

The crowd that gathered at the otherwise peaceful demonstration, according to media reports, became agitated by the reluctance of the police to offer any explanation or clarification as to the fatal shooting of Mark Duggan.

There was widespread conflicting media reports suggesting that the deceased was a gangster who had fired upon the police wounding one of them in the process and he in turn was shot by police in an act of self-defence. This account of events was later found to be inaccurate forcing the otherwise taciturn Independent Police Complaint Commission (IPCC) uncharacteristically to correct this wrong impression. However, it was too little too late to avert the tumultuous situation that had escalated in the interim.

Meanwhile, the peaceful demonstration in front of Tottenham police station deteriorated as tempers flared as a result of the police maintaining a determined silence and the IPCC’s reluctance to swiftly quell the unfounded rumours that were circulating about the shooting. The situation rapidly became an outright carnage where local criminals began targeting local businesses for the single purpose of looting and destruction.

Within hours, the disturbances spread to other parts of the City and eventually to other major cities in England. The disorder that was on a very large scale was unprecedented and led to complete breakdown of law and order for a number of days involving a number of young people across the racial divide.

Initially, it appeared that the police were unable to cope with the intensity and scale of the riot either due to lack of numbers, equipment and intelligence or just its sheer magnitude combined with the skill of the organisers of the riots who initially appeared to have out-manoeuvred the police in terms of logistics.

Extensive television coverage demonstrated that young people were involved in large scale looting and arson incidents that involved the stealing of expensive items such as flat screen television sets, mobile phones, trainers and other luxury items such that it was clear, considering the scale of the looting, that this was not a disturbance that was aimed at burning down public buildings or institutions, as previous riots in the 1980s in Brixton, Tottenham and Toxteth, but systematic targeting of small businesses for choice items.

Moreover, the looting spree appeared well organised where young people, utilising social networking sites such as twitter and Blackberry phone messenger, were turning up at various high street locations and engaging in an orgy of looting, arson and general mayhem.

The high jacking of the peaceful demonstration in Tottenham by what can only be described as opportunistic and criminal elements is highly condemnable and unacceptable where young people deliberately targeted small businesses and property in their own community singling them out for destruction. However, we readily recognise that there must be a reason or a combination of reasons as to why these young people went on rampage.

The courts, as we know, have already started dealing with those that have appeared before it and are already applying appropriate sanctions. But no punishment, no matter how severe, will deal with the underlining issues that may have been festering under the surface before the riots.

## WHO WE ARE

The National Association of Seadogs (NAS) is non-politically affiliated, non-religious, detribalized body. It was formed in 1952 at the then University College, Ibadan, Nigeria, with the primary aim of upholding human dignity and the promotion of a just, humane and progressive society, where no one is a victim of colour, race, sex, tribe, or beliefs. It is an international organization with Branches in Europe, Asia, North America and South Africa and remains dedicated to charitable and humanitarian endeavours in whatever society in which its members find themselves. Since inception, we have continued our quest to fight societal ills and, since the riots occurred in our own communities where we live, we felt motivated to participate in this process in a bid to finding lasting solutions to this current problem.

The membership of our organization can be found in various aspects of societal life and its willingness to help society reconstruct and to build is, and remains, an asset which society can and should freely continue to exploit.

In the United Kingdom, we have all manner of professionals who work in fields such as the criminal justice system, where our members practice as Barristers and solicitors, teaching profession, civil service, social services, writers, accountancy etc. Above all, we are family people and have children of our own and we live in the communities that were directly affected by the disturbances.

Consequently, we held a seminar internally amongst our members to discuss and analyse these issues confronting society. What are the lessons that may be ascertained from the riots? We, as an organisation have identified, based on personal, empirical and anecdotal evidence the following issues as root causes of the violence. Some of the issues stand alone, but in reality the combined effect of one or more of the issues that we have identified led to the riots.

We do not support any political party or seek to attack or alienate any particular political opinion or view. Our views as expressed in this submission are to examine the issues dispassionately in order to find a lasting solution to a prevailing problem.

## THE ISSUES

We identified the following issues as the root causes of the riots. We readily concede that the evidence that we present is purely subjective and is based on the personal and professional experience of our members. However, this document represents our collective opinion that we hope the Committee will find useful in formulating public policy.

The impending budgetary cuts, we found was irrelevant and not a direct cause of the riots. However, the government may want to review some of the proposed budgetary cuts in line with more pressing issues of social inequalities, deep-seated resentment arising from socio-economic factors such as financial downturn and attendant unemployment that were smouldering under the surface that the recent riots glaringly exposed.

Nevertheless, our discussion raised the following:

- Issues of Stop and Search and long-standing resentment of police by young people.
- Underlining Social issues that are complex and requires multi-dimensional approach.
- Lack of proper policing or lack of clear and proper guidance to the police as to what amount of force is acceptable or reasonable in a riot situation.
- Lack of proper clarity of the law so far as issues or proper definition of reasonable chastisement or restraint in the schools.
- Lack of morality, not on a religious basis, in society.
- Incapacity of police, parents and teacher.
- IPCC-delayed response to public clamouring for information.

## STOP AND SEARCH

This is still a vexed issue amongst young people, particularly amongst young black men. The concerns of young black men is borne out by Home Office Statistics that tend to show that young Black men are seven times more likely to be stopped and searched on the streets than their white counterparts. The next most searched ethnic grouping is the Asians.

We believe that stop and search is an essential tool that the police must deploy to ensure that they break the back of gangs or the “hoodies” particularly young thugs who carry knives that have been deployed to devastating effect and in some cases fatally. However, it appears that the stop and search must be carried out across the board because, as the riots have vividly demonstrated, violence is not the preserve of young black men.

Therefore, it should not be used disproportionately against young black men but against young people generally across the racial divide and must be carried out in a respectful manner that does not breed the level of resentment that manifested itself during the riots.

## SOCIAL ISSUES

We found that, essentially, it would be simplistic to suggest that poverty was an excuse for what took place during the riots. In reality, the issues were far more complex and any in-depth analysis will probably be beyond the scope of this submission. However, there appears to be an acute sense of despondency about the future and resentment of the affluent by some young people who participated in the riots whilst some others simply participated for the thrill they derived from such mindless activity.

## INADEQUATE OR INEFFECTIVE POLICING

We found that, at the onset of the riots in London, it appeared from television footage that the police were out-numbered by rioters in so far as the issue of deployment was concerned. The police at the scene were somewhat hesitant and unsure as to what level of force they should use in the circumstances. The result was that the rioters had the upper hand for a long period before they were tardily subdued. Regrettably, in some instances, not before substantial amount of property were razed to the ground.

It appeared that as a result of the fall out following the method of crowd control or “kettling” adopted by the police during the G20 demonstrations in London, the police appeared unsure on how to tackle the riots in London. The police elsewhere in Nottingham, Birmingham and Manchester had sufficient notice and they approached matters somewhat slightly differently.

## LACK OF DISCIPLINE AT HOME AND SCHOOL

We observed that there has been a blatant lack of discipline at home and an outright absence of discipline in our schools. There seems to be a great deal of confusion on the law of what amounts to reasonable chastisement in the home and what a teacher is permitted to do in so far as restraining errant young people in the school. Issues of political correctness and Human Rights of the children have overwhelmed the issue of proper discipline in the home and in the school whereby some parents are scared to chastise their children for fear of social workers and prosecution by the state. Teachers are unclear as to their powers to discipline our children in the school environment.

We believe, as parents, that there should not be any interference with the school regime by parents. It is common practice for parents to invade the school to interfere with the disciplinary process, invariably undermining the teachers’ authority. Nevertheless, the school must adopt a fair and consistent approach to discipline and not be quick to exclude children from school when other methods of discipline can be applied.

In effect, we advocate a regime of tough love, zero tolerance, immediate and prompt sanctioning of any misdemeanour by erring children in order to correct this attitude of impunity amongst young people.

Ironically, at the height of the riots the police were calling on the parents to call their children and ask them to return home as it was clear that some of the children involved in the disorder were in fact very young children, in some cases 11 year olds, roaming the streets late at night fermenting trouble.

Most importantly, we are rather concerned that morality, not in the religious sense, was not taught at school. The morality of young people today has been eroded and is far below what is acceptable in any civilised society such that some young people felt very justified in the manner that they happily, with sheer abandon and without any restraint, stole from shops during the riots with some of them even stopping to check that they had the right pair or size of shoes in looted shops.

## THE ROLE OF IPCC

We accept that, in the first instance, the IPCC must take its time to carry out a careful investigation of any shooting incident involving the police. However, this must not be at the expense of allowing, even at the very early stage, erroneous information to permeate through the media for days without seeking to correct such false information.



This is happening too frequently and the Jean Charles de Menezes shooting incident comes to mind where erroneous information of the circumstances of that shooting was allowed to persist for so long without correction. The same issue was at stake here in Mr Duggan's case.

It is the perception, and not the reality, of a cover-up by the police of their error that precipitated the riots. In most cases ordinary people accept that the police have an extremely difficult job and mistakes can occur. However, occasionally when such mistakes happen, the community do not readily want to criticise the police but it is the approach adopted by the police of appearing to be conducting a cover up that incites the level of resentment that was experienced during the riots.

#### THE LESSONS

In our considered opinion, there are a number of fundamental lessons that can be learnt from the riots. We feel that it is the collective responsibility of society to tackle this problem and we do not seek to embroil ourselves in any political point-scoring or seek to lay any blame at the door of any particular government or political party as the issues that we have outlined above in this submission have spanned decades.

However, we do not support any knee jerk reaction to the matter at hand. We specifically note that, as result of media frenzy or political expediency, the natural tendency as a consequence of the turmoil is for society and government to be provoked to react in a certain manner.

The courts must deal with the defendants that appear before it and apply the appropriate sanctions but undue influence must not be placed on the courts to act in a manner that it would not normally act as we have noticed that in some cases what appear to be manifestly excessive sentences have been passed.

#### THE SOLUTIONS

Notwithstanding, wholesale reforms must be put in place to ensure that the events of the last few months are not repeated.

- In incidents such as we recently experienced, the police should have clear guidelines as to what amount of force they are entitled to deploy in such circumstances in order to safe guard themselves, lives of ordinary citizens and curtail any damage to property.
- Stop and Search to be used more frequently, more effectively, more efficiently, proportionately and fairly across the racial divide, in a sensitive and respectful manner.
- Laws that clarify issues of reasonable chastisement of children both in the home and in the school.
- Laws or guidelines that clarify the issue of restraint of young people in school by teachers.
- Teaching of moral education in schools.
- Reform of the IPCC such that it must be in a position to react and put the records straight as soon as issues of a fatal shooting occurs to avoid mis-information to fester in the media.

We are willing to appear before the Committee to give oral evidence on any issue arising from this submission if required to do so.

*September 2011*

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#### **Written evidence submitted by Croydon Xpress**

Croydon Xpress is a young people's led participation project apart of the community Involvement Team at Croydon Voluntary Action.

#### VOX POP FILMING

The Xpress team went into the community and filmed interviews with randomly members of the community. The questions we asked them primarily were: How do you feel about the events that transpired? What do you think were the causes of the riots? What did you not get involved? How could the Riots have been handled better? What are the next steps? We accumulated around an hour's worth of footage from a diverse set of Croydon's community—in age, race and gender.

The overall feeling was one of sadness at the events that had taken place. Many felt that the riots had just spiralled out of control due to opportunists looking to steal and loot, others felt the causes lay in lack of opportunities and jobs. Among young people the message we received was that the youth who hadn't rioted had chosen not to because of the values instilled in them by their parents as they grew up.

Some felt the police had done a good job, while others implied feelings of abandonment that the police stood by in defensive walls rather than attempt to stop the looting; many called for the police to use more aggressive tactics during the Riots.

There seemed to be agreement that the immediate steps were to clean up Croydon and compensate those who need it. More long term solutions to the problems involved included suggestions such as: the police need to engage with the community in a more positive way, and the youth need more services provided to them.

#### CROYDON XPRESS, YOUNG PEOPLES BIG DEBATE EVENT

Young people from Croydon's Xpress project chaired a debate about the Croydon riots on Thursday 1 September 2011.

Hosted at the CVA Resource Centre, West Croydon, residents were invited to put questions to a panel which included Croydon North MP Malcolm Wicks, Councillor Sara Bashford who was representing Gavin Barwell MP, and Chief Inspector Mark Nanji.

Chief Inspector Nanji revealed less than 100 police officers were on the streets on 8 August, out of a force of approximately 700 officers.

He denied claims Croydon police had been "caught with their trousers down," and were unable to deal with major problems, instead praising his officers for their bravery.

Malcolm Wicks MP, repeated his call for a "minute by minute" inquiry into what he described as a "policing failure," and said the Government were wrong to go ahead with police cuts.

Just under 100 people attended the debate and there appeared to be a general consensus that there has been a communication failure between young people and authorities including the police and council.

Participants suggested that to move forward, such authorities would have to listen to young people and provide more for them to do.

Other people on the panel included Mikey Sivwa from Lives not Knives, Dione Whyte a teacher and parent from Croydon, Mikel Ameen from youth organisation GetFamilyar, PC Linda Allen from Croydon Police Partnership and Hannah Williamson from the Croydon Guardian.

Pictures available on request.

#### POLICE COMMUNITY SUPPORT OFFICERS (PCSOs) YOUTH ENGAGEMENT TRAINING

This summer an innovative project will see a youth project working with local police designed to develop awareness around PCSOs and youngsters in the borough Funded by the Croydon Police Properties Fund the Croydon Xpress Project. Part of the Croydon Voluntary Action Community Involvement team, are currently in the process of engaging over a hundred young people to find out what issues, concerns and experiences they, or their friends, have of the PCSO service. All feedback will be used to design a 2 hour training workshop for the borough's 30 PCSO's whose department has the most contact with children and young people. The workshop will include demonstration of the HYPE Tool (How Young People Evaluate) and offer officers good practice methods whilst engaging with young people.

The Xpress team have involved a wide range of young people from across the borough by randomly interviewing and filming young people on buses, trains, trams and at transport interchange points in Central and West Croydon and at the recent New Addington Carnival. Young people who attended Croydon Youth Council and the Police Youth Think Tank were also included.

The Xpress Team also held two planning focus groups, one for PCSO's and the other was for young people to address some of the barriers and safety concerns relating to transport for young people and PCSO's.

Georgia Leher, Croydon Xpress Worker said, "Initial findings showed that the PCSO's and young people were both striving for the same thing 'RESPECT'. Due to the lack of respect on both sides this has led to a lack of trust in each other. There is a very strong message coming from young people about being pigeonholed by PCSO's. They feel that the officer's approach carries along with it an underlining sense of being stereotyped and prejudged."

A suggestion giving by young people was for PCSO's to treat every encounter with a young person as a new experience. 76% of young people agreed that they do indeed treat PCSO's differently to Police officers. When the PCSO's role was explained the majority of young people said that this new information altered their view and voiced that this also needs to be told to all young people To help bridge the gap between PCSO's and the young generation, young people suggested for PSCO's to engage in simple every day colloquial conversation with young people on the streets simply by saying "hi", "how are you?" instead of talking to them only about crime and disorder. This friendly approach of dialogue would start to rebuild relationships between the two.

Nicole Beckford, Project Coordinator said "The PCSO's spoke about situations when young people disrespected them and implied that they had no authority. PCSO's felt that young people had a lack of understanding to the purpose of their role."

*September 2011*

## Written evidence submitted by City of Bradford Metropolitan District Council

The paper does not contain information about Police operational tactics but this can be provided, of course, if it is wanted.

### 1. CONTEXT

1.1 Bradford has often been a focus for national media and commentators' attention when public disorder has been experienced in any UK cities. This has led to articles being published assessing how far the city and district has changed since 2001 when the Bradford riots occurred. There is now growing national interest from Police and Local Authorities in other areas of the country, who are keen to be involved in "peer learning" about the Bradford approach to safeguarding communities and businesses at times of heightened tension.

1.2 Obviously we cannot, and will not ever, be complacent about our ability to ensure public safety in our city / town centres and to deal robustly with crime across our district. However we do have confidence in the strength, breadth and effectiveness of our partnership working between West Yorkshire Police, City of Bradford Metropolitan District Council and key organisations across the local public, private and third sectors.

1.3 It is this mature relationship of "virtual", integrated service strategic planning and delivery that, we believe, has played a significant role in keeping Bradford District safe and calm, not only during the recent public disorder in some English cities but also during the English Defence League (EDL) and Unite Against Fascism (UAF) protests which took place in our city on 28 August 2010.

### 2. THE BRADFORD RESPONSE DURING THE RECENT PUBLIC DISORDER AND RIOTS EXPERIENCED IN SOME ENGLISH CITIES

2.1 As the recent disturbances across the United Kingdom were unfolding, there were comprehensive regular update briefings from the Chief Constable to make sure the Leader of the Council, Leaders of the Opposition Groups, the Council's Chief Executive and the Chief Superintendents were kept fully informed. The district's MPs were also briefed, of course. Police and Council colleagues were in regular communication, across all levels, as is standard practice anyway in Bradford District. Police Authority Members, key community contacts such as opinion formers and critical friends were consulted and local soundings were also taken on a frequent basis to provide a two way flow of relevant, timely and accurate information. This included Independent Advisory Groups (IAG), faith organisations and community representatives.

2.2 Throughout the period of this public disorder in several English cities and towns, senior officers from both Bradford Council and West Yorkshire Police worked in close partnership reviewing the intelligence and the situation of Bradford District in relation to any potential local issues. The results showed that there were no issues that impacted upon tensions significantly within Bradford District and this was communicated appropriately.

2.3 Community engagement and communication was and is a key aspect of this partnership working to provide reassurance to both local businesses and communities and to share understanding of the position across the district amongst key organisations. Consistent, timely and appropriate key messages were communicated by the Police, councillors, and representatives of community groups and partner organisations throughout the period of public disorder in some other cities and towns. In particular, the Bradford Chamber of Commerce was contacted and assisted in delivering reassurance messages to local businesses after some national chains took the decision to board up their stores, as part of their own policy. Neighbourhood Policing Officers were also briefed with key messages to assure the public of their continued presence. We were clear that a calm Bradford could demonstrate how far we have moved on since 2001 and show the maturity and civic responsibility of our communities. The surge in Bradfordian public satisfaction with and confidence in the Police during the last year, following their approach to managing the protests of August 2010, was very significant in influencing the attitudes and behaviour of local people in the context of the public disorder elsewhere.

2.4 Contingency plans were produced and updated continually in order that should the situation change, the partnership would be in a position to respond in an appropriate and proportionate manner without delay. Police also liaised closely with the National Community Tension Team throughout. Planning work is ongoing to identify forthcoming events and festivals, assessing any potential impacts. For instance, prior to and during Ramadan both the Police and the Council work with the Muslim Community through the Council for Mosques in Bradford and Mosques Committees in Keighley to establish the appropriate policing style, taking into account any current issues on both a local and national level.

2.5 The partnership work that was undertaken to deal with the English Defence League protest on the 28 August 2010 in Bradford has been continually improved and strengthened over the last year and this proved invaluable in responding to the national context of public disorder.

### 3. THE BRADFORD RESPONSE TO THE ENGLISH DEFENCE LEAGUE AND UNITE AGAINST FASCISM PROTESTS OF AUGUST 2010

#### 3.1 *The “Big One”*

- 3.1.1 There was a concern among some of those who live and work in the city that the English Defence League (EDL) and Unite Against Fascism protests that took place in August 2010, could see a repeat of the disorder experienced in 2001. This was fuelled by internet sites/video postings from the EDL promoting their protest as the “Big One” and comparing the events around the 2001 riots with the 2010 protests.
- 3.1.2 It certainly was the “Big One,” but not in the way the EDL had intended. Only 700 of their supporters came to Bradford, much fewer than expected, and those that did found a city united in its opposition to all forms of extremism.
- 3.1.3 It was the “Big One” however for excellent community leadership that gave reassurance and built confidence in the ability of the Police, with support from the Council and other key organisations, to deal effectively with the protests. This community leadership, from the Leader of the Council, the Leaders of the Opposition Groups and ward councillors, supported by the Police Chief Superintendent and Council’s Chief Executive, delivered exceptionally detailed planning and execution of operational delivery, underpinned by the strongest partnership working any of us had been involved in, and effective communications which reached our intended audiences consistently giving both reassurance and tough messages about the consequences of getting involved in any disorder. It is no coincidence that the vast majority of the people involved in this work were born, brought up or have lived for long periods in Bradford. Or that all of the people involved in this work have total commitment to Bradford, city and district.
- 3.1.4 Local organisations across the public, private and third sectors in Bradford all worked extremely hard to plan for, deliver effective communication about, and manage the protests. All of this was undertaken through three main strands, operational and intelligence, communications internal and external, and engagement with the community.

#### 3.2 *Partnership planning*

- 3.2.1 Bradford Council, West Yorkshire Police, partner organisations and the vast majority of Bradfordians, welcomed the Home Secretary giving her consent for the Council to impose an order banning any “public processions” (marches), in Bradford District over the August bank holiday weekend 2010. Even though the Home Secretary gave her consent it did not, of course, prevent static demonstrations taking place and it was explained through communications, that these were still lawful provided they remained peaceful, as there are no legal powers to prevent them.
- 3.2.2 It was also explained to local people that Bradford Council sought the Home Secretary’s permission to impose this order, after receiving a letter from the Chief Constable asking us to do so and after listening to the views of a wide range of local groups and organisations. The Chief Constable’s support for the Council’s pursuit of the order banning marches, was very important. It demonstrated beyond any doubt the Police’s solidarity with and understanding about the views of Bradfordians. Local people showed clearly that they did not want outsiders protesting in their city. 11,000 people signed the petition requesting a ban, organised by “Bradford Together” and promoted by the local newspaper “Telegraph and Argus”, which was handed to the Home Secretary.
- 3.2.3 The Police, the Council and local partner organisations wanted to reassure and support all communities and encourage them not to be provoked into reacting to the demonstrations. From the beginning, it was recognised that the people of Bradford would have a big role to play. Our city faced a not dissimilar situation in 2001 with the Bradford riots being the well known result.
- 3.2.4 Multi agency Gold and Silver Command groups met regularly to plan for the demonstrations. The Leader of the Council, Leaders of the Opposition Groups and the Chief Executive worked with the Chief Constable and Chief Superintendent as an integral part of Gold Command planning, for months before the day of the protests. A multi agency group to support local people, established by the Police and the Council through the Safer Communities Partnership, also met regularly and co-ordinated activity to reassure, inform and engage people, community groups, and city centre businesses. A “Community Engagement and Reassurance” plan was developed by West Yorkshire Police and supported by the Council and wider partnership at a strategic level. This underpinned the work of the multi agency task group which identified key issues and actions to be addressed at every stage. People were tasked with specific duties, areas of specialism and levels of engagement.
- 3.2.5 “Teams” of neighbourhood police officers, councillors, representatives of community and faith groups, neighbourhood wardens, youth workers, local business people and locality based council staff worked together seamlessly.
- 3.2.6 The leader of the Council of Mosques and the Dean of Bradford Cathedral called on all

Bradfordians to approach the protests in a spirit of calm and peace. Places of worship were visited and the importance of ensuring young white and Asian-heritage men were not drawn into being provoked by the presence of the EDL in their home town, was emphasised. The Faith Forum in Bradford also brought different faiths together to deliver a united message and a consistent voice.

- 3.2.7 Meetings were also held with key business and community leaders, from a range of cultural and economic backgrounds, to ensure that these individuals could utilise their influence and engage positively with grass-roots community activity.
- 3.2.8 Support was offered to community organisations working with the Council's youth service and the Police, to provide diversionary activities for young people on the day of the demonstration. The depth of planning to "safeguard" our young people is illustrated by the fact that a risk assessment and diversion plan was developed for every young person regarded as being at risk of getting involved in the protests, based on shared intelligence across all key agencies.
- 3.2.9 The Council and the Police developed a media communications strategy through the partnership District Communications Group well in advance of the protests, which was widely shared and constantly updated. A secure web based forum called "Huddle" was also set up, allowing all communication partners to quickly share documents and key messages. Daily "Information Updates" were also shared via e-mail and on "Huddle" offering bullet points on the latest situation, media coverage and forthcoming events. The Leader of the Council, Leaders of the Opposition Groups and local councillors in their community leadership and ward representative roles, played a pivotal and essential role as key communicators, as did senior police officers. Many media interviews were conducted jointly by the Bradford South Divisional Commander and the Leader of the Council through local television, radio and print media. This also included a series of interviews with Fast FM which was running throughout Ramadan and during the visit of the EDL. This allowed us to update key sections of the community at relevant times. Social Media sites such as Facebook, Twitter and You Tube were also significant tools in providing "real time" messages to the public. For instance, the Bradford South Police Divisional Commander filmed four videos which were placed on-line before during and after the event to offer information updates.
- 3.2.10 The Police and the Council, working with partner organisations across the public private and third sector sectors, gave clear consistent messages about the protests: at meetings and briefings for local people, through regular emails that were sent to a wide range of groups and organisations and via social media networks. We wanted to reassure and support all communities. We encouraged local people not to be provoked into reacting to these protests by outsiders, who were using our city centre as a venue and who did not care about the disruption to local people and businesses or any potential disorder they could cause. We made it clear that the Police's role was to facilitate peaceful protest and we would not tolerate any potential damage to the city or acts of violence. Local people were reminded about the prison sentences that some Bradfordians had received as a result of the riots in 2001 and the devastating impact the riots had on individuals, communities and our city. We acknowledged that local people had a big role to play and asked whatever happened, they should allow the Police and the Council to manage events, which we could do with the co-ordinated resources at our disposal. We promised that local people and businesses could have confidence in the Police and the Council maintaining public safety and could be reassured that the city would be returned to a state of normality very quickly after the static demonstrations. Both the Police and Council also utilised their constant relationship with the organisations like the Bradford Council for Mosques, Mosque Committees and Community Organisations to undertake intensive work with the Muslim Community. This involved open and honest conversations about the events in 2001, trust and confidence, mutual understanding and support.
- 3.2.11 A "Consequences Card" was produced to advise local people about the offences they could be arrested for, if they allowed themselves to be provoked into violence or criminal behaviour by protestors. The card also highlighted the total prison sentences given out as a result of the 2001 riots. It was used extensively to discuss issues about the protests with local young people. It reinforced the message that young people should stay away from the protests, in case they inadvertently become involved, without thinking about the possible long-term consequences for themselves and their futures. This was used to great effect by Youth Services and key personnel when young people were identified as at risk. The card was also later adapted by Youth Services and West Yorkshire Police for use in the Calderdale area when the English Defence League visited for a planned event.
- 3.2.12 The Council and the Police jointly assessed a number of city centre locations on which to site the static protests. Bradford Urban Garden was jointly agreed as the most manageable and appropriate site for the EDL demonstration, in terms of policing, public safety and the minimising of disruption to the people of Bradford. Potential infrastructure and physical hazards to safety, like the City Park construction site, were also jointly identified. Building materials and stones that could potentially be used as weapons were removed. Structures were strengthened,

particularly existing fencing around the protest sites. In situ concrete blocks were cast to support the vertical fencing posts and hoardings were bolted to vertical panels.

#### 4. THE DAY OF THE PROTESTS

4.1 Officers from Bradford Council and the Police worked closely with representatives of community and faith organisations on the day of the protest, ranging from Gold and Silver Command right down to an operational street level. Information received from the control centre was relayed to colleagues working in the neighbourhoods and visa versa. Having access to the real time CCTV images meant that key intelligence messages could be relayed to community contacts in the city centre who were trained and stationed to help deal with critical situations, should the need arise. The Reassurance and Engagement group used their links with opinion formers and key contacts. This included individual networks such as faith organisations, community groups, Voluntary Youth Outreach, Neighbourhood Wardens, Youth Services and Community Mediators. Their collective responsibilities involved gauging tensions, sharing key messages, identifying issues, defusing incidents and working as a conduit between organisations.

4.2 Our key message was that the people of Bradford had a right to enjoy their Bank Holiday, without having it disrupted by people from outside our district who have no concern about our community, no concern about our local businesses and no interest in our future. Our aim, which was also widely shared, was to make sure that people could go about their daily lives with as little disruption as possible.

4.3 A joint Police and Council communications team was based in Bradford's city centre police station on the day of the protests, receiving information from and reporting to Gold Command. Twitter was used extensively to provide information and to counteract rumour and misinformation. Partner organisations retweeted messages to ensure maximum impact.

4.4 A Police leaflet giving advice to the general public on the day of the protests was also produced and widely distributed.

4.5 Bradfordians showed their opposition, in a peaceful, positive and dignified way, to people from outside the district using their city as a venue for protests. They did this by staying away from the city centre or by joining in community celebration events and peace vigils or by taking part in a range of neighbourhood activities.

4.6 Bradford Women for Peace created a web of green ribbon in the centre of the city to show that the people of Bradford can share peace through trust and hope in each other. Green ribbons were tied to railings and posts around the city and by the time a vigil for the city was held on the evening before the planned protests, the action of these women had come to symbolise the hopes of Bradfordians of all backgrounds.

4.7 Bradford Cathedral and faith groups held vigils. Mosques, churches, community organisations, the Police and the Council provided neighbourhood activities for young people. "Bradford Together" held a family-friendly community celebration near the city centre.

4.8 As soon as the protests were over and as the protestors were being escorted onto the coaches that had brought them from across the country into our city, the clean up operation began. The Council's street cleansing teams worked throughout the night to ensure the city centre was pristine again.

#### 5. THE DAY AFTER THE PROTESTS

5.1 On the day immediately after the protests, people of all faiths joined the congregation from the Cathedral for prayers to "reclaim" the urban garden space, where the EDL protest had taken place, for the city. This formed the basis of a You Tube video from the Bradford South Police Divisional Commander.

5.2 Councillors who had been directly involved in the planning for and managing of the protests were approached by local people, who wanted to tell them how proud they were to be a Bradfordian that day. There was a very tangible sense of belonging, togetherness and pride in what Bradfordians, of all faith, cultural and economic backgrounds, had achieved in the immediate aftermath of the protests and this feeling has stood the test of time.

5.3 The protests in Bradford in August 2010 were acknowledged as a very public test of change since 2001. The coordinated response, from the Police, Council, private/public sector partners and voluntary, community and faith groups, meant that all agencies and communities cooperated to minimise the opportunity for a major incident to occur. The fact that young men in particular, from all communities, chose to keep away was also testament to a mature local approach to dealing with issues and challenges.

#### 6. PARTNERSHIP POLICY DEVELOPMENT AND SERVICE DELIVERY

6.1 The way Bradford responded during the public disorder in some English cities in August 2011 and in response to the EDL protest in August 2010 was, in a large part, the result of partnership policy development and service delivery over a sustained period of time.

##### 6.2 *Citizenship and community relations*

6.2.1 The Council and the Police, working with a range of public, private and third sector partners, have promoted citizenship, encouraged local people's involvement in decision making within neighbourhoods and built on pride-of-place across Bradford District, as an essential part of developing good relations across and within communities.

6.2.2 In Bradford there is a broad consensus that building good community relations is about encouraging positive relationships between different groups of people, including communities of ethnic origin, faith, culture, age, gender and disability. There is also general agreement that deprivation (structural) and discrimination (attitudinal) are key barriers to inclusion, with an individual's economic background being at least as important as their cultural background in defining their life chances.

### 6.3 *Communications*

6.3.1 Over recent years, communication has emphasised what different communities have in common, (cohesion) rather than focussing on their differences (multiculturalism). People from diverse cultural and economic backgrounds do, in general, share the same key priorities, concerns, and core values. This approach celebrates the contributions that individuals from a range of cultural and economic backgrounds make to an area. It concentrates on fostering belonging and a sense of a shared future amongst local people.

6.3.2 A strategic approach to co-ordinating communications and marketing activity has been adopted across partner agencies. Key messages on difficult issues which can affect community relations, for example: school admissions, neighbourhood cleanliness, asylum seekers and migrant workers, have been agreed and used consistently. Speedy communications have been delivered to alleviate concerns where community relations could be threatened, for example, perceived unfairness in the distribution of resources.

### 6.4 *Educational attainment*

6.4.1 Educational attainment, particularly at primary level, has improved in the last 10 years, although there is still much to achieve now the Council's contract with Serco (Education Bradford) has ended and the Council has taken back responsibility for educating the district's children.

6.4.2 An important example of the partnership approach and commitment of Bradford based companies to raising educational aspiration and attainment is evidenced by Morrisons, who have recently announced that recruits to their new national training programme, as well as gaining hands-on experience, will undertake a specially developed three-year retail degree course devised by Bradford University to help prepare them for senior management roles. Also by the successful Bradford District partnership "someone for your future" marketing campaign, developed by and aimed at young people.

### 6.5 *Neighbourhood Policing*

6.5.1 Neighbourhood policing is strong across Bradford District. There are positive links between the Police and a range of community and faith groups and there is co-ordinated working between the Police, Council and other key organisations at neighbourhood level. Since 2001 Overall Crime in the Bradford District has dropped by 32%.

6.5.2 The long established and close liaison between West Yorkshire Police and Council teams at all levels, from the Command Teams to officers working from the streets of Bradford, has strengthened understanding, trust and information sharing. This integrated working is so well established that many services are delivered by "virtual" shared teams, operating effectively and seamlessly as part of everyday work activity.

### 6.6 *Civil contingencies planning*

6.6.1 The liaison between the Emergency Management Team and a variety of faith and community groups was strengthened significantly in the years after the 2001 riots. This good working relationship has established a shared understanding of both issues and solutions.

6.6.2 Bradford District Community Tension Monitoring Group, which was established following the 2001 riots, gives the Police, the Council and partner organisations a timely and full understanding of where reports of tension across the district are occurring so that action can be taken to address any situations at an early stage. This has since been developed into the Reassurance and Engagement Group which meets quarterly, but has the ability to come together immediately at times of heightened tension to manage and co-ordinate the response of organisations.

### 6.7 *Regeneration*

6.7.1 The regeneration of Bradford city centre, as the key driver for economic growth across the district, has gathered significant momentum over the past year.

6.7.2 Developments like Southgate, where Bradford Council provided a commercial loan of just over £6 million to a company with a development at an advanced stage of construction and a number of pre-lets agreed when the banks were inert in providing capital, has recently been completed.

The secured loan has been repaid with interest and the £50 million mixed use development is now the head-quarters for Provident Financial and also has a 200-bed Jury's hotel, securing and creating a thousand jobs in the city centre.

- 6.7.3 Construction of City Park, Bradford's landmark £24 million regeneration project in the heart of the city, is well underway and will be completed in early 2012. The six-acre park will contain the largest city centre water feature in the UK. City Park will create a major events space and is already attracting direct investment and international interest in the city.
- 6.7.4 There is a further £1 billion pipeline of planned possible investment in the city centre, including New Victoria Place, a central business district and Westfield's Broadway shopping centre.
- 6.7.5 The confidence large national companies now have in Bradford is illustrated by their enthusiasm to invest in the district. Provident Financial is opening their new Vanquis Bank call centre in Bradford and the choice of Bradford by M&S for their biggest European distribution centre, a 1.1m sq ft site at ProLogis Park, represents a clear endorsement of the business benefits that Bradford District offers.
- 6.7.6 We have a long and proud history of industrial and commercial innovation in Bradford. Today's local businesses, from small enterprises to large nationally-known companies, are maintaining that tradition. Bradford's rate of self-employment continues to be well above the Yorkshire and Humber average, evidencing a strong entrepreneurial culture.
- 6.7.7 Bradford is now also the world's first city of film. The UNESCO status reflects Bradford's key role historically and in contemporary film. Also the district's stunning built heritage and breathtaking scenery which has been the backdrop to many classic films.

## 7. BRADFORD'S RESPONSE TO THE 10TH ANNIVERSARY OF THE RIOTS OF 2001 IN OUR CITY

7.1 The riots of July 2001 had a significant and longstanding impact on Bradford, the effects of which were felt for many years. For example, as a result of the riots 191 people were given prison sentences totalling more than 510 years, with the average sentence being four years imprisonment. Also dozens of police officers and local people were injured as a result of the rioting.

7.2 The Bradford riots were, of course, part of a wave of similar unrest that swept several northern industrial towns, including Oldham, and Burnley. These riots of 2001 have generally been analysed in terms of segregation, "parallel lives", the negative impacts of multiculturalism, and even terrorism, while previous urban disorder had generally been set within a media narrative of poverty and deprivation.

7.3 City of Bradford Metropolitan District Council and West Yorkshire Police, along with local partner agencies in the public, private and third sectors were very aware that any negative national media coverage, including social media, about the "10th anniversary of the Bradford riots" had the potential to damage the reputation of the city and district. Also it had the potential to damage relations between communities and undermine the trust in the Police and the Council to ensure public safety.

7.4 Therefore effective communications planning and clear messaging was articulated in a partnership communications strategy that was widely shared by local organisations and groups across the district. The aim of partnership communications planning and delivery was to demonstrate that Bradford had moved on and was looking forward, not back. A number of joint media interviews between the Bradford Divisional Commander and Leader of the Council were set up in advance of the anniversary which emphasised some of the key points made in the Communication Strategy. This included the reduction in crime levels over the past 10 years, the introduction of Neighbourhood Policing and how it reflected the make up of the community. The current maturity and vibrancy of the city and district was and continues to be promoted through scheduled summer events, as well as by building on the positive media coverage gained through the way Bradford dealt with the protests in August 2010.

7.5 Contrary to some untrue and damaging national perceptions, usually voiced by national commentators who have not visited Bradford for years, Bradford is not deeply divided along racial or cultural lines and the communities of Bradford do not live "parallel lives." Obviously there are areas in Bradford where similar communities live together with a support infrastructure that includes local facilities such as specialist shops and places of worship, but people from different cultural and economic backgrounds meet each other at work, at study and at leisure.

7.6 A recent Joseph Rowntree Foundation study backs the view that the "parallel lives" assertion needs to be reassessed: ("Muslims and Community Cohesion in Bradford"—2010).

Its key findings were:

- "Muslims in the study, in common with participants of other faiths or no faith, tended to meet people of the same ethnic and religious background at home and religious places, and to meet people of different ethnic and religious backgrounds outside the home."
- "Established Muslim male respondents met people from different ethnic and religious backgrounds in more places than any other group of people in the sample."



- “Attitudes between the established populations (across all faiths and no faith) in particular were very similar on a range of local issues, as well as on national and international issues.”
- “All participants had good things to say about Britain, and established residents in particular expressed a strong sense of local pride in Bradford.”

7.7 Local people from all communities and from different cultural and economic backgrounds in Bradford District do share common values about the importance of strong families, clean neighbourhoods and safe city and town centers. Bradfordians know that all families and communities can only benefit from a prosperous and peaceful District.

7.8 Good community relations, nationally and locally can only be achieved by effective community leadership that promotes citizenship, belonging, and pride of place—a common understanding of a shared future where all residents from every economic and cultural background are personal stakeholders.

7.9 Bradford District is home to many different places, people and communities. We face many challenges, but we know we can face and resolve any challenge together.

August 2011

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### **Written evidence submitted by the Institute of Civil Protection and Emergency Management**

This evidence is submitted by members of the Institute who are mainly recently retired senior police officers with experience of policing disorders and other major incidents.

*The role of the Independent Police Complaints Commission (IPCC), Her Majesty’s Inspectorate of Constabulary (HMIC) and Association of Chief Police Officers (ACPO)/National Policing Improvement Agency (NPIA) public order guidance*

1. In the case of the G20 Protests, there were at least five reports, not including those originating from IPCC, all of which made recommendations about the way the police should deal with protest. These included one from the House of Commons Home Affairs Committee,(1) one from House of Lords/House of Commons Joint Committee on Human Rights,(2) one from the Metropolitan Police Authority(3) and two from Her Majesty’s Chief Inspector of Constabulary (HMCIC).(4 & 5) In addition, Her Majesty’s Inspectorate of Constabulary (HMIC) has produced a follow-up report which reports on a review of progress against the recommendations arising from the first two reports(6) and the National Police Improvement Agency (NPIA) have updated the Manual of Guidance on Keeping the Peace, on behalf of the Association of Chief Police Officers (ACPO) and the Association of Chief Police Officers in Scotland (ACPOS).(7)

2. Any debate on the ability of the police to deal with large-scale disorder should make reference to police doctrine and the principles of policing that were originally laid down by Sir Robert Peel and have subsequently evolved through Lord Scarman’s 1985 report on Brixton. Unfortunately, recent material originating both from HMIC and, more particularly the NPIA on behalf of ACPO shows a lack of understanding about both doctrine and principles. The last occasion that the Fundamental Principles of Policing were discussed in any detail was in the 1980s.(8) The general consensus at that time was that there were four fundamental principles:

- The Principle of Prevention.
- The Principle of Consent and Balance.(9)
- The Principle of Independence and Accountability.
- The Principle of Minimum Force.

Pike mentioned a fifth, the Principle of Discretion(10) but it is suggested that discretion is one of the ways of ensuring Consent and Balance.

3. There has been no real debate on the Principles of Policing since then and it is suggested that police doctrine remains an ill-defined, poorly understood and, to many, a confusing subject in spite of its considerable importance. It has been suggested that “the police service of the twenty-first century needs to recognise and declare its doctrine, in the sense of a recognised body of knowledge and an authoritative set of principles, in order to achieve its appropriate standing as a profession and fulfil its proper role in society.”(11) The Committee may wish to seek further evidence on this point.

*Examples of confusion over doctrine, principles, and between strategy and tactics*

4. Confusion exists over police doctrine and principles, and between strategy and tactics, particularly as they apply to the policing of large-scale disorder.

5. The HMCIC G20 Review Report, “Adapting to Protest”, refers to principles on a number of occasions and indeed appears to introduce a new one, The Principle of Proportionality.(12) Preliminary research fails to reveal this latest one in any list of generally accepted Principles of Policing but it is accepted that, in certain circumstances, principles must change if they are to stay current.

6. In addition, there are references to The Principle of Human Rights both in the G20 Review Report, *Adapting to Protest*,<sup>(13)</sup> and in the ACPO Manual of Guidance on Keeping the Peace.<sup>(14)</sup> But what are these principles relating to Human Rights? The Human Rights Act 1998 makes no reference to principles; rather it refers to articles, rights and freedoms.

7. The latest edition of the Manual of Guidance on Keeping the Peace lists five, what it terms as Core Principles in relation to public order policing:

- Policing Style and Tone.
- Communication.
- Use of the Conflict Management Model.
- Command.
- Proportionate Responses.<sup>(15)</sup>

8. The argument here is that, at the most, only three of these could be termed Core Principles. Policing Style and Tone and Use of the Conflict Management Model are methods by which the strategy and objectives are achieved. HMCIC refers to The Principle of Proportionality but, whichever term is used, it is merely one way of achieving consent and balance. Also the ACPO manual has changed the wording used by HMCIC from the Principle of Proportionality to the Principle of Proportionate Responses.

9. The HMCIC Report, “Adapting to Protest—Nurturing the British Model of Policing”, states that “the British model of policing places a high value on tolerance and winning the consent of the public”.<sup>(16)</sup> It is suggested that this comes within the generally accepted principle of Consent and Balance. Later, it refers to the fact that there is “no consistent core doctrine on police use of force”<sup>(17)</sup> and goes on to identify what it claims are “an overarching set of fundamental principles on the use of force”<sup>(18)</sup> but, although the principle of minimum force has existed since the formation of the modern police service in 1829, no mention is made of it in the ACPO manual as a principle.

10. However, the Code of Practice on Police Use of Firearms and Less Lethal Weapons, in its objectives, firstly suggests that it “sets out the basic principles and method of implementation for the selection and acquisition of firearms and less lethal weapons by the police” but goes on to suggest that the code will “ensure the observance of overarching principles”.<sup>(19)</sup>

11. The question for the Committee is, do the police act on principles, core principles, basic principles, fundamental principles or overarching principles, and, if all five are appropriate, what is the difference between each? The impression given is that there is no standard terminology within the Police Service with regard to the principles of policing, particularly as they apply to public order policing.

12. For public disorder is strategy is generally defined as the overall plan to combine and direct resources towards policing a potential disorderly situation, and to deal effectively should disorder occur. Tactics are generally defined as the method of actual deployment and redeployment of resources on the ground to achieve the desired objective.

13. The dividing line between strategy and tactics is never easy to understand as was highlighted in the House of Commons Home Affairs Committee report on the Policing of the G20 Protests. For instance, the report suggests that “containment” is both: a strategy<sup>(20)</sup> and a tactic,<sup>(21)</sup> going as far as to suggest at one point that “From a tactical perspective, a containment strategy has much to recommend ...”<sup>(22)</sup>. Police officers who gave evidence to the Committee were, however, quite clear that containment is a tactic.<sup>(23)</sup>

#### *The techniques used by the police to quell rioting*

14. Preserving or restoring public tranquillity, or “the Queen’s Peace” is, one of the most important and difficult functions required of the modern police service, since its inception in 1829. It seems strange, therefore, that the study of serious disorder—its causes, its effects and above all, the policing of it—is still regarded by many within the Police Service as a rather perverse and not-to-be encouraged pursuit. This view is supported by HMCIC who found that between 16% and 22% of police forces across England, Wales and Northern Ireland could not provide a minimal accredited public order command structure.<sup>(24)</sup> With all the examples of disorders there is no excuse for police forces failing to respond positively to the challenges disorder brings. The Committee may wish take further evidence on the HMCIC figures quoted.

15. The policing of modern public disorder is both an art and a science. Science can be described as the application of knowledge acquired by observation and experiment, critically tested, systemised and brought under general principles. Many of the incidents that occur during an outbreak of serious public disorder can be predicted. For instance, the use of petrol bombs and other missiles; rioters using the balconies and walkways of a large block of flats from which to attack the police; the building of barricades; the damage and looting of property. It should be possible to observe these events, and to experiment and critically test police responses to them to discover which are the most effective, before incorporating them into a response system and forming general guidelines for their use.

16. An art can be described as the application of practical skills guided by principles. The Police Service needs to identify the principles under which serious public disorder will be policed and these should be based

on the general principles of policing. The operational commander requires practical skills, in attempting to prevent serious public disorder, in the execution of plans and the deployment of resources should disorder occur and in the efforts to return an area to some kind of normality once order has been restored. It follows that the policing of serious public disorder can also be described as an art, because effectiveness in this area of policing is only likely to be achieved by the practical application of those skills. So the policing of serious public disorder can be described as both a science, as it requires the acquisition of knowledge and an art as it requires the skill to apply the knowledge in practice. Success will go ultimately to those commanders who are best prepared to deal with the uncertainty and spontaneity of serious public disorder.

17. Experience is important. Direct experience, as its name applies, is actually being involved in the policing of serious public disorder. There are two problems in relying on this. Firstly, despite the impression one gets, the actual opportunities for individual police commanders are extremely rare. Few of the police commanders who were involved in policing the 2011 outbreaks of disorder may face such situations again.

18. Indirect experience, on the other hand, is gained through training and exercising. In a public order context, this includes examining how the police responded to past disorders. Practical training in public order policing within the Police Service is likely to be of a generally high standard if the recommendations contained in the two HMCIC reports are widely followed. The weakness is in the study of history of past disorders. Why for instance, was the response of the Greater Manchester Police to rioting in Moss Side in 1981 so much more successful than the response of the Metropolitan Police and Merseyside Police to the rioting in Brixton and Toxteth respectively? Also to what extent do the police pro-actively practice “red-teaming” in public order training?

19. In evidence to the House of Commons Home Affairs Committee when it was looking into the Policing of the G20 Protests, the President of ACPO, suggested that outbreaks of disorder—of the kind seen in a number of cities in 2011—were complex, fast-moving, highly complicated situations, sometimes spread over a wide area, thus making it extremely difficult to handle. He went on to suggest that each outbreak of disorder was “unique” and “each event does depend, in the final analysis, on the ability of ground commanders to respond quickly to circumstances that change very quickly indeed.” He emphasised the importance of leadership when he said that “one of the issues is around how well (the police) are led”.(25)

20. One of the main problems in policing public disorder is not that the Police Support Units lack enthusiasm or fitness or even equipment but rather that there is an absence of strategic and tactical vision on the part of some police commanders. As the violence becomes more intense, stereotyped methods become quite useless. Police commanders must have a clear picture of what is happening during the events, and be master of them.

21. Unfortunately, the police still appear to use the stereotype method of confronting the rioters from one location. The rioters therefore only have to be concerned about the police coming from one direction. Little thought appears to be given to the police coming in from different directions at the same time, using either a flanking formation or a pincer movement. Notwithstanding that police public order training does include such tactics and Police Support Officers are well acquainted with such tactics.

22. In the context of the serious outbreaks of disorder in 2011, in an address to the Association of Chief Police Officers in 1982, Sir Kenneth Newman, who was successively Chief Constable of the Royal Ulster Constabulary, Commandant at the Police Staff College and Commissioner of the Metropolitan Police, said:

“It is important that if the initiative has been lost to the rioters in the early stages it should be recovered by the police as quickly as possible. Rioting spreads quickly. Any success gained by the rioters or any apparent reluctance of police to put down rioting will serve to encourage rioters and encourage others to join them.”(26)

*Whether there should be any changes to the legislation regulating normal policing processes during times of major disorder*

23. Writing in the Criminal Law Review in 1984, A T H Smith pointed out that “a common British response to large scale disturbances” during the 20th century was “to legislate” and he identified instances of disorder that had brought about the Public Meeting Act 1908, the Public Order Act, 1936, the Representation of the People Act, 1949, and the Race Relations Act, 1965.(27) Since then there has been additional legislation, most notably the Public Order Act 1986, either giving the police greater powers or curbing what people can do. Yet it seems that none have had an effect on the scale of disorder that now occurs. At the time his second report on the G20 Protests was produced, HMCIC stated that “the answer to modernising and strengthening public order policing in England, Wales and Northern Ireland” did not lie “in introducing more public order legislation” (p14). This comment is endorsed.

### *Conclusion*

24. The key to successful public order policing does not rely on more equipment or more legislation but the careful selection and training of appropriate police commanders to deal effectively with outbreaks of public disorder. It is a fallacy to believe that every senior or middle-ranking police officer will make a good public order commander. In the same way as there are those who have a talent for computer or communication systems, administration, organisational planning (as opposed to operational planning) or criminal investigation,

there are those who have a similar talent for handling serious public disorder. It is essential that such individuals are identified and given appropriate training.

25. Police commanders must have the knowledge, operational experience and confidence to recognise how and when, outbreaks of large-scale public disorder should be confronted and dispersed. This requires leadership skills combined with, trust in the professionalism and capabilities of the police officers who will confront the disorderly mob. A very high standard of operational discipline, at every level is essential. Police public order commanders must have the character and personality to lead and inspire the police officers attempting to restore order. The Committee may wish to take further evidence on the state of police public order training at all levels.

#### NOTES AND REFERENCES

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3. Metropolitan Police Authority—Civil Liberties Panel (2009). “Responding to G20”.
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6. Her Majesty’s Inspectorate of Constabulary (2011). “Policing Public Order: An overview and review of progress against the recommendations of Adapting to Protest and Nurturing the British Model of Policing.” London: HMIC.
7. National Police Improvement Agency (NPIA) (2010). “Manual of Guidance on Keeping The Peace” Wyboston, Bedfordshire: NPIA.
8. See particularly Scarman, The Rt Hon The Lord (1982). “The Brixton Disorders 10–12 April 1981”. Cmnd. 8427. London: Her Majesty’s Stationary Office; and Pike, Michael S (1985). “The Principles of Policing.” Basingstoke: MacMillan Press.
9. Pike, op. cit. 7, refers to this as the Principle of Sense and Sensitivity. See pages 92 to 109.
10. Ibid, pp. 155 et seq.
11. Adlam, R & Villiers, P (Editors) (2002). “Police Leadership in the Twenty-first Century: Philosophy, Doctrine and Developments.” Winchester: Waterside Press.
12. HMCIC, op. cit. 4, Annex C, p.73.
13. Ibid., pp. 11 & 41.
14. NPIA, op. cit. 7, p.11.
15. Ibid.
16. HMIC, op. cit. 6, p. 11.
17. Ibid, p. 13.
18. Ibid, p.117.
19. Ibid, p. 67.
20. House of Commons Home Affairs Committee, op. cit., p.16, para. 47.
21. Ibid, p.15, paras. 40 & 42.
22. Ibid, p.14, para. 39.
23. Ibid, Ev. p.24 Q.239; Ev. p.28, Q.270; and Ev. p.47, Q.373.
24. HMCIC, op. cit. 5, pp. 6 & 98.
25. House of Commons Home Affairs Committee, op. cit., Ev. p.32, Q.292.
26. Newman, Sir Kenneth. Civil Disorder—Planning and Strategy: A paper containing an abbreviated version of a talk given to the Association of Chief Police Officers at The Police Staff College, Bramshill, on 22 March 1982. Unpublished.
27. Smith, A H T (1984). “Public Order Law 1974–1983: Developments and Proposals.”, *Criminal Law Review*, p. 644.

28. HMCIC, op. cit. 5, p. 14.

9 September 2011

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### Written evidence submitted by the Derby West Indian Community Association

The initial reaction to the disturbances in the inner cities across England, triggered by the killing of Mark Duggan has been dominated by commentators and politicians espousing the predictable views linking the disturbances to wanton criminality on the one hand or the disturbances being seen as a reasoned response to the coalition government's "scorched earth for the poor" policies on the other. Also, there has been an evocation of a "moral panic" through the framing of young people as socially problematic.

Of significance, is also the lack of attention to voices of young people and their relationship with the wider society in which they belong.

We write as a coalition of Black organisations within the city of Derby, which exemplify the historical local Black community's concern with the welfare of young black people. This engagement involves building social and emotional support, resilience and access to a wider source of help, with the central purpose of reducing the risks of social exclusion amongst young black people.

Derby experienced few, if any, disturbances during the period of social unrest across England. Within this there is a need to acknowledge that this situation may have been partly linked to the important role played by organisations such as ours in tackling some of the deep seated problems in communities that the riots/social unrests have highlighted. Integral to our work, is to give a voice and a sense of purpose for young people/young adults in our community.

In our submission we wish to draw attention to the plight of young black people in England today and the need for their situation to be considered in attempts to identify measures to address recent events and associated policy-making and service delivery.

Ultimately, our purpose is to ensure that central government, local government and the third sector (ie community/voluntary organisations) work in partnership to align activity to maximise the advantage of local communities to deliver on their missions to create public good via their work with young people, much more fully and lastingly.

### CONTEXTUALISING INEQUALITY AND SOCIAL EXCLUSION IN THE LIVES OF YOUNG BLACK PEOPLE

The social unrest has focused attention on social mobility and inequality. Social mobility strategy is a central plank of the coalition government's policy.

One of the many postings on the Social Media concerning the reasons for the social unrests, referred to the African proverb:

"If the young are not initiated into the village they will burn it down just to feel its warmth."

In contextualising the lives of young black people in England the statistics suggests that there is a distinctive lack of "warmth" from the wider society if you are young and black. Indeed, a recent study conducted by the Public Policy Research (IPPR, 2009)<sup>63</sup> stated that 48% of black people aged 16 to 24 reported that they were out of work, compared with 20% of white people of the same age. Further, the study revealed that not only had the absolute level of unemployment risen for young people, as a group, but as a group they suffered the sharpest level of joblessness: black unemployment has jumped 13% since 2008, compared with 8% among white people and 6% among Asians.

Research evidence suggests that despite underperformance in education among young black people, they are more likely to stay in full-time education beyond the age 16 compared to white young people. Indeed, Wright et al (2010) in "Black Youth Matters: Transitions from School to Success" (2010),<sup>64</sup> raises the issue of how some individuals overcome their negative school experiences and "succeed" (regarding educational success and/or success in the labour market).

However, against a background of the withdrawal of the Education Maintenance Allowance for participating in full-time education beyond 16, and the possible barrier of the increased university tuition fees, there is the potential of further reducing young black people's opportunities and adding to a sense of marginalisation and not having a stake in society.

Further, Wright et al (2005) in a study funded by the Joseph Rowntree Foundation<sup>65</sup> reported that localised community programmes such as ours ie those offered by black community organisations, the churches etc play a pivotal role in ameliorating the effects of social exclusion of young black people. Paradoxically, the sustainability of many of these organisations is threatened by the reining in of public spending.

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<sup>63</sup> Institute for Public Policy Research (2009). Black Youth Unemployment, IPPR

<sup>64</sup> Wright, C; Standen, P; Patel, T. "Black Youth Matters—Transitions from School to Success" (2010), Routledge, New York.

<sup>65</sup> Wright, C, Standen, P, John, G G. German and Patel, T (2005). "School exclusion and transition into Adulthood in African-Caribbean communities" Joseph Rowntree Foundation

We beg the question—are the 48% of unemployed young black people to be regarded as surplus to requirement?

More generally, as Wilkinson and Pickett (2009) point out in the “Spirit Level”,<sup>66</sup> phenomena usually described as “social problems” (crime, social unrest, ill-health, etc) are far more common in unequal societies than ones with better economic distribution. Within the UK, it would appear that young black people are destined to be at the sharper end of the growing inequality that affects the country.

#### EDUCATION

We are aware of the prominence that education is frequently given as being the major route for social mobility/social/economic advancement. As noted above, although the experience of black children of the education system remains precarious, it is a recognition that education plays a pivotal role in the lives of black communities—in its essential aspect in fighting discrimination and establishing the Black communities in long term employment and enabling them to contribute to society.

It is a recognised statistic that a number of black children, especially boys, underperform disproportionately at GCSE level even though they excel at the age of five. This situation is compounded by the high level of black pupils excluded from school. For instance, the evidence suggests that they are ten times more likely to be excluded than their white peers. The fact that there are more black males in prison than at university in England should be a cause for concern and action. Also, the disproportionate number of black students at new universities compared to the elite Russell group universities should be of concern for action.

What is it that causes this decline in performance and what policy changes would ameliorate this disturbing trend? It is such questions (and others) that policy makers need to address if we are to dismantle the barriers which blight the lives of young black people.

#### WAY FORWARD

There are no easy solutions to tackling the embedded structural inequality which engulf the lives of young black people. Possible areas of focus could include:

#### ESTABLISHING A YOUNG PEOPLE COMMISSION

We propose the establishment of a Commission or an equivalent body to oversee the affairs of young people (16–25). The Commission would attend to all aspects of young people’s lives, including areas of structural, social, ethnic barriers, intergenerational conflict and leisure opportunities.

#### PARTNERSHIP WORKING WITH COMMUNITY ORGANISATIONS

Regional/local priorities should include working with community based organisations in tackling marginalisation and accompanying alienation amongst young people. This should include resourcing “successful” organisations in order to assure the sustainability to deliver on their missions to create public good, as part of providing the “big society plan”.

#### GIVING YOUNG PEOPLE A VOICE

The need for a concerted attempt to ensure that the “voice” of young people informs aspects of policy making and practice relating to young people’s affairs eg in advancing policy and practice through establishing dialogues between young people, policy makers and practitioners via discussion forums, policy briefing, the proposed “Young people Commission” etc.

*September 2011*

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#### Written evidence submitted by the Association of Police Authorities

The Association of Police Authorities (APA) represents police authorities in England, Wales and Northern Ireland. It has two main functions: to act as the national voice of police authorities and influence the national agenda on their behalf; and to help police authorities do their job locally through the development of guidance and advice on national policing, criminal justice and community safety related issues.

#### EXECUTIVE SUMMARY

1. The APA welcomes the Home Affairs Select Committee (HASC) inquiry, commends the response of the police service to the unprecedented events witnessed in August and would highlight the following points:

- (a) Contrary to the assertion of the Home Secretary police authority members, both during and after the recent disturbances, were actively reassuring communities and supporting Chief Constables and police officers, thought out of the media spotlight.

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<sup>66</sup> Wilkinson, R, Pickett, K (2009). “The Spirit Level: Why more equal societies almost always do better”

- (b) Consideration should be given to the way the IPCC and the police engage and keep informed those families who have been involved in an IPCC investigation, with a view to minimising any community tension.
- (c) The APA welcomes the Prime Minister's intent (as stated on 11 August) that the Government would meet legitimate claims arising from the cost of the disturbances. The APA continues to press the Government to meet the other, extraordinary operational costs of the disturbances in full.
- (d) Police authorities who have been prudent with their financial management in recent years should not be penalised by being expected to meet the costs of the disturbance.
- (e) The APA endorses the recommendation of the HASC in 2002 that the Riot (Damages) Act should be repealed because it is out of date.

#### INTRODUCTION

2. The Association of Police Authorities (APA) welcomes the inquiry by the HASC into the recent disturbances experienced by a number of our cities in August 2011 and the impact that this has had on policing.

3. The APA commends the response of the police service, including the professionalism of individual officers up and down the country in managing the unrest in such difficult circumstances, the support of "back office" police staff, as well as the spirit in which mutual aid was so swiftly forthcoming from across the UK at such short notice.

4. In light of the disturbances, policing numbers should be put into context: we have 140,000 police for 60 million people; this is fewer police per head of population than many other European countries. Concerns remain whether the police service could respond to such incidents in the future after cuts of up to 20% have taken effect.

#### COMMUNITY ENGAGEMENT

5. The APA, as HASC will be aware, was perturbed by the Home Secretary's assertion that police authorities were invisible and ineffective during the disturbances. We are pleased that HASC challenged the Home Secretary regarding her assertion that only by being visible is a public servant being effective. The APA letter to the Home Secretary is attached at Appendix A.

6. We are aware that the HASC will be speaking to the Chair of West Midlands Police Authority in terms of the work undertaken by WMPA during and after the disturbances. Similar activity was replicated by police authority colleagues across the country.

7. Police authorities, as with the rest of the country, were taken aback by the spread of the disturbances. As outlined below, areas where disturbances and looting took place were not in areas in which one would normally associate with community tensions.

"We (Leicestershire) would say that community relations were good in all areas before, throughout and after the events. It would be difficult to categorise the disorder as an uprising from any specific community or any specific group within a community, which would tend to support our view that the violence and disorder which took place was spontaneous copy cat violence with a view to thrill seeking or personal gain. In as much as this is the case it is different from previous public disorder where there had generally been an identifiable common trigger point or cause."

8. HASC may also want to consider how the IPCC and police forces and authorities can best work together to manage risks arising from potentially controversial investigations. Feedback suggests that the lack of response from the IPCC and the police to a peaceful vigil following the death of Mark Duggan; was alleged to be a key factor in initiating the recent disorder. Media reports suggested that the police felt they could not speak to the family before the IPCC had. The IPCC and police must of course be independent of each other, but they must both be aware that their actions can have an impact on levels of community tension. We believe that there may be lessons to be learnt about how the police and IPCC relate to the families of those who are the subjects of IPCC investigations.

#### SCRUTINY

9. HASC will be aware of the Metropolitan Police Authority's work regarding their scrutiny of public order policing in London following the G20 demonstrations.<sup>67</sup>

10. The HASC may wish to be aware of similar work undertaken in other areas as highlighted below.

"In October 2010 the City of Leicester was the venue for a large EDL protest. Several lessons in respect of command and control were carried forward from that protest and were contributory elements to a more effective command and control process when dealing with the more recent disorder."

"GMPA recently undertook a comprehensive scrutiny review of major events policing in Greater Manchester. Whilst this did not specifically encompass the policing of riots, it did identify significant

<sup>67</sup> [www.mpa.gov.uk/downloads/scrutinities/g20.pdf](http://www.mpa.gov.uk/downloads/scrutinities/g20.pdf)

and relevant good practice on the part of GMP in dealing with potential disorder (eg policing of protests). The review won a national award this year at the Centre for Public Scrutiny's Good Scrutiny Awards. Links to the main report and the update report are provided below."

[www.gmpa.gov.uk/d/scrutiny-of-major-events-policing-report.pdf](http://www.gmpa.gov.uk/d/scrutiny-of-major-events-policing-report.pdf)

[www.gmpa.gov.uk/d/5759\\_GMPA\\_Major\\_Events\\_A5Update.pdf](http://www.gmpa.gov.uk/d/5759_GMPA_Major_Events_A5Update.pdf)

11. Following the recent disturbances, the HASC won't be surprised to learn that reviews have been commissioned by police authorities, but clearly at the time of writing it is too early to report on any findings.

## RESOURCES

The Prime Minister was clear in his statement of 11 August that "the Government will ensure the police have the funds they need to meet the cost of any legitimate claims".

12. The APA welcomes the Prime Minister's intent that the Government would meet legitimate claims arising from the cost of the disturbances. The APA continues to press the Government to meet the other, extraordinary operational costs of the disturbances in full.

13. Clearly the recent disturbances have been a significant drain on police resources. The final cost will run into hundreds of millions (combined operational and R(D)A claim costs) at a time when policing is facing front loaded budget cuts of up to 20%, following the spending review settlement announced in October 2010.

14. The final costs of the disturbances will not be known until the 42 day RDA claim deadline has passed and all police officers have submitted their time sheets. A fuller picture of the final costs will be known by mid-late October.

15. The APA continues to seek a blanket policy of 100% claw back of all costs of these unprecedented disturbances from HMG. At the time of writing, although the Home Secretary has commented that police authorities will be supported and are being encouraged to apply through the Special Grants process, there is still no clarity whether HMG will pay the final bill or if a threshold will be imposed on any special grant payment.

16. As HASC will be aware, the disturbances not only impacted on those who had incidents in their areas, but for those areas that put in place preventative measures and provided mutual aid. The pressure therefore was felt across policing UK, and as such the following is of note as it reflects on the ability of the service to respond in such a manner in future years once the funding cuts have taken effect.

"Cheshire was only able to mobilise the officers it did because of the numbers currently in place and even then, had the disturbances continued or spread more widely, the service would have been severely stretched and would rapidly have reached a critical state. Therefore, the Authority has grave concerns about continued reductions in police numbers to meet the current financial constraints."

17. As HASC will be aware, the majority of police forces sent officers to help those impacted by the recent disturbances. This operation has once again reminded policing that arrangements for mutual aid must be robust and fit for purpose. Some police authorities are expressing concern with the current system, and still HO have not confirmed with police authorities to what extent HMG will support police authorities with these exceptional costs.

"Durham would wish to express concern at the extremely slow progress which is being made with regard to the recovery of costs."

18. HASC will also want to be aware that those police authorities, who have exercised prudent financial management over recent years, could potentially be penalised as a result of the recent disturbances. The existing procedures for allocation of HO special grants, is predicated on an assessment of authorities' existing budget and reserves. In such circumstances those with healthier reserves would be expected to pay more.

19. In a context of cuts, as police authorities are increasingly drawing on their reserves, the APA has requested that the HO should confirm a blanket policy of total cost recovery for all police authorities.

"It is clear that the financial impact that settling pertinent claims will have on police authorities and forces affected by the riots will be significant. Though this is not altogether clear, it seems that police authorities that have exercised financial prudence in building up their reserves will be penalised for such prudence." (GMPA)

"The (Leicestershire) Police Authority, with foresight, established a £1m public order reserve intended to meet the additional costs of anticipated public order issues through to the 2012 Olympic Games...approximate £525k (of this fund was used)... to effectively bring these disturbances under control...The use of half of our public order reserve for less than a week of an operation highlights the risk to mainstream budgets of policing significant disorder in the future when cuts will really start to bite."



## RIOT (DAMAGES) ACT 1886

The APA endorses the recommendation of the HASC in 2002 that the Riot (Damages) Act should be repealed because it is out of date.

20. The APA's view is that if the Government wishes to retain provision for reimbursement of those impacted by riotous disorder, then the Act should be reviewed and clarified to ensure central Government and not local public services meet liabilities incurred under the act.

“To provide cover to insured parties seems an inappropriate adoption of risk by the public sector and to provide support to those who are not insured without any excess or premium seems a perverse incentive to people not to insure. If the Government feels for political reasons that now is not the time to change the allocation of risk away from the public sector we (Avon and Somerset) would urge them to adopt the risk within Central Government—it is disproportionate and risks severely affecting the local delivery of vital public services if this risk remains at a local police authority level.”

21. The HASC may reflect that the Act has serious flaws (it does not include cover for motor vehicles parked on the street as there were no motor vehicles in 1886), and it was introduced at a time of much lower levels of insurance provision by the private sector. Today, the RDA only really compensates insurance companies and those who do not pay their insurance premiums. This cannot be right.

22. In terms of the current disturbances, the APA has worked closely and constructively with HMG, both in introducing the central claims bureau for uninsured claims and in the ongoing engagement and liaison with police authorities regarding insured R(D)A claims and operational costs.

23. However, whilst the APA is committed to rapid resolution of all claims under the Riot Damage Act (RDA), in the fullest spirit of the Act, HMG must be aware that if it does not honour the commitment of the Prime Minister to meet the costs of the disturbances, friction may develop and authorities may have to resort to the letter of the law.

24. Police authorities cannot meet the costs of these disturbances alone, and if HO help is not forthcoming, authorities may have no choice but to meet only those claims which are strictly eligible under the terms of the Act, in order to protect their local policing budget. For example the R(D)A 1886 makes clear that to meet the legal definition of a “riot”, a disturbance must involve at least 12 people.

“It remains Leicestershire's position that there is some difficulty in applying the definition of ‘riot’ as determined under the Riot (Damages) Act 1886. There were a series of disturbances involving damage to property and where property was stolen.”

25. Such a regrettable but unavoidable step (to limit claims to those within the strict definition of the act) would only be taken reluctantly not least as such a decision would have an obvious impact on public perceptions of HMG and other agencies' response to these awful events.

*September 2011*

## Annex A

### LETTER FROM THE APA TO THE HOME SECRETARY, 17 AUGUST 2011

Home Secretary,

Your speech yesterday (“The urgent need for Police Reform”) included quite extraordinary allegations about the work of Police Authority Chairs up and down the country:

“In London, the Mayor was on the streets of his city, working with the Acting Commissioner and representing Londoners to central government. The contrast with unaccountable, unelected and invisible police authority chairmen in other parts of the country could not have been clearer.”

This un-evidenced, London-centric assertion was either regretfully ill-informed or wilfully inaccurate. In either case we believe it to be unbecoming of a Secretary of State. It has caused not only bemusement but anger amongst police authorities and our partners across the country.

Quite simply, your allegations are completely untrue and a cursory conversation with the relevant Chief Constables, Council Leaders or representatives of local media could have confounded it.

The facts are that not only Chairs, but the full range of diverse police authority members were out listening to communities and reflecting their concerns to the police at the highest levels in GOLD meetings across the country. Authorities provided both support and appropriate challenge to forces. We worked closely with Chief Constables to ensure that they had all that they needed to police confidently, with full operational independence in defence of the public. Both in public and in private, we simply got on with the job. Police Authority Chairs were out on the front foot; convening meetings with the leaders of other emergency services, local councils, local media and community leaders, as well as visiting affected areas.

It is a matter of record that a number of Police Authority Chairs actually cancelled their leave to ensure that the police could respond to public concerns. Before any politicians could tour the streets of London with TV

cameras in tow, Police Authority Chairs from across the country had agreed the mutual aid which played an indispensable role in restoring order to London and ensuring that those streets were again safe to stroll. This was done without fanfare, but quietly, in the national interest.

It did not escape our notice that having insinuated that Police Authority Chairs did not represent their communities to central Government, in your speech you also said how helpful the Chairman of Greater Manchester Police Authority had been in relating the concerns of his community to you, and how his personal representations led the government to issue directions from COBRA.

Police Authority members are the much talked of “big society” in action; groups of diverse politicians and independents giving their time to the community, irrespective of the publicity that they attract. I’m sure you would agree that we are in a sorry state if the worth of public service is only measured by the number of column inches it fills in the newspapers or the minutes it merits in national media.

It goes without saying that the APA and the Government have completely different views on the future of policing governance. But that disagreement is no justification for an inaccurate, and what some have seen as a politically motivated attack on our response to this emergency.

Police authority members have not only given dedicated service but helped deliver results to the public, namely; falling crime, rising public trust and confidence and a meeting or exceeding of every government efficiency target to date. As the recent HMIC inspections made clear, of the 22 of 43 authorities inspected by HMIC, none failed and over 97% of 110 HMIC assessments were scored Excellent, Good or Adequate.

Whilst others may command the airwaves, authorities continue to get on with the job; delivering savings, preparing for cuts, holding constabularies to account, planning for any possible transition and highlighting the public’s concerns to both politicians and the police at the highest levels.

The APA has no desire to “pick a fight” on this issue with you or the Government—we remain as committed as ever to working within the Tripartite to shape policing in the public interest. But we could not let such inaccurate comments pass without response. Our sincere hope is that they were more ill-informed than maliciously meant.

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#### **Written evidence submitted by Stafford Scott**

1. It is usual practice when someone is killed that their personal details are not made public until the next of kin has been informed. Mark Duggan’s family saw in headlines that he had been killed as a result of a “terrifying shoot-out”. Why such a difference in treatment? I was one of those who went to Tottenham police station on Saturday, with members of his family, to get an official acknowledgement that Mark had been killed. No official confirmation had been given to the family. As a community we were outraged they were being treated with such disregard by both the Met and the Independent Police Complaints Commission (IPCC).

2. Why, 10 years after the Macpherson inquiry reported on institutional racism in the Met, should it still occur? We are from Tottenham: we have seen Cynthia Jarrett, Joy Gardner and Roger Sylvester killed by the police and do not expect finite answers from an investigation that has barely begun. All we really wanted was an explanation of what was going on. We needed to hear directly from the police. We waited for hours outside the station for a senior officer to speak with the family, in a demonstration led by young women. A woman-only delegation went into the station, as we wanted to ensure that this did not become confrontational. It was when the young women, many with children, decided to call it a day that the atmosphere changed, and guys in the crowd started to voice and then act out their frustrations.

3. I am appalled, dismayed and horrified by the level of destruction that took place. I would not defend the indefensible; however I would like to provide an insight into the mindset of someone willing to burn down their own neighbourhood as I believe that on this point, little has changed since the disturbances on Broadwater Farm 26 years ago.

4. To behave in this manner young people have to believe they have no stake in the neighbourhood, and consequently no stake in wider society. This belief is compounded when it becomes a reality over generations, as it has done for some. If the riots at the weekend and the disturbances around London today have come as a surprise to the police and that wider society, the warning signs have long been there for those of us who engage with black youths.

5. First, looting comes from the belief that if you cannot get equality and cannot expect justice, then you better make sure that you “get paid”. “It’s all about the money!” is the motto of too many young black men, who have given up all hope of attainment in a white man’s world. This is an absolute belief for those looting at the weekend—born not only out of their experiences but their parents’, too. They want to follow the rappers and athletes who live ghetto-fabulous lifestyles based on natural talents, as opposed to learned skills. They cannot see that coming through education: those who live on estates generally survive from one wage packet to the next. Sadly this mindset also makes it easier to legitimise the selling of drugs, as that too “brings in the money”.

6. Another sign was when they allowed themselves to be referred to by the n-word. They weren’t simply seeking to reclaim a word. They were telling the world that they were the offspring of the “field negro”, not

the trained “house negro” from slavery days. The field negro’s sole intent was to escape, and maybe even to cause a little damage to the master and his property.

7. A third obvious sign of major discontent was the creation of gangs and the start of the postcode wars. Yet all of these signs were largely unheeded by wider society: all perceived to be a black problem. It’s black kids killing black kids, so it’s our problem to address.

8. I believe that my past and my present gives me a unique understanding of this problem and the issues that the Select Committee seeks to investigate. As someone who was at both of Tottenham’s “riots”, that is on Broadwater Farm in 1985 and at the outset of the recent riot in Tottenham on 7 August I would like to provide a perspective on the recent events that took place following the shooting of Mark Duggan on 4 August.

9. I was born and raised in Tottenham. Tottenham is where I was educated, I was a child of the Windrush generation, and my generation were the first to enter into the education system en masse. They were not prepared for us, unable to handle difference they excluded and expelled us in disproportionate numbers.

10. When I was eventually expelled from school I continued my education on the streets of Tottenham, choosing to “hang out” with all the other black kids who had failed or been failed by the education system.

11. The first time that I was arrested was under the old Suspicious Persons Law, I was arrested for Sus. Six of us were arrested outside of Marlborough Magistrates court, by five Flying Squad officers. We were accused of having attempted to “dip” the handbags of three foreign looking women, none of whom were produced in court. Of course we were found guilty; it was our word against theirs. The four from our group who had previous were sent to Detention Centres. Two of us without previous were fined and given criminal records. The thing is we were not simply victims of mistaken identity, these crimes did not happen! The five police officers had been in the same courtroom that we had been in all through the morning session and into the afternoon.

12. I can let you have the rest of my CV but nothing has helped to mould and shape me as much as the incidents I mention. I went so far off of the rails that I didn’t think I could ever find my way back. But, I did! I was a community worker on Broadwater Farm in the 1980’s. I became the spokesperson for the Broadwater Farm Defence Campaign after the disturbances in 1985. I was a friend of Roger Sylvester and Cynthia Jarrett. I spent three years as the Director of the Bernie Grant Trust’s Community Leadership Programme. I have been an advisor to the Mets Trident Unit for four years, and established a black advisory group to engage with the Met locally in Tottenham, BIAG. In addition, I work freelance as a specialist in providing support to the public sector to meet the statutory requirements originally set out in the Race Relations Amendment Act. I am the author of A Dialogue of Equals, which I wrote to support the NHS improve its engagement with minority groups, whilst at the Department of Health.

13. I am also one of those people who all too often are dismissed as being an unelected representative of the Black community. It is true that I am unelected, having never stood in a formal electoral process. However, on 4 August the day of Mark Duggan’s death, my phones went ballistic. Members of Tottenham’s black community, including Mark Duggan’s family, asked me for help, to come and give my support, and to share my experience with them.

14. Many spectators and commentators have drawn comparisons between the August Riots 2011 and the riots of Brixton, Toxteth, Manchester, Bristol, and Broadwater Farm of the eighties. The majority of them seem to agree that Britain is a far more tolerant country today than it was 30 years ago.

15. For example, on one of the BBC News programmes last month, Edwina Curry rebuffed Darcus Howe for linking the August riots 2011 with the riots and disturbances of the 1980’s by stating “You cannot link what we are seeing today with the 1980’s, racism was almost respectable back then!”

16. Herein lies the problem! British society, white British society that is, tends to accept allegations of racism retrospectively, but never in real time! Edwina Curry’s Conservative Government of the 80’s steadfastly refused to accept that racism was the root cause of the riots. Her Government chose instead to dismiss it as “wanton criminality”. And, just like the Government of today, their response was to demand that the judiciary gave exemplary sentences to those convicted of participating in the riots.

17. Today, however, it is widely accepted that racism and oppressive policing were the key ingredients that ignited the inner city riots of the 1980’s. Whilst it is a good thing that our experiences are finally being acknowledged by those who were in power at the time, to do so now is not helpful. Acknowledging a wrong twenty years down the line means that you can no longer engage with the “victims” of that wrongdoing to assess the impact that it has had on them.

18. The failure to acknowledge these wrongdoings in “real time” has helped to create a sense of powerlessness, isolation and marginalisation that many in grass roots black communities have been unable to overcome in later life.

19. Racism, especially institutional racism, is not a victimless crime. Its impact can be devastating and life changing. That’s why, as a community, we welcomed the Stephen Lawrence Inquiry, and the defining and public acceptance of the term “institutional racism”.

20. However, accepting that institutional racism is a reality is not the end of the road, in terms of race relations in the UK, far from it. The acceptance that institutions may unwittingly be perpetrating racism through their policies, practices or procedures should have brought us to a crossroads in race relations. It should have created an opportunity for us all to learn from each other.

21. It should have provided an opportunity for those in power, and those leading these institutions, to develop a meaningful understanding of the impact of institutional racism on communities such as mine, in Tottenham or Hackney, Lewisham, Lambeth, Enfield, Wood Green and all the other localities where rioting occurred in August 2011.

22. Instead, the public sector has turned the legislative requirements into a bureaucratic tick box exercise, and those groups whose experiences demanded such legislation have been terribly let down.

23. We seem reluctant to talk about the impact of institutional racism on black communities, because some White people, especially those in authority, appear to feel uncomfortable talking about race on any level. And, there are too many black community leaders who, in wanting to keep on the good side of those in power, seek to placate their sensitivities by trying not to bring it up at all.

24. Unfortunately we cannot dismiss the impacts of the past this easily as it is what is fuelling the present. If we continue to do so then we do this at our, and your, children's peril.

25. For far too many people in authority the coining of the phrase "institutional racism" and the strengthening of the Race Relations Act, was seen as being the panacea to institutional racism.

26. But, in seeking to adopt this approach the Government and public sector has sent out an almost subliminal message to the black community that institutional racism is a victimless crime, which is all about processes and not about people. For too many black people nothing could be further from the truth!

27. For my community institutional racism meant that thousands of black children were sent to Educationally Sub Normal schools, ESN, without having any special needs. Numerous ILEA reports and the seminal Rampton reports clearly confirm this to have been the case. As those writing the reports could not be ignored those in authority responded by admitting that this was a shameful practice that should never be repeated in future. This was great news for those coming into the education system but what did this mean for those who been wrongly sent to ESN schools? Absolutely nothing!

28. People thought that such recognition, even in retrospect, would have a significant impact on the life chances of the excluded child. That's what we used to think, that's why we "rebelled" against it. For us the riots were never solely about policing. We now know that if you mess up the education of a few children, with the right support they can develop other useful skills or be helped to catch up. But if you mess up the education of thousands of kids from the same community, then, you mess up the future of that community for generations to come.

29. Then there were the use of Stop and Search and the abuse of the Sus laws (see Lord Scarman's report). The Sus laws were eventually repealed, but once again as a society we chose not to examine the impact that having young people criminalised, in such large numbers, would have had on the black community.

30. I cannot find the words to explain the anger and resentment that I felt at being arrested and criminalised for a crime that I had not committed. But, I wasn't the only one; there was an army of black kids out there, who had also been through the same experiences.

31. Some, like me, have endured them all; that is exclusion, expulsion, and criminalisation. Imagine what this could do to an individual, then multiply it a thousand times over to begin to have an understanding of the impact it will have on any one community.

32. The full implications of this needs to be properly understood before we can speak of solutions, as the residue of this impact still festers away, in some parts of our community, today, like an untreated sore. This is the source of the poison that inflicts parts of the grass roots black community and, as a direct, or indirect, consequence still infects our young ones today. I am not trying to say that all black people experienced this, but enough of us did to make it an all too common occurrence. At its most basic it led to a deep rooted cynicism and mistrust of some of the UK's most symbolic institutions, eg schools, the police and the judiciary, and a reluctance to engage with or to use them. Our sense of marginalisation was then further compounded when these institutions made no attempt to address our concerns. Instead they chose to dismiss us as being "hard to reach" when in reality we had made ourselves easy to ignore.

33. We tried our hardest to turn our backs on these institutions thinking that if we ignored them we could somehow make them less relevant and therefore less likely to cause us pain. We were wrong as these institutions are the very bedrock of any civilised society; we should have tried harder to change them.

34. It is critical that we understand this: the young people who took the streets in August 2011 didn't start this; they were born into it! They are the children and grand children of the "easy to ignore", whether they be black brown or white!

35. There is an additional layer that needs to be understood before we can move on to the current situation. This is the issue of leadership. As a young child you look to your parents for guidance and leadership. Many

of our parents were unable to provide that leadership for us as they themselves were experiencing racism for the first time too. As our parents were unable to fulfil the leadership role, we began to come together to provide support and protection to each other. Somewhere along the line it seems that we made a decision that was going to impact on us for decades and generations to come. We took to the streets!

36. The facts are that as far as we were concerned the racists controlled the institutions; and our parents controlled our homes, with a rod of iron. So we took the streets and created the “frontlines”. The frontlines were where most of the local self help initiatives were developed, but it also became the spot where most of the “hustlers” congregated, and where the flash points with the police occurred. All of the riots of the 80’s took place on or around the frontlines, and as a result those who took part were often referred to as the community’s soldiers.

37. In 1985 I vehemently defended the rights of my community, the black community of Broadwater Farm, to defend itself against racist attacks by the police. I still think that that at the time this was an appropriate course of action as no one else sought to defend us. However, it is clear that the establishment of the frontlines was a misguided and regressive act. It’s an act that our young are still playing out and paying for.

38. Ironically, those young kids who can so easily pick up a blade and push it into the bodies of other kids who look like just them, think of themselves as soldiers too, as they see themselves as defending their Endz.

39. The Endz only came about as a result of the breaking down of the frontlines. It became impractical to have such large gatherings of black men without them coming under the close scrutiny by the police, so when cocaine became a commodity those who chose to peddle it recognised the need for smaller less conspicuous spots to hang out and do their thing. This spawned the birth of the Endz, local territory for local crews.

40. The key point nowadays is that these youngsters have grown into and grown up in a time when the ethos has been around defending their Endz, for obvious reasons, so it has become a principle. It is no longer about making money, so it’s not always about drugs, it’s just a principle.

41. The majority of them are unaware how it all started, they probably don’t even care as it has become a way of life. It is all that they know, it is ingrained in them and unless we can help these kids and the adults who reinforce this mentality in them, ain’t nothing ever gonna change!

42. This is where the “hood mentality” has evolved from. There are hundreds of “invisible” leaders in the “hood” And, as some of the proponents of this lifestyle appear to be living well, that is they are blinging, it has a seriously seductive pull for many of our young people so these guys then become their role models.

43. If you add to this the fact that policy makers keep on making the same old mistakes, when responding to the issues that all of this throws up, eg the use of exemplary and punitive sentences which simply reinforces the cynicism of this group of black people you will begin to understand why there is an everlasting supply of new soldiers for the Endz to utilise.

44. I do not want to create an unnecessary link with suicide bombers but that’s the same kind of thing that’s happening in the “hood” on a daily basis. Some young black people see themselves as martyrs to “the cause”. They are imploding instead of exploding, but the process is the similar as it is one borne out of a sense of frustration, disaffection and marginalisation.

45. Added to this there is also a growing sense of fatalism that means that no amount of punitive responses will ever stop them. Telling these kids that you are going to lock them up for even longer is akin to telling someone strapped with a bomb “Stop or I’ll shoot!”

46. The solution is not to have a war on young people or even on gangs. The war has to be on the mindset that too many young people have adopted. You cannot imprison a mindset you have to undermine it and prove it wrong.

47. Nowadays it’s not just the black kids who are buying into this, it’s all of them. The Endz is an area it is not a gang, there might be any number of different groups of kids who live in the same locality. They are now expected to come together to defend their turf as it belongs to them all, but this does not make them a gang, although, it can all too often make them a target of other crews. This is why it has become so widespread. It is true that some black kids are at the fore of this but this is only because of the experiences from the frontlines, but if you locked up every single one of them the situation will not have been addressed, as other groups will simply take their place. You only have to look to America for the evidence to substantiate this.

48. Policy and law makers have to understand this properly as there is a cancer in our community and it has to either be treated or be cut out. It is in all of our interests that this is done sooner rather than later. However, the level of debate that I am witnessing focuses on the symptoms and not on the causes. It is focussing on the very tip of the iceberg not the whole mass. If you were weeding your garden you wouldn’t expect to kill the weeds by cutting off their tops, you know you have to deal with the roots. And, you’d know that if you did not clear them effectively they will simply re-grow, more resistant than the time before.

49. In many ways, weeding out the bad youths is similar to weeding the garden; you can take those kids and do what you want with them. But, if you return them to their Endz they will get re infected and become

ever more resilient to change. To change them you have to engender a cultural shift that involves and includes the whole community.

50. This cultural shift works both ways: grass roots communities will have to accept that the situation that we find ourselves in today is as much about how we responded to the racism that we faced as it is about the racism our young still face. It is now undeniable that some of us took a path that has directly contributed to the situation that we face today.

51. It follows, then, that in accepting that we have to shoulder some of the blame, we also have to accept that we have a responsibility to be a part of the solution. In fact it's even deeper than that, it actually means that there can be no solution without our full involvement.

52. For those that make policy and pass laws achieving the cultural shift will require that you will have to recognise that you will also need to learn some new tricks. The first thing you will need to learn is that you have a lot to learn.

53. We are all learning, and what we gain from this experience can be used to help other communities to integrate without having to go through the same disruptive cycle that my community has had to.

54. To enable this to happen we need to have a wider debate than that which is currently taking place. Critically, those that are involved as community representatives and leaders must be there with the consent of their communities.

55. They cannot be self selected or appointed by those in authority. My old friend and mentor Bernie Grant used to say that "White leaders were following a corrupt practice by hand picking black community representatives, which meant that they were not listening to the authentic voices of the community and as a consequence they have no idea of the true level of dissatisfaction, cynicism and disaffection that is simmering within black communities up and down the country".

56. I hope that you will not think that what I have written is self gratuitous, it is not it is written in the hope that we can begin a new dialogue, one that is built on honesty and a willingness to learn.

57. If invited to give evidence I can, as a result of my past and my present, not only tell you why and how the riots on 7 August happened. But, I can also tell you how to bring hope and the notion of personal responsibility back to these most marginalised of communities.

*September 2011*

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### **Written evidence submitted by the British Insurance Brokers' Association (BIBA)**

#### **1. WAS IT A RIOT?**

1.1 BIBA noted that the Government did not use the term "riot" in any public conversation. We would be interested to know whether this was because of the potential financial implications for the Police in compensating victims under the terms of the Act. Instead of "riot", the Government used various other terms such as "criminality" or "disorder". This led to frustration from the insurance industry and was surely unhelpful to many "uninsured" people in need of central guidance about how to claim within the rapidly decreasing 14 day deadline under the Act. When BIBA queried this with Government officials it was clear to us that at that point the Police had limited resources and were not in any way prepared to respond to the number of potential riot claims that were occurring.

#### **2. APPLICATION OF THE ACT**

2.1 BIBA's main area of concern was the confusion generated by the application of the Act. In the first instance, the statutory claim form was not available on Government websites and when BIBA finally obtained the form itself it was so outdated it contained columns for pounds, shillings and pence.

2.2 BIBA co-operated with Government in the design of the new form. We were happy that this new form was created, but the timescale was a major concern because of the pressing nature (at that time) of the 14 days deadline within the Act.

2.3 There were insufficient guidelines about what could be claimed for. BIBA was able to interpret the Act and give guidance to our members and to media but the initial lack of a central government source of information was a problem for small retailers and others who had suffered damage and were uninsured to some degree in the media. This lack of information coming from Government was particularly worrying as this was a news story that was the main headline for some considerable period and involved the recall of Parliament.

2.4 In our view, there is a need for greater Government clarity and advice for consumers and businesses, specifically via Business Link and the Money Advice Service, on the value and benefits of insurance and what is and is not covered under the Riot (Damages) Act (eg business interruption, liability and motor vehicles parked on the road are not covered). BIBA would be keen to work with Government to develop these important areas.

2.5 The insurance industry welcomed the extension of the 14 day deadline to 42 days by the Prime Minister on the 11 August along with his comment that “The government will ensure the police have the funds they need to meet the cost of any legitimate claims”. However, it is clear to our practitioner members that 14 days is not a remotely realistic period for businesses to quantify losses and make a full submission under that Act; also there is no obvious necessity to have such a strict 14 days deadline. We strongly recommend that the 14 days be changed to a minimum 42 days on a permanent basis.

### 3. HANDLING OF CLAIMS

3.1 In the aftermath of the riots, BIBA suggested that as the insurance industry was dealing with many of the claims, that we could combine forces with loss adjusters and Government in order to offer a straightforward customer friendly way to claim under the Act. We were pleased that this was developed and a solution was put in place with Cunningham Lindsay.

### 4. INSURED AND UNINSURED

4.1 We were pleased to see that there has been a surge in enquiries for property insurance following the riots. This will ensure better protection in the future but we remain concerned that government “grants” could undermine this. Current policyholders may feel aggrieved that they have paid for a premium and yet someone else who has not contributed to the “common pool” will receive a “bailout” from the Government. This issue needs further consideration.

### 5. TIMESCALES

5.1 We believe that the timescale to address the situation was longer than necessary:

5.2 First riot: 6 August.

5.3 PM move to 42 days announced on 11 August.

5.4 New riot claim form available to BIBA on 15 August.

5.5 New Government centralised claims centre announced on 17 August.

### 6. OUTSTANDING ISSUES

6.1 There remain some outstanding “practicality” points involving deductibles (excesses), when customers are claiming from both sources (the insurer and the Police). There is uncertainty about the need to complete a Police Riot Act claim form and the insurer form as well. In these cases we are advising people to contact the Glasgow helpline but better to do both and not fall between two stools.

In summary we would say:

### 7. WHAT WENT WELL?

7.1 The Government responded positively to the problems caused by the riots (extending the time to claim under the Act to 42 days).

7.2 Government officials worked constructively with BIBA to create the new form and guidelines to upload onto Direct Gov and make available to our members.

7.3 We welcome the creation of a new centralised claims centre in Glasgow to help people with making their claim under the Act.

### 8. WHAT COULD HAVE GONE BETTER?

8.1 The unhelpful “game of poker” where the Government was refusing to acknowledge the riots as riots despite it being completely obvious to all and emblazoned across the BBC.

8.2 The general problem of the Police and Government not being sufficiently prepared to exercise their liabilities under the Act (no form available, no information available, no emergency call centre available).

8.3 There being too long a period to resolve the grey areas (the outstanding queries).

### 9. CONCLUSION

9.1 The Government was not sufficiently prepared to react immediately to meet their statutory duties when the riots first began (which was disappointing considering other EU countries have been suffering riots in the last 12 months).

9.2 After considerable effort by the Government and the insurance industry, BIBA believes that the Government is now in a position to respond to future riots claims under the Act, but the period of uncertainty and confusion was of great concern. We would be happy to work with Government to ensure a better response

is in place for any other event in the future and to help with the overall resilience of UK businesses going forwards. Indeed we are engaged with the Cabinet Office and others with such business continuity groups.

9.3 We would also recommend the time to claim be permanently changed from 14 to 42 days under the Act as 14 days is clearly not sufficient time to obtain the suitable information estimates required, particularly if your property is cordoned off by the Police as a crime zone or unsafe building.

9.4 We hope you find this feedback helpful and would be happy to advise the committee further on any specific points or further detail.

*September 2011*

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### **Correspondence from National Association for the Advancement of Coloured People UK**

I am the Chair of the Birmingham Bureau of National Association for the Advancement of Coloured People UK (NAACP UK); we are a Civil Rights Group. I notice with interest that your committee is currently involved with an enquiry into the Birmingham Riots. We have been following the enquiry. We notice that the evidence given by West Midlands Police with dismay and some confusion. The Police claim that they had no warning or reasonable suspicion that a riot of this magnitude was about to erupt.

I find this hard to understand as my organisation; in common with several groups operating in the Handsworth area had been warning the authorities of the severe unrest in the Handsworth and Newtown area of Birmingham for quite a few years. Our Group became aware of the problems in the Handsworth area after community unrest over the closure of the Mohammed Ali Centre, which the World Famous Boxer had presented to the Handsworth Community as a centre for all communities to use.

As recently as a month before the riots, I attended a public meeting in Balsall Heath, which is a town in the Hall Green Constituency of Birmingham. Mr Clegg, the Deputy Prime Minister and Baroness Warsi were in attendance. Members of the NAACP UK were in attendance, both I and my wife warned Mr Clegg that present Government policy was severely affecting Birmingham and there was a danger of a return to the problems of the 1980's where Birmingham saw severe riots and public disorder. He refused to listen to our concerns, pointing out that we were members of the Labour Party, and that he wasn't prepared to take advice from anyone in the Labour Party or anyone from the political Left.

Had he listened even at this stage an emergency COBRA meeting could have been called, this item could have been placed on the agenda, and had advice been listened to we could be looking at a totally different situation today.

Members of NAACP UK are prepared if required, to attend your committee to enter these facts as evidence.

*September 2011*

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### **Written evidence submitted by Sarah Hamilton**

Further to my letters to Rt Hon Keith Vaz MP and the Rt Hon David Cameron Prime Minister of 14 and 27 August respectively, I am writing to expand upon the most important of the points I raised.

I note that the inquiry is entitled "Policing Large-Scale Disorder" which seems to limit the scope of the enquiry to the matter of "emergency treatment" rather than cause and prevention. It is the latter which is the focus of this submission. I write from my perspective as a mother, psychotherapist and a citizen who is deeply saddened by the state of things.

My motivation in writing is not in any way political but goes deeper than that, as should the examination of the causes of recent events, which will not be understood fully from a political or socio-economic perspective alone. There is a fundamental issue of consciousness and conscience here. A vitally important aspect of the whole picture which must not be overlooked in the debate is what is in the minds of young (and not so young) people of today—what do they engage in, what do they see, what are their values.

A particular concern of mine (and many others) is that we greatly underestimate the negative effect of violent films, violent video games, internet pornography and music (and associated videos) with violent, pornographic and materialistic messages, and their debasing and destructive impact on the human consciousness.

In terms of violence in films and video games, you only have to look at films on general release and the vast number of video games available to see the depiction of psychopathic violence in abundance. Video games, in particular, are "training" their users in psychopathology, the defining feature of which in psychiatric terms is the absence of conscience.

A recent article in the journal for psychotherapists (*Where Lunatics Prosper*, Jeanine Connor, Therapy Today, October 2011) refers to a typical game called *Call of Duty* in which the character opens fire in a busy airport, killing innocent bystanders in order to progress to the next level. In another, *Grand Theft Auto IV*, the character picks up prostitutes and selects from three levels of service: masturbation, fellatio and full sexual intercourse. The writer states that many of the boys who access these games are still in junior school. A nine year-old boy



was asked what he liked about the games and he replied “sex and killing”. The writer refers to a recent study of 10–11 year olds by Bristol University which found that playing computer games for more than two hours a day increases the risk of mental health problems by 60%. In the writer’s view, “children are damaged beyond measure by exposure to violent and sexual imagery and language, be it in the home or on the screen.” She states that adults who allow this to happen (which include those responsible for censorship I would add) are guilty of neglect. We are allowing these influences to create either trauma or a psychopathic mentality in our young people when the brain is still being “wired up”.

In terms of sexual influences, a child of any age can listen to a CD at home with someone merrily declaring “I want your disease, I want your everything as long as it’s free” (*Bad Romance*, Lady GaGa), “Sex in the air, I don’t care, I love the smell of it. Sticks and stones may break my bones but chains and whips excite me” (*S & M*, Rhianna) and “Girls, I fuck with them. Tell em anything they wanna hear so by the end of the night, I’m fucking them” (*Girls*, N Dubz). The latter song lyrics and video are available online at the click of a button and epitomise the *raison d’être* of too many of our young people today. Characteristically, it depicts woman as sex objects, men as gangsters and money and “bling” as the emblem of personal success and fulfillment. The only missing element, which is ubiquitous in music videos of its ilk, is guns as glamorous accessories.

As part of a current Channel 4 offering, *The Joy of Teen Sex*, we were shown a report on the behaviour of young people on holiday in Magaluf (or “Shagaluf” as it’s affectionately known). The orgy of extreme drinking and shameless promiscuity—in clubs, on the street—was beyond belief. Standing back and looking at it, it really did look like a snapshot of a civilization in its final death throes.

Pornography addiction is being described in the US as “our newest and most challenging mental health problem” (Wendy Maltz, Psychotherapy Networker 2009) and the same is developing here—over one quarter of all internet hits are for porn. My psychotherapy practice and those of my colleagues are now seeing individuals and couples with difficulties related to internet pornography addiction. Even more worryingly, children are regularly seeking out internet pornography, some of it degrading and extreme. Many are addicted. Violent and pornographic material stimulates the same “feel good” chemicals as hard drugs and can be powerfully addictive with more and more extreme stimulation needed over time to maintain the “high”. “Heavy” use it has been shown with pornography causes physiological changes which take some time to be reversed (*The Porn Trap*, Wendy and Larry Maltz, 2009).

We live in a society where addiction of all kinds is rife—addiction to violence and sex but also to celebrity, junk food and to alcohol. We now have widespread alcohol abuse and addiction beginning in adolescence. A recent survey by the Schools Health Education Unit found that 4% of 12–13 year olds admitted to drinking 28 or more units of alcohol in the previous week (The Guardian 30 October 2011). This, I have no doubt, is indicative of a much more widespread problem. Apart from anything else, the damage being done to these young brains is catastrophic.

All these—attraction to violence, pornography and promiscuity, addiction—are aspects of the same reality: a “me” culture of entitlement but no responsibility, where anything goes and pleasure, instant gratification, and self-interest are the gods. If there’s immediate personal gain in it, then it’s good. It is that culture which gave rise to the summer riots. They were not about anger or deprivation or inequality. They were born of this. If people, young or otherwise, live in this culture, feeding themselves with its toxic by-products, then it should be no surprise that their behavior is of such a low order and that elements of our society are “sick”.

Goodness is no longer an aspiration for too many because, I would suggest, everything that they “consume” confirms the message that immorality and even evil are to be revered. Increasingly, the darker side of life is favoured across the board—in music, in film, in comedy etc. Indeed, a whole portion of the year is now given over to the celebration of “darkness” and all its manifestations in the aggressive commercial promotion of Halloween. “Harmless fun” some might say, but the fact is that the message is being sold to very young children that the dark side is what we love.

It is good to live in a tolerant and free society but not a boundary-less one which is allowed, through neglect, to become amoral. It used to be that the Church was the guardian of society but it no longer has that role. We can let it fall to no one and continue to watch a civilized society destroy itself. Or, Government can take responsibility. Society, in some parts of it, is a corrupted child run wild. When a child has no boundaries, a responsible carer puts them in place. At first there is great resistance but, in time, those in their care will thrive. To this end, there needs to be a total review of censorship and the limits we must place on our freedoms.

My suggestions, though not thought through in detail at this stage, would be that all films and video games that show extreme violence and terrorism are simply banned. The whole censorship system needs adjusting so that a current 15 is the new 18, 12 is 15 and so forth. Pornographic content and profanity in music videos and music should be banned from general release, and an automatic barrier on adult material should be the default setting on all computers so that adults have to opt in by choice. It might be that these things continue to circulate “underground” as it were but at least we would spare most of our children from exposure to this damaging material. Perhaps it is time too to raise the alcohol age limit to 21 and restore restricted opening hours.

If we do nothing through a lack of strength or because we fear it might make us unpopular, we must prepare to face the consequences which, I have no doubt, will become more and more unpalatable over time.

*November 2011*

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#### **Written evidence submitted by E-engage Development Ltd**

I am writing to you following media reporting of the Home Office Select Committee and the issues around the disorder in various parts of the country during August.

It appears that many of those in responsible positions in a number of organisations have been very quick to point the finger at new technologies as being to blame.

With organisations such as the police struggling to deal with new technologies it seems they fail to understand the opportunities available to them. They remain determined to rely solely upon existing methods to engage the issues without seeing the opportunities and advantages that new technologies offer them.

Since 1992, when a serving police officer, I have had the opportunity to work with a number of organisations committed to developing new solutions to existing issues using approaches that actively engage a wide range of participants. This has resulted in a number of IT environments that offer police officers and others the opportunity to actively engage with schools and the wider public in a safe and structured way that enables collaboration in addressing issues that benefit from mutually agreed solutions.

Not only does the use of new technologies give students the opportunity to establish a relationship with the police in what is effectively a social network environment with which they are very familiar, but it also enables a very limited number of police officers to engage with large numbers of young people. This means resourcing demands are very limited indeed.

This opportunity, which is available to the police service and other agencies, is rejected largely because it is not understood, whereas in Australia our work with the police and other agencies has enabled a small team to engage with over 25% of schools in that country. This has given the police the opportunity to encourage positive citizenship in a very large proportion of the young people in the country. It has also led to the police receiving significant information that has resulted in arrests, and given students a very favourable view of the police as being contemporary, in touch and approachable, all qualities that the police would appear to want to establish in the UK, but without seeming to be able to do so.

With financial restraints and increasing demands we all need to be creative in our approach to these important matters, and recognising that there is no single solution, the need to explore all opportunities available becomes imperative.

E-engage has a team of former police officers, who have specialised in youth issues, teachers, youth workers and other professionals with appropriate experience, who are readily available to bring their expertise to the issues and can do so using highly innovative and cost effective means.

*September 2011*

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#### **Written evidence submitted by Sainsbury's Supermarkets Ltd**

You may have seen reports in the media of our decision not to pursue claims under the Riot Damages Act in relation to the civil disturbances in August but I wanted to let you know personally because of your role as Chair of the Home Affairs Select Committee.

We could have submitted claims totalling up to £1 million but decided it would be wrong to place additional financial and administrative burdens on police resources that are already under pressure. We think it is far better to allow police forces to focus on claims made by small businesses.

We are supportive of the police service and have a number of partnership arrangements in place with them around the country, for example we have 34 police bases within our stores, and our Employer Supported Police pilot encourages our colleagues to become Special Constables and gives them time off to patrol and protect their local communities. This is part of our commitment to the communities in which we operate.

We have also announced the extension of our Community Grants Fund by an additional £100,000. This money will be given to Sainsbury's stores in the areas affected by the riots so that our store managers can help rebuild their communities.

Part of the reason for us not pursuing claims under the RDA is that we did not want to see resources diverted from front-line policing. As you will know, shoplifting and antisocial behaviour are not victimless crimes, nor are they trivial, although it seems to us that they are often viewed that way. In addition across the retail sector we have seen an increase in violence directed at shop workers, some of which goes unreported as the victims do not think it worthwhile reporting the attacks as retail crime is perceived to be near the bottom of police priorities.

We are appreciative of the support that police officers gave to our stores and to our customers and colleagues during the recent disturbances, and of the way that crimes are being dealt with seriously and swiftly by the justice system at all levels. This has demonstrated, amongst other things, that retail crime deserves to be taken seriously more generally not just in the context of looting and rioting.

14 October 2011

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### Supplementary written evidence submitted by Kickz

Kickz is an enormously widespread initiative now involving 43 professional clubs in the Premier League and Football League, who are delivering 113 separate projects on the ground. We have 19 different police forces involved in delivering the project with the clubs, and 50,000 young people registered in the programme.

Mark—on the specific question you raised on whether we have done any research into the effectiveness of the project. (Apologies, as Gary Broadhurst misinterpreted what you were asking about). The fact is that monitoring and evaluation of our projects is a hugely important element, as it is with any of our community-focused initiatives in which we are investing significant money, time and resource. We look to carefully register and follow the young people involved and chart their progression in Kickz—often from participant, to volunteer, to part or full-time employment with the club (we now have 400 young people in paid work at clubs who came from the Kickz project, and 5,000 volunteers i.e. one in every ten on the project goes on to volunteer).

Of course we also work with the police to monitor the impact of Kickz projects on crime and Anti Social Behaviour (ASB) levels in each area they exist. The Metropolitan Police Service for example have calculated the following about the existing London projects, comparing years 2010 to 2006 (prior to their existence).

Areas in which Kickz is run there have been a:

- 31% total reduction in Theft of Motor Vehicle offences—potential saving of over £7.4million to the Criminal Justice System (CJS).
- 23.3% total reduction in Criminal Damage offences—potential saving of over £3.7million to CJS.
- 25.7% total reduction in Robbery offences—potential saving of over £10.9million to CJS.
- 2.1% total reduction in Violence against the Person offences—potential saving of over £6.2million to CJS.
- 2.8% total reduction in Burglary in a Dwelling offences—potential saving of over £807,000 to CJS.

Two specific examples include:

- *Elthorne Park, Islington*. 67.2% reduction in Violence against the Person offences on Kickz project days—potential saving of over £3.2million to CJS.
- *Berner Estate, Tower Hamlets*. 19.1% reduction in Violence against the Person offences on Kickz project days—potential saving of over £1million to CJS.

Similar examples can also be found nationally and include:

- *Stockbridge, Merseyside*. Violence Against the Person down 14.1% on scheme days—potential saving of over £426,600 to CJS.
- *Clifton, Nottingham*. 21.3% reduction in Violence Against the Person on scheme days—potential saving of over £364,000 to CJS.
- *Fallowfield, Manchester*. Violence Against the Person down 56.9% on scheme days—potential saving of over £1.7 million to CJS.
- *Oldham, Manchester*. Violence Against the Person down 28.9% on scheme days—potential saving of over £2.2 million to CJS.

The programme was also highlighted in the report Teenage Kicks commissioned by the Laureus Sport for Good Foundation and produced by charity think tank and consultancy New Philanthropy Capital (NPC), in which they studied one of Arsenal's Kickz projects and found that one Kickz project creates £7 value for every £1 invested, by reducing costs to victims, police, prisons and courts.

The attached briefing document gives you further information around all elements to the project. We have also recently published a short report to coincide with the fifth anniversary of the project which focuses on some specific case studies to have been affected by Kickz.

### KICKZ PROJECT VISIT

We would be very happy to arrange for you to see a project in action if you would like to see how it manifests itself on the ground. I think you will be enormously impressed with the impact it is having, not just

on the specific issue of reducing crime and ASB, but in the wider sense of improving entire communities in some of the most deprived part of the country.

October 2011

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### Further supplementary written evidence submitted by Kickz

Here are the figures you requested, which show the percentage figures for the Metropolitan Police Service areas against those areas with Kickz projects in that fall under Metropolitan Police responsibility (accounting for 60 of the 113 projects in England).

The percentage reductions for the MPS as a whole for the same time periods are:

- Theft of motor vehicles 28.1% reduction (Kickz areas 31%).
- Criminal damage 23.2% reduction (Kickz areas 23.3%).
- Robbery 21.5% reduction (Kickz areas 25.7%).
- Violence against person 1.4% reduction (Kickz areas 2.1%).
- Burglary in dwelling 1.4% reduction (Kickz areas 2.8%).

Bear in mind the fact that cutting Anti Social Behaviour and crime levels is only one part of what Kickz is all about. As the briefing document I sent through on the last email shows, Kickz is designed to:

- Engage young people (aged 12–18 years) in a range of constructive activities.
- Create routes into education, training and employment.
- Break down barriers between the police and young people.
- Reduce crime and anti-social behaviour in the targeted neighbourhoods.
- Encourage volunteering within projects and throughout the target neighbourhoods.
- Increase the playing, coaching and officiating opportunities for participants.

As I said, please feel free to come back to me should you require any further information.

October 2011

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### Written evidence submitted by London Criminal Justice Partnership

I am writing in response to your letter dated 31st October 2011.

I have made enquiries of the Daedalus programme director, Monica Sharma and it would appear that the figure of 19% was informal management information and not a formally calculated rate of re-offending. The figure was based upon anecdotal information monitored at the time and since then has varied from month to month, from 19% to 32% as the programme continued.

It would appear there has been a mis-understanding in the use of the figure. This 19% figure was not intended to be used publically or to be used as a formal rate of re-offending for the Daedalus programme and was intended to be used for the purposes of programme development only, particularly at the early stages of programme implementation.

The London Criminal Justice Partnership have commissioned Ipsos Mori to carry out a full reconviction analysis of the Daedalus programme in line with MoJ research standards. Formal findings are expected in spring 2012 and we will send the findings to you.

The informal monitoring information in relation to offending has now ceased to be collated as this could be misleading.

As per your request, I have attached the informal management information report for the Daedalus programme which was produced in the first year of the programme.<sup>68</sup>

10 November 2011

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<sup>68</sup> Not printed.

**Further written evidence submitted by London Criminal Justice Partnership**

I am writing to you following the response you received from the chair of the London Criminal Justice Partnership on 10 November 2011 and would like to add an additional note to the following paragraph:

“The informal monitoring information in relation to offending has now ceased to be collated as this could be misleading.”

For your further information, the collation of management information for reoffending data was suspended earlier this year due to discussions around data sharing agreements. We do not plan to resume the collation of this information due to the fact that we are nearing the production of a final reconviction analysis by Ipsos Mori and it is important that our focus is upon the final and formal analysis.

*1 December 2011*

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**Written evidence submitted by the Police Federation of England and Wales**

Thank you for your letter dated 6 December concerning the Policing Large Scale Disorder which has been forwarded to me by Mr McKeever for my attention.

It was a pleasure to meet with you on Wednesday where I was in a position to share with you a copy of the Police Federation submission to Her Majesty’s Inspectorate of Constabulary (HMIC) and in addition a copy of the comments on the airwave system from frontline officers who had kindly responded to a Metropolitan Police federation survey designed to learn the lessons from the events in August.

As you will be aware these were unprecedented times in the world of operational policing, not since either the early 80’s or early part of 2001 had we in the police service been under such attack from those who seek to challenge authority on a scale we never envisaged.

We will always learn the lessons from such events and the Police federation sees itself as playing an important part in representing the views of rank and file from an operational perspective in order that their voice is heard by not only those detractors but also those who want them to continue to undertake those extraordinary duties that of Public order policing.

Analysis such as this will not only assist to restore the confidence in the police but more importantly the communities we serve.

We held a number of meetings at our Headquarters in Leatherhead with representatives from those areas where there had been a disturbance and we systematically went through the events that unfolded in the days of the disorder. In these meetings we had first-hand accounts from those officers involved as to what areas they were concerned about and where improvements could be made.

As I explained to you briefly on Wednesday our report was not designed to be a technical report but one that expressed the views and frustrations of those who were working long hours, at short notice and in extraordinary circumstances. When in our report we make mention of “overload” that relates to officers not being afforded the ability to transmit due to the radio traffic and reception issues all of which have an impact on not only officer safety but the ability for officers to be deployed efficiently. Due to compatibility issues officers from forces outside the metropolitan were not in a position to use their personal issue radio and resorted to using mobile phones.

I hope our report is of use in explaining our position and in an order to move forward we have made a recommendation that a review be undertaken of communication procedures during a national crisis.

On behalf of the police federation I am more than happy to discuss this further with you.

*9 December 2011*

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