House of Commons
Home Affairs Committee

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

Sixteenth Report of Session 2010–12

Volume II

Oral and written evidence

Additional written evidence is contained in Volume III, available on the Committee website at www.parliament.uk/homeaffairscom

Ordered by the House of Commons to be printed 15 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.

Current membership

Rt Hon Keith Vaz MP (Labour, Leicester East) (Chair)
Nicola Blackwood MP (Conservative, Oxford West and Abingdon)
James Clappison MP (Conservative, Hertsmere)
Michael Ellis MP (Conservative, Northampton North)
Lorraine Fullbrook MP (Conservative, South Ribble)
Dr Julian Huppert MP (Liberal Democrat, Cambridge)
Steve McCabe MP (Labour, Birmingham Selly Oak)
Rt Hon Alun Michael MP (Labour & Co-operative, Cardiff South and Penarth)
Bridget Phillipson MP (Labour, Houghton and Sunderland South)
Mark Reckless MP (Conservative, Rochester and Strood)
Mr David Winnick MP (Labour, Walsall North)

The following members were also members of the committee during the parliament.

Mr Aidan Burley MP (Conservative, Cannock Chase)
Mary Macleod MP (Conservative, Brentford and Isleworth)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/homeaffairscom.

Committee staff

The current staff of the Committee are Tom Healey (Clerk), Joanna Dodd (Second Clerk), Sarah Petit (Committee Specialist), Eleanor Scarnell (Inquiry Manager), Darren Hackett (Senior Committee Assistant), Sheryl Dinsdale (Committee Assistant), Victoria Butt (Committee Assistant), John Graddon (Committee Support Officer) and Alex Paterson (Select Committee Media Officer).

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Witnesses

Tuesday 6 September 2011

Boris Johnson, Mayor of London, and Kit Malthouse, Deputy Mayor with responsibility for policing

Tim Godwin, Acting Commissioner, and Lynne Owens, Assistant Commissioner, Metropolitan Police Service

Sir Hugh Orde, President, and Chief Constable Tim Hollis, Vice-President, Association of Chief Police Officers

Len Jackson, Interim Chair, and Deborah Glass, Deputy Chair, Independent Police Complaints Commission

Thursday 8 September 2011

Rt Hon Theresa May MP, Home Secretary

Nick de Bois MP, and Mr Andrew Nicholas

David Lammy MP, Mr Niche Mpala Mufwankolo, owner of the Pride of Tottenham pub, and Lynn Radose, resident of River Heights

Shabana Mahmood MP, Amrick Ubhi, Khalid Mahmood MP, and Michael Brown

Jane Ellison MP, and the Reverend Paul Perkin

Thursday 15 September 2011

Chief Constable Peter Fahy, and Assistant Chief Constable Terry Sweeney, Greater Manchester Police

Chief Constable Chris Sims, and Assistant Chief Constable Sharon Rowe, West Midlands Police

Chief Constable Julia Hodson, and Assistant Chief Constable Paul Broadbent, Nottinghamshire Police

Stephen Bates, Managing Director UK and Ireland, Research in Motion, Blackberry, Richard Allan, Director of Policy, Facebook, and Alexander Macgillivray, General Counsel, responsible for public policy, Twitter

Tuesday 11 October 2011

Bill Bratton, former Chief of Police, Los Angeles Police Department

Professor Tim Newburn, London School of Economics, and Paul Lewis, Guardian journalist, Reading the Riots project
Tuesday 25 October 2011

Councillor Chris Robbins, Leader of Waltham Forest Council, and Gary Broadhurst, Tottenham Hotspur Foundation’s Community Development Manager, Kickz Project

Ginny Lunn, Director of Policy and Strategy, Prince’s Trust, and Nathan Chin, and Arnold Sebutinde, young people formerly involved in gangs

Rt Hon. Mr Kenneth Clarke QC MP, Lord Chancellor and Secretary of State for Justice, and Rebecca Endean, Director of Analytical Services, Ministry of Justice

Tuesday 8 November 2011

Tom Brake MP

Charles Perryman, Chairman, South Yorkshire Police Authority, Temporary Assistant Chief Constable Bob Sanderson, South Yorkshire Police, and Ann Swain, Home Affairs Chairman, Federation of Small Businesses

Tuesday 22 November 2011

Rob Berkeley, Director, Runnymede Trust, and Yohanes Scarlett

Tuesday 29 November 2011

Sir Dennis O’Connor, HM Inspector of Constabulary

Darra Singh, Chair of the Riots Communities and Victims Panel, and Heather Rabbatts, Panel Member, and Louise Casey, Head of the Troubled Families Team, Department for Communities and Local Government
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Oral evidence

Taken before the Home Affairs Committee

on Tuesday 6 September 2011

Members present:
Keith Vaz (Chair)
Nicola Blackwood
James Clappison
Michael Ellis
Dr Julian Huppert
Steve McCabe

Alun Michael
Bridget Phillipson
Mark Reckless
Mr David Winnick

Examination of Witnesses

Witnesses: Boris Johnson, Mayor of London, and Kit Malthouse, Deputy Mayor with responsibility for policing, gave evidence.

Q1 Chair: This is the first session in the Committee’s inquiry into the large-scale public disorders that have taken place in London and other cities over a short period in August. Our first witnesses are the Mayor of London and the Deputy Mayor of London. Thank you both very much for coming in for this session to begin the Committee’s inquiry. Could I also begin by passing on the condolences of the Committee, Mr Mayor, following the death of Simon Milton, who was a frequent witness before our Committee. He must be a great loss to all of you at the City Hall. What I am proposing to do before we take evidence from you is to show the Committee short footage of a part of the disorders that occurred on Tuesday, 9 August. It is a two minute video provided by the BBC. Video played.

That gives us a flavour of what happened in Birmingham and in London. Could I deal first of all with the issue of the Metropolitan Police and issues concerning the leadership of the Metropolitan Police? As you know, this has been a very tough time for the Met. We have had the resignation of the Commissioner; there has been a lot of resources put into the phone hacking scandal; there is the question of cuts to the Met. Are you confident that there is proper and appropriate leadership at the Met at this moment in time to provide the kind of stability that is needed to police disorders of this kind?

Boris Johnson: Of course I am, Chair. I think if you look at the leadership of the Met, it is exceptional and has been building in strength over a number of years. I single out obviously Acting Commissioner Tim Godwin who, after all, had to step into the breach while Sir Paul was away on sick leave for a period of about four or five months. I think he has a very good team around him. Cressida Dick in counterterrorism, Chris Allison doing CT, Ian McPherson. I think there is a very good team indeed, and I think the proof of the pudding is in the eating in the sense that the Metropolitan Police Service has done a fantastic job over the last few years in bringing down crime. Crime in the last three years is down about overall 9.2%; on public transport it is very considerably down; youth crime, youth violence, is down about 15.6%. These are considerable achievements.

You make the point, Mr Chairman, about police numbers and, of course, it is important that they should remain high. There is going to be a new Commissioner shortly installed and I have written to you, I think, to give the timetable for that and we expect to make an announcement on Monday.

Q2 Chair: Your announcement is to be made on Monday?

Boris Johnson: That is right.

Q3 Chair: To paraphrase Oscar Wilde, to lose one Commissioner was a misfortune but to lose both looks like carelessness. What is this problem about retaining Commissioners at the Met?

Boris Johnson: As I say, I think Sir Paul did an excellent job and if you look at his achievement not just over his period as Commissioner over the last three years but in his whole period of service to London and policing in general, I think he made a very remarkable contribution. I regretted that he departed, and I remember, Mr Vaz, you came out on the night of his resignation and made a statement that I think very fairly and accurately reflected what was happening. It was a matter that I think Sir Paul felt had basically come to dominate the headlines. He could not see any other way through. He thought this was going to go on and on—and I am referring to the whole relations with News International and that kind of thing—and he felt that this would be a distraction from carrying out his duties. We had a long conversation about it. We argued it through and I am afraid that, yes, I could see the logic of what he had to say.

Q4 Chair: Would you have liked to see him carry on until after the Olympics?

Boris Johnson: As I say, I think that he was right in his analysis, which was that now was the time to give somebody else a chance to get their feet under the desk and take the Met on through the Olympics and beyond and, yes, I accepted his analysis that basically the whole story around relations between the police and the News of the World was going to go on and on in such a way as to distract him and to undermine
his ability to project what he was doing in improving policing in London. As I say, he has a very considerable record of success, to which I pay tribute. He and, of course, 32,000 others.

Q5 Chair: Clearly you want to move on now. We are going to have a decision of some kind, a final decision next Monday. You very kindly provided me with a letter dated 24 August setting out the timetable. It seems very clear from this letter that you and Mr Malthouse and the Metropolitan Police Authority will be shortlisting. You will then have a second meeting with the final candidates; is that right? There were four candidates who applied.

Boris Johnson: That is right.

Q6 Chair: Is it down to a smaller number or do we still have four?

Boris Johnson: I do not want to go into the details, if you do not mind. If the Committee will forgive me, I will not go into the details of the current selection process but suffice it to say that there is a very strong held already. Four exceptional candidates have come forward. It is now going to be a matter, as you rightly say, of whittling that down and then jointly the Home Secretary and I will make a decision.

Q7 Chair: Whose decision is it at the end? Your letter makes it clear, you talk about “her” recommendation to Her Majesty the Queen so it seems, although you are going to have a discussion with the Home Secretary, at the end of the day it is her call. Is that right or is it a joint decision?

Boris Johnson: This is a vexed issue, which I think it is right the Committee should focus on because it relates to another topic that you want to talk about, which is the structure of the Met and its democratic accountability and all the rest of it. At the moment the way it works is that the Home Secretary must have regard to what the Mayor and the Metropolitan Police Authority say about the matter. I think, to all intents and purposes, what that means is that it is a joint decision and it is not, in the real world, really possible for a candidate to be approved without the support of both parties. I think with goodwill and common sense there is absolutely no reason why that should not be achieved.

Q8 Chair: But at the end of the day, you say very clearly in the letter, “She will make her recommendation”, but what you are saying to the Committee is her recommendation is really a joint recommendation?

Boris Johnson: Her Majesty the Queen will make the recommendation. There will be a recommendation, properly, by the Home Secretary to Her Majesty but obviously the Mayor and the MPA have a considerable input into that recommendation.

Q9 Chair: So the door will be locked until one decision is made?

Boris Johnson: There will be a decision and it will be a joint decision, and I am sure it can be done expeditiously.

Chair: Thank you. We will now continue on the Met and then we will go on to the disorders.

Q10 Nicola Blackwood: Just to be clear, it is stated in the Mail that you disclosed that you will veto any candidate to be the head of Scotland Yard if they cannot demonstrate a compelling plan to deal with gang violence; is that not the case?

Boris Johnson: Obviously, one of the things that I think both the Home Secretary and I will be looking for is a candidate who has an appreciation of the issues in London and has a robust plan for dealing with them.

Nicola Blackwood: Absolutely, but it is not a veto power for the Mayor. I am just trying to understand how the process works. It is a joint decision-making process?

Boris Johnson: That is right and effectively that gives one party or the other an effective veto power on the preferred candidate.

Q11 Nicola Blackwood: What would you view to be a compelling plan to tackle gang violence?

Boris Johnson: Your Committee has asked a lot about this later on and if I can pre-empt that discussion now, I would say what has happened in the riots and the disturbances in London has been obviously very shocking, very traumatic for the city, but it is also an opportunity and it is an opportunity to get on and to expand a great many of the things that we have already been doing. If I may say so, I think that Ken Clarke was on the right lines this morning when he talked about problems in the criminal justice system. It is not, frankly, irrelevant that a huge majority, I think 75%, of those who have so far been arrested do have criminal records. We have to consider as a society what is happening to these people when they are arrested, when they are charged and when they get into the criminal justice system. How are we changing their lives to make sure that they do not come out again, re-offend and get back into the gangs? There are very serious issues around it.

Q12 Chair: Mr Mayor, we will deal with that a bit later. If we could just concentrate on the Met.

Boris Johnson: Forgive me, Chair, I was asked a question about gangs.

Chair: Absolutely, and we can come back to that. Julian Huppert, we are on the Metorganisation at the moment.

Q13 Dr Huppert: I would like to bring you back to this thing about the appointment of the Commissioner because I heard several different answers in the comments that you made. I am still not clear what the process is because you said on the one hand there was an effective veto for either person. You said on the other hand that it is the Home Secretary’s appointment with regard to the opinions of the Mayor and Metropolitan Police. Those are not the same thing. I realise you may find it hard to consider yourself and this Home Secretary. With a putative future Mayor and a putative future Home Secretary, what is the balance of relationship there? Could the Home Secretary appoint somebody who the Mayor did not
want to see? Could the Mayor then get that person to resign or force them out? What would the process be? 

**Boris Johnson:** I think, just to go back to Mr Vaz’s initial question and you look at what happened in the case of the previous Commissioner, it is pretty obvious that a Commissioner cannot continue without the support both of the Mayor and of the Home Secretary. By the same token, it does not make much sense to appoint a new Commissioner without the support of both parties but, as I said, I have absolutely no doubt that that joint support can be achieved and will be achieved.

**Q14 Mr Winnick:** The Chair asked you about the situation about two police Commissioners going during your time as Mayor. Do you have any feeling of responsibility for what has occurred and what many people see as a crisis in the Metropolitan Police with regards to leadership? 

**Boris Johnson:** Mr Winnick, as I was saying to Mr Vaz, I think that that is a misunderstanding of the scene at the top of the Met at the moment, and I think if you look at what the team is like there and the work they are getting on with, there is no instability. In fact, I think they are doing a very remarkable job. Just to get back to the key point, the proof of the pudding is in the eating. In the everyday work of fighting crime, the Metropolitan Police force is doing a very good job. Crime is down over the last three years 9.2% and I pay tribute to the success of that team.

**Q15 Mr Winnick:** But the Metropolitan Police Commissioner who was in office when you came in as Mayor, you took a role in effect of making sure that he resigned; is that not the position, that you had no confidence in him? 

**Boris Johnson:** There was a—

**Mr Winnick:** Yes or no.

**Boris Johnson:** There was a discussion in which I felt it was my duty to relay to him that there were questions that had been raised with me about the leadership of the Met and that I thought it was a good opportunity for someone else to have a go at it. Yes, there is absolutely no doubt about that.

**Q16 Mark Reckless:** Would it not be better to appoint the best candidate for the job regardless of nationality? 

**Boris Johnson:** This is the sort of Bill Bratton-type question. I understand where you are coming from. 

**Chair:** It is a Mark Reckless question about Bill Bratton.

**Boris Johnson:** I am sorry, Mr Reckless, it is a good question; a question lots of people ask and a reasonable one. I think it was Aneurin Bevan in the Second World War who said after repeated British defeats in North Africa, “Why can’t we get some of these foreign generals?” It is a solution that people often go for. I think we have a very good range of candidates. There is no shortage of first class police officers in this country. You have an exceptional field that has come forward now and I see no reason to widen it to people of other nationalities.

**Q17 Mark Reckless:** You said there is no need, and you spoke about the outstanding leadership throughout the top of the Met but this Committee previously had Andy Hayman in to see us.

**Boris Johnson:** I saw his evidence, yes. 

**Mark Reckless:** The reason given for not being able to appoint Bill Bratton seems to be that he is an American and we cannot possibly have him involved because of the antiterrorism things, but surely there is very close co-operation on antiterrorism. It makes no sense at all to ban someone. 

**Boris Johnson:** I do not think—sorry, Mr Reckless, forgive me for interrupting. I do not think that is the reason for being hesitant about employing people from other forces. I think the feeling is probably more practical than that. It is that you need someone with a real feel for the bones and the joints of the British police system, and we have abundant strength and qualifications in our candidates already and we see no particular reason to change the law to widen that.

**Q18 Chair:** Let us move on to the disorders. Mr Malthouse, the Deputy Mayor, you were there, in a sense; the Mayor was abroad initially but he came back. You were there at the start. When were you first notified that there were going to be disorders, or there were disorders London? 

**Kit Malthouse:** The disorders started to build on Saturday evening and I was notified by telephone.

**Q19 Chair:** At that stage, did you consider that there was any possibility that this was going to get even worse? At that stage, as we know, from written evidence to this Committee, there were about 7,000 police officers on the streets of London. That rose to 24,000 the week later. Were you satisfied with the tactics that were being used by the police at the start of the disorders? 

**Kit Malthouse:** I think broadly, yes. There was no indication at that stage that that localised issue in Tottenham was likely to spread across the rest of London, although it was obviously a very severe incident that was taking place on the Saturday night. Obviously the imperative in those situations is to allow the police the space to do their job and to employ their training and tactics and not to interfere in any way. We were obviously notified. I notified the Mayor immediately that there was an incident taking place. As I say, we had to leave the Met to deal with it at the time, and there was no indication that it was likely to spread, no.

**Q20 Chair:** When did you find that the tactics were wrong and more officers ought to have been deployed? At some stage that must have crossed your mind that there ought to have been more officers out there? 

**Kit Malthouse:** I think there were two issues. One is the number of officers, the other is the speed of mobilisation, and I think the lesson, one of the areas that we will want to look at from a police authority point of view, and I know the service wants to look at as well, is the force mobilisation plan at the time of these incidents. Obviously later in the evening the mounted branch, dogs, there was a significant
deployment of public order officers up there to deal with that incident. Whether that was fast enough is something we will need to look at.

Similarly, over the ensuing evenings there were a number of different tactics pursued elsewhere, not least the use of the Jankels vehicles, which you will no doubt want to question the Acting Commissioner on later, which proved to be very effective. I think, with hindsight, it would have been good to have more people there on the Saturday night and indeed the Sunday and the Monday.

Q21 Chair: Do you agree with the Prime Minister when he told Parliament that there were too few police deployed on our streets and the tactics that they were using were not working. That is a serious criticism of the police, isn’t it, that there were too few police officers and the tactics were not working?

Boris Johnson: If I could just possibly interject there, Mr Chairman, and say I think obviously with 20/20 hindsight, and you are going to have your opportunity in a minute or two to talk to the Acting Commissioner about his decisions on the night, obviously people may think that it would have been wiser to try to upscale the police presence more quickly.

Chair: But this is the Prime Minister, Mr Mayor.

Boris Johnson: I think when you look overall at the police handling, which is what, I think, you want to get out of us—when you look at what the police did on that night and on successive nights and what they are doing now in their detective work, which is quite remarkable. They have arrested 2,088 people, 1,230 people have been charged and, by the way, be in no doubt, more and more people are going to be arrested and charged. The CCTV is still being gone through. They are doing an exceptional process. In spite of everything these riots were contained. There was the very tragic death of Mr Bowes in Ealing but otherwise there were remarkably few casualties, and I would just remind the Committee that the—

Chair: We will come on to all this detail.

Boris Johnson:—people of London, in my impression, have very strong support and respect for the way the police were able to handle these riots.

Q22 Chair: Mr Mayor, the issue for this Committee is, do you agree with the Prime Minister in his statement to Parliament when Parliament was recalled that the tactics were not working and too few police officers were deployed? Do you agree with him or not?

Boris Johnson: It is self-evident, Mr Vaz, that there was a difficulty. There was a crisis on the Saturday, then the Sunday and then the Monday, which caught everybody unawares and there is no doubt about that. I think when people come to analyse this event they will want to pay particular attention to the role of social media—

Chair: We are coming on to that.

Boris Johnson:—and all the rest of it, and how that allowed the dispersal of this disorder around London.

Q23 Chair: Mr Ellis is going to probe you now on tactics but one final question to you, because there were issues in the media that you took too long to come back from—I think you were in Canada, though of course it does take a long time to come back from Canada. Could you just deal with this once and for all? Why did it take so long for you to return?

Boris Johnson: I think the question has been gone into quite a lot, but I was stuck in the Rocky Mountains with a campervan and once I had established—I was in continuous communication obviously with the Acting Commissioner, with people in London, with the Deputy Mayor, but once it was obvious that events were not calming down then, of course, I came back.

Boris Johnson: You have the timetables and that may very well be correct.

Q24 Chair: You did come back before the Prime Minister—after the Home Secretary but before the Prime Minister. I have all the timetables.

Boris Johnson: You have the timetables.

Q25 Michael Ellis: There is no doubt a league table somewhere about it. On the subject of the speed and manner of the Metropolitan Police response and the issue of police numbers, you have spoken of getting towards your target by May of having 1,000 extra police officers on the streets of London, which will amount to about a million more patrols a year; is that right?

Boris Johnson: That is exactly correct, Mr Ellis. I would pay tribute, as I said at the beginning, to the work of Sir Paul and others in liberating the police to get on and get out there and do what people want them to do.

Q26 Michael Ellis: This is what I was going to ask you about. It is about making savings elsewhere so that frontline officers can be available to the general public; is that the case?

Boris Johnson: It is. I was heartened by the Policy Exchange pamphlet, which I think came out yesterday, which pointed out that in terms of civilianisation getting people—not warranted officers, getting civilian staff to do the backroom jobs, the Met is way ahead of most other police forces. We also have, of course, Project Herald, which has been very effective in getting civilian staff into the custody suites so you do not waste the time of warranted officers.

But on the big point about policing, and the policing of riots, we as a society need to think about what we ask of our police officers because they do an exceptionally difficult job within a very tough legal framework. The Committee will have extensively considered what happened at the G20 riots and the experience there and the real risk to the careers of officers who are found guilty of using excessive force.

Q27 Michael Ellis: As far as other Chief Constables are concerned around the country, they can look to you and the work that you are doing, can they, as far as getting police out of their back offices and on to the front line? Are you hoping to do more along those lines?

Boris Johnson: We certainly are. We are always humble in these matters and there is always more that can be done, but so far we think that we are on the right lines. One of the things Sir Paul did, obviously,
was to end the double patrol system so that you add the potential for a great many more patrols.

**Q28 Michael Ellis:** You have 32,000 police officers in the Metropolitan Police. That is right, is it, approximately?

**Boris Johnson:** 32,300 and something or other.

**Q29 Michael Ellis:** On the first night of disturbances, when no trouble was expected—

**Chair:** Order. Can I ask those who have mobile phones on to switch them off, because it interferes with the communications.

**Michael Ellis:** Is it right that on the first night, before reinforcements had been arranged or mutual aid had been sought, there were about 3,000 police officers on duty?

**Boris Johnson:** There were, I think, roughly of that order, but I can get back to you with the exact figure.

**Q30 Michael Ellis:** Her Majesty’s Inspector of Constabulary reported a couple of years ago that something in the order of 90% of police officers at the moment are not available to the public and on duty at any one time. Do you think that is a satisfactory figure? Would you like to see more officers available to the general public routinely, without reinforcements having to be called?

**Boris Johnson:** Yes. I think one of the things that we are doing is looking at getting officers who are on long-term sick leave, for instance, to come in and do some of these functions that are currently being done by a warranted officer in order to allow the warranted officers out there on the street. Out of these events good must come. We have to look at the issues around, as Ken Clarke described them, the members of the feral criminal underclass or whatever he referred to them as this morning. We have to look at how we minimise their potential to be dragged in front—but we also have to look into what is going on with the police.

**Q31 Steve McCabe:** I just wanted to ask a quick point about this issue of civilianisation in the Met. How has the Met been able to avoid the dilemma that other forces are facing whereby it is easier in terms of cuts to get rid of civilian staff? Police can only be got rid of under the regulation A19 rule, and that has resulted in police being taken off the street to do the civilian posts. How have you avoided that difficulty?

**Boris Johnson:** I am aware of the dilemma but the Committee will perhaps be familiar with, I think, a conversation that has been going on between us and Government about police numbers but also that we have been able to find substantial savings in other parts of the GLA budget and have been able, for instance, to take reserves from the fire service, the London Fire and Emergency Planning Authority, £42 million, and move that across into the police budget. That is one of the ways we are able to keep numbers high.

**Q32 Mr Winnick:** When did you first learn of the death of Mark Duggan? Were you in Canada or had you returned to Britain?

**Boris Johnson:** Thank you, Mr Winnick. I was notified virtually immediately by a text message. I think, on the—

**Mr Winnick:** So you were in Canada?

**Boris Johnson:** That is right, on the day that it occurred, which I think was the Thursday.

**Q33 Mr Winnick:** Were you told the full circumstances of Mr Duggan’s death?

**Boris Johnson:** I was informed, and I think the full circumstances, with respect, Mr Winnick, are the subject of an IPCC investigation, so clearly I was not told the full circumstances but I was told a rough account of what had happened and, of course, it did immediately strike me as being a potentially very difficult incident.

**Q34 Mr Winnick:** We will be hearing today from the IPCC, but I would like to ask you, Mr Mayor, do you have any views on how far the shooting by the police of Mr Duggan, whatever the circumstances that led the police to shoot him fatally, triggered what occurred?

**Boris Johnson:** Clearly there is an investigation now by the IPCC into the handling of that whole incident, and serious questions have been asked and there is no doubt that those questions must be answered. There are issues around what happened in relation to the handling of Mr Duggan’s family and all that kind of thing. I do not think, with respect, it would be right for me now to give an impromptu evaluation of that because I do not have all the evidence. It is the subject of an IPCC investigation.

**Q35 Mr Winnick:** Can I ask you finally, Mr Mayor, during the debate that took place when the House was recalled certain Members, not many but one or two at least, talked about rubber bullets and water cannons being used. Do you have any views on that?

**Boris Johnson:** I do have views on this, and thank you for asking. I think that, to get back to the point I was making, they had riots in Paris, which had a state of emergency for three months, 200 public buildings were destroyed, 7,000 cars. We were able to contain very serious disturbances in London with the use of robust, commonsensical policing in a traditional British way. I think that was a very remarkable achievement by the men and women of the Metropolitan Police Service and I do congratulate them on that.

I am not being lobbied, Mr Winnick, by the police for a greater panoply of weapons. What they are saying to me, and what I think would only be reasonable, is if society supported them when they catch people, when they apprehend people, when they charge them, when they have abundant evidence to convict them, if society supported them in making sure those people go behind bars and pay their dues to society. That at the moment is not happening.

**Q36 Dr Huppert:** The death of Mark Duggan was clearly the first event chronologically in all of this, and so was a trigger in at least that sense, and it has led to comment about the police relations with local communities. Before the disorder happened, firstly,
how would you describe police relations with the variety of local communities that you have?

**Boris Johnson:** This is something that I think, if you look at the last 10 years, the last 20 years, it is an area where I think a great deal of progress has been made. That is not to be remotely complacent, it is not to say there is not much more that could be done, and in the course of the last six months, for instance, my office and I have been doing a kind of peregrination around London, focusing on many of the areas where disturbances took place and having community conversations, as we call them, getting people in, talking to them about the issues around young people getting sucked into gangs, what is going wrong, how can we address these fundamental issues, and we spent a couple of hours in the evening going over some of these things.

In those conversations issues around parental control come up or respect for teachers or more apprenticeships or more mentors, all those sorts of things come up. All those things we are, of course, addressing and we are looking at. But it is very interesting how rarely we have had people complaining about policing or heavy-handed policing, stop and search, those kinds of issues. It has come up but it has not been a dominant theme.

Q37 **Dr Huppert:** In fairness, the people who might be particularly concerned about that might not be the people who would go to the meeting to express their concerns about that.

**Boris Johnson:** With great respect, Dr Huppert, you should come to some of these meetings and I think you would form a wholly different impression.

Q38 **Dr Huppert:** I look forward to taking you up on that offer. If I could just ask what you will try to do now to rebuild the police relationship with some of the communities as a result of the disorder? Is there something new that you will be doing?

**Boris Johnson:** Clearly there are schemes that we are working on already. There is a wonderful thing called Project Voyage, which is run by the police and gets people, young black kids, come to see what it is like to be a police officer, understand what it is all about and it is very, very successful. What I would like to see, and this is something that Kit and everybody else has been working on and the police have certainly been working on for a long time, is to try to recruit more black and ethnic minority people to the police and to make sure, not just—there has been great success, by the way, in recruiting people from all communities in London but we need to see progression as well. There are schemes I would cite. One scheme that is particularly popular is, of course, the police cadet scheme and where people join the police cadets, having been young offenders or whatever, they very rarely re-offend. That is something we are looking to expand.

Q39 **Chair:** But there is no question, is there, that there was any racial element to these riots, that there was one community as opposed to another community?

**Boris Johnson:** Absolutely. I think that is a very important point, Mr Vaz. It is vital that people focus on that. What was the key factor that was going to make you more likely to riot? What was it? It was that you had been in previous contact with the police and that you had a criminal record. If you look at the overwhelming preponderance of people who were involved in these riots it was those members of society. That is the problem we need to tackle.

Q40 **Mr Clappison:** Can I ask you a little bit more about the gangs, particularly how the riots spread after the initial incident in Tottenham involving Mr Duggan? Do you have a view as to the extent to which mobs were behind the organisation and promotion of the riots?

**Boris Johnson:** It is a very interesting question and the evidence is not perhaps as striking as some of the media reports have suggested. I think I am right in saying that only 20% of those arrested, so the 2,300 or whatever that have been arrested, had any gang affiliation whatever and only 21% of those who have been arrested are under 18. I think we are in danger—

Q41 **Mr Clappison:** That would be consistent with the picture that many people have of riots being spread and perpetrated by a hard core and then a large number of impressionable, weak-minded people being drawn in.

**Boris Johnson:** Yes, I think that is certainly right, and I am not going to minimise the importance of the gangs and the gang culture at all. This is something that needs to be tackled and, of course, is being tackled and we have been spending huge energy in trying to deal with it. I think possibly what I am trying to say is you have to look at—and you have probably got it right, which is there was a hard core of people who were determined to cause trouble. You add the communications, the way of inciting others to come and destroy shops in this or that neighbourhood, and then there were people who just happened to be there and who either got sucked into it or who were naturally inclined to get involved.

Q42 **Mr Clappison:** Members of this Committee have come across the gang culture in London and elsewhere in the past. It is quite a striking thing, particularly the territorial aspect of it. But can I ask you on gangs and on dealing with people perhaps in the hard core areas, do you have a strategy for positively engaging them and for giving them a more constructive way forward with their lives if they wish to take it?

**Boris Johnson:** Absolutely, and as Bill Bratton has rightly said, you cannot arrest your way out of a problem like this. Obviously, you need to have robust policing, and I am very pleased that that is what has been happening, but you need to have a series of measures that deal with the potential—the young people who are likely to be drawn into this kind of world. It is important that so many of them—and one of them is, of course, mentoring, and we have a very big programme now for mentors in London. We have recruited 2,000 adult males to help us and obviously more are welcome. They are recruited through a body
known as Team London. Anybody who wants to join Team London is hereby invited to do so. If you want to mentor a young person in our city, then you are invited to do so.

Q43 Chair: Thank you very much. We will do the application forms at the end.

Boris Johnson: Mr Vaz, I think you would make an excellent mentor, if I may say so.

Q44 Chair: Thank you very much. Just a tiny bit of mentoring advice, I know that you have other engagements and we have other witnesses; if we could keep our answers as brief as possible I would be most grateful.

Boris Johnson: Well, there is a lot to say.

Chair: You have been very helpful to the Committee. I am most grateful. Mr Malthouse, please feel free to chip in during this. You are the Deputy Mayor in charge of policing and we do value what you have to say. Perhaps you will be able to help Ms Phillipson with a question that she is to put.

Q45 Bridget Phillipson: You referred just earlier there, Mr Mayor, to the numbers of those involved in rioting who had some connection to the police previously. Could you just repeat again those numbers and also the evidence base for that and what it is you mean by—did you say involved with the police? What does that mean?

Boris Johnson: Yes. Thank you. It is a good question and perhaps if I get this wrong you may seek a clarification or you can get a clarification later on. But my understanding is I think 83% have had some involvement with the police and I think 75% have a criminal record, is my understanding.

Q46 Bridget Phillipson: Therefore, would you share the view of the Justice Secretary that we are talking about the feral underclass here?

Boris Johnson: Indeed. I volunteered that view earlier on. I think that there is an element of truth in that idea. The single most useful way now, I think, of looking at what is happening is to see the failures, not just in the educational background of these young people but also in the difficulties in our criminal justice system and the real difficulties we are having in finding adequate punishments, adequate ways of turning their lives round. With great respect, quickly, Mr Vaz, one thing I do think the Justice Secretary is right to highlight is the importance, if you arrest such a huge number of people, as we have, and you put them into the criminal justice system, then you cannot simply abandon them there. You have to make sure that they are educated and that you do everything you can to turn their lives round while they are there. That is why I think what we are doing with the Heron wing at Feltham is so important where by taking people, young people, who are willing to turn their lives around, who seem most able to be redeemed if you want, they are educated, they are given inspiration. We cut reoffending rates in that wing from 80% to 19%. That is a model that I think should be replicated around the country.\(^1\)

Q47 Chair: I am surprised that you support so strongly what the Justice Secretary has said because some may think this is an excuse for people to go out and riot. They will just in mitigation say, “Well, this is because of the broken criminal justice system we have. We have not had a chance and, therefore, we have to go and rob the local branch of Dinxons”. Do you think there is a risk that that might happen?

Boris Johnson: I understand what you are saying, Mr Vaz. I think it is highly unlikely that people will fasten upon an article in the Guardian by the Justice Secretary and say, “This is my justification for going to steal a flat-screen TV from Currys” or indeed fasten on MPs’ expenses or bankers’ bonuses or whatever. I think all those suggestions are, in my view, missing the point. We have—

Chair: Thank you.

Q48 Steve McCabe: I want to ask about the Riot (Damages) Act, but just before can I check the 83% and 75% figures you quoted? Are they London or national figures? What is the source, because I think the Committee would be interested to look at that in more detail?

Boris Johnson: As far as I am aware, these are Met figures.

Q49 Steve McCabe: Can I just ask about the Riot (Damages) Act? Do you know yet how many claims you have received under the Act?

Boris Johnson: I can tell you that the claims so far received have been about 100 under the terms of the RDA and roughly to the value of £9.3 million for those who are uninsured\(^2\). Sorry, can I just correct one thing? The figures for those who had criminal records and involvement with the police were not Met figures, they are MOJ figures.

Q50 Steve McCabe: You say that £9.3 million is the estimate at the moment. Is the Met likely to be reimbursed by the Treasury for that figure?

Boris Johnson: Obviously, it is very important that we should be able to place reliance—and the police do place and indeed Londoners and other businesses place great reliance—on what the Prime Minister said in his statement on 11 August: that the Government will ensure the police have the funds they need to meet the cost of any legitimate claims.

Q51 Steve McCabe: Just on a final point on that, what is the technical process? Once you have worked out the total sum do you send a bill to the Treasury? How do you get your cash back and the Prime Minister honour that promise?

Boris Johnson: What happens is that under the terms of the Riot (Damages) Act—there are several chunks of money and it is complicated, but there is a website called London Recovers where you can find out in great detail what your entitlements may be. But under the terms of the RDA what happens is that various

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\(^1\) See Ev w81.

\(^2\) The witness later clarified as of 7pm on Tuesday 6 September there were 336 Insured claims totalling £138,757,394; 106 Uninsured claims totalling £14,419,791 and 45 Motor Vehicle Claims totalling £25,000. It is estimated that the total amount of claims under the RDA when the claim period ends will be in excess of £200m.
areas are declared to have been the subject of a riot and the MPA, the Metropolitan Police Authority, makes that assessment. There is then a call centre administered by the Home Office that takes in the calls, the applications, and decides who gets what under the terms of the RDA. But that is, of course, in addition to everything that is done under normal insurance processes, and in addition—I would stress this because I do not think this message has got out loudly or clearly enough—there is also the High Street Fund. We have received substantial donations from Shell, from various banks. There is a fund of about £4 million for people who just need cash to keep their businesses going, to pay the wages of their staff, to tide them over.

Q52 Chair: Does this include the money that is going to Tottenham Hotspur?
Boris Johnson: Thank you, Mr Vaz. That is entirely separate. There is also a £20 million fund that we have set up particularly for Croydon and for Tottenham, which is in itself additional to the £50 million London Recovery fund, which is for everything else.

Q53 Chair: But this is dealing with the Riot (Damages) Act. The other issue that we have seen—I do not know whether you have seen the letter from the Commissioner to this Committee that we are publishing today—talks about many millions more as the cost of these disorders. Now, when I asked the Prime Minister this question on 11 August he was very clear that the Treasury would stand by the police and therefore I am not disposed to support the Metropolitan Police. You will no doubt, as the Mayor, be asking the Treasury not just to deal with the Riot (Damages) Act, which is very, very clear, but all the additional costs that the Met has had to face?
Boris Johnson: Yes.

Q54 Chair: Is that right?
Boris Johnson: That is absolutely right, Mr Vaz, and—

Q55 Chair: Do we know what those costs are? We have a figure of—
Boris Johnson: I think it is about £35.5 million from memory.

Q56 Chair: I have a figure of £74 million. You have a figure of £35 million?
Boris Johnson: Well, the policing costs I believe are—forgive me, sorry, the additional costs are £35.5 million, but if you add in the opportunity costs of £40 million, then you are correct, you get to—

Q57 Chair: You will be asking for that £74 million from the Treasury as a one-off payment because of the very exceptional nature of the disorders?
Boris Johnson: Clearly.
Chair: Thank you.

Q58 Nicola Blackwood: There has been a great deal of focus on the role that social media played in spreading the disorder and communicating locations for meeting points and looting up and down the country and, in particular, on the need for additional powers for police perhaps to shut down Facebook or BBM. You mentioned that the police have not been asking for additional powers for water cannons or rubber bullets. However, when we received evidence from the Acting Commissioner on 11 August he said that they had considered shutting down some of the social media sites. I wondered if you had had any discussions about that with him at the time.

Boris Johnson: Yes, of course, it was something that we discussed and the briefing that I got from the police—and I know that your Committee and others have considered this actively—was that it would not be a net positive in the sense that there is loads of stuff, loads of intel, that you can get from monitoring these BBM conversations and all the rest of it that would be forfeited. The loss of civil liberties, if you want, was not going to be compensated for by a gain in security.

Q59 Nicola Blackwood: Your view is that social media has a net positive result in these situations in terms of the intelligence that police can gain and also the intelligence that they can give out?
Boris Johnson: That was the briefing I got and I think that has been persuasive with the Home Office. That is where we are.

Q60 Nicola Blackwood: The Home Office are at the moment having meetings to consider the ongoing role of social media and powers. Are you engaged in those discussions at the moment?
Boris Johnson: Obviously, we have had discussions and continue to have discussions about this matter. I have had particular conversations with Tim Godwin and members of the Met about this. The view that I am getting is that this is not seen as a clear benefit for the police and therefore I am not disposed to support it.

Q61 Nicola Blackwood: That is the view that you are also giving to the Home Office?
Boris Johnson: That is the view.

Q62 Mark Reckless: Mr Mayor, you said, I believe, just then that the police were monitoring BBM messages during the disturbances. Can you confirm that?

Boris Johnson: Well, I did say that and now I think about it I am not certain that they can monitor BBM messages. You are going to have the opportunity to ask the Acting Commissioner Tim Godwin in just a second. There are intelligence advantages to being able to track some of this stuff. I do not know whether you can monitor BBM. You can certainly I think track Twitter, so that is the argument.

Q63 Chair: We are nearly finished, you will be pleased to know. Can I just take Mr Malthouse back to our first comments about the relationship between the Home Office and the Mayor’s Office, in particular a statement that the Home Secretary made during the disorders when she wanted to mobilise all special constables, cancel police leave and adopt the tough, robust approach. Is it the responsibility of the Home Secretary or do you see it as the responsibility of the
Metropolitan Police and yourself as the Deputy Mayor to do things like cancelling leave?

**Kit Malthouse:** Fundamentally, in the end the decision to cancel leave is for the Commissioner, but obviously in any dynamic situation like that there are discussions that take place at a political and, indeed, at a financial level that underpin his ultimate decision.

**Q64 Chair:** Is there going to be a separate internal investigation by the Metropolitan Police as to what happened in the disorders or are you relying on the Home Office to do this?

**Kit Malthouse:** Well, the Metropolitan Police Service itself will obviously review what has been happening. We have yet to decide from a police authority point of view what we are going to do, but there are a significant number of other bodies looking at this issue, not least your Committee, and obviously we will have to take into account what they do because the last thing we want to do, given some of the other inquiries, is to tie up valuable police time in duplicating work that may be done just as well elsewhere.

**Q65 Chair:** Indeed. As far as the new landscape is concerned, of course the MPA will go under the new system. In effect, of course, the Mayor and yourself as his Deputy are the Police and Crime Commissioners. Will you be appointing a panel to assist you in what you will be doing, your very important duties? How would it work precisely in London?

**Kit Malthouse:** It is likely that we may appoint some effectively non-executive directors, particularly to assist with some of the large financial decisions that have to be taken.

**Chair:** Finally, Mr Mayor, thank you very much for your very—oh, one question from Mr Reckless before I do my “and finally”.

**Q66 Mark Reckless:** The Guardian performed a public service by exposing the hacking scandal. Mark Lewis, a solicitor, acted for many of the victims, including Milly Dowler. Mr Malthouse, why was the MPA funding legal action against them?

**Kit Malthouse:** Well, we received I think one request for legal assistance, to pay legal fees, which we agreed to after some discussion and capped them, because we were advised that we were under a duty to fund legal action that is designed to protect the reputation of the police service as a whole rather than individual officers.

**Q67 Mark Reckless:** Mr Malthouse, are you not aware of the Derbyshire case, which specifically says that public authorities may not take legal action in terms of defamation and so on? Mr Yates says it was to protect the soul of the Metropolitan Police. Are you not aware that is unlawful?

**Kit Malthouse:** Well, the legal advice that we received was that it was legitimate for us to accede to that request. We did accede to a request, albeit capped at a relatively modest amount, I think about £1,500.

**Q68 Mark Reckless:** While this Committee was spending almost a year investigating phone hacking, I am not aware of the MPA having had any investigation, but at the same time you were funding legal action against people merely for reporting what this Committee was doing.

**Kit Malthouse:** Well, while we did not conduct a specific investigation, the Commissioner and other officers were subjected at our monthly meetings to quite forensic questioning, not least along the same lines that you were pursuing at the time, around that case as it unfolded and developed over time.

**Mark Reckless:** Without great success.

**Q69 Chair:** On the Sue Akers inquiry, you are not presumably informed of what is going on, but are you satisfied that Sue Akers has all the resources that she needs to—this is Operation Weeting. She has all the resources that she needs?

**Boris Johnson:** Yes.

**Q70 Chair:** This Committee is very impressed with what she is doing, but we are concerned about the speed that it takes to interview all these people whose names appear on her list, several thousand people. Are you satisfied she has whatever she needs?

**Boris Johnson:** Well, one of my jobs is to ensure that not only she but also the entire Metropolitan Police force have the resources they need with a huge concatenation of responsibilities. We have the Olympics to police; we have to deliver a secure London in 2012; we have to sort out Operation Weeting. Of course there are big pressures.

**Q71 Chair:** You have a very heavy schedule. Next Monday you will announce the name of the new Commissioner. To be absolutely clear, because we have the Home Secretary before us on Thursday, you will not accept a candidate that you do not basically feel will deal with the issues that you have set out in your manifestos concerning law and order in London? You will not leave that room unless you get the candidate of your choice; is that right?

**Boris Johnson:** Well, it is obvious that the next Commissioner of the Met will serve with the support of both myself and the Home Secretary, and in order to make sure that that happens, which I am sure is possible, we will have a good-natured discussion and I am sure we will come to a very good conclusion.

**Q72 Chair:** The only thing you can tell us is it is going to be a man?

**Boris Johnson:** Say again?

**Chair:** The only thing you can tell us about the identity of the next Commissioner is it is going to be a man?

**Boris Johnson:** I can certainly say that, yes.

**Chair:** Mr Mayor and Mr Deputy Mayor, thank you very much indeed for coming today.
Examination of Witnesses


Q73 Chair: Mr Godwin, Ms Owens, thank you very much for coming to give evidence today. Mr Godwin, you provided us with an extremely useful letter setting out answers to a number of questions that we posed to you. There is no need to repeat what is in there except in terms of answers and there is no need to make a statement to us. I will begin because we did say that we would probe you a little bit more thoroughly on this occasion. Going back to the Prime Minister’s words of 11 August to Parliament, he clearly felt that there were a number of mistakes made by the police during those crucial days. He told Parliament that in his view too few police officers had been deployed on our streets and the tactics that were being used were not working. Do you now accept that criticism from the Prime Minister? You were very clear you did not think that you wanted to accept any praise or blame, but here is the Prime Minister saying the tactics were wrong. Do you now accept that?

Acting Commissioner Tim Godwin: I think that when you reflect on something like this in your city and with your police service you would want to have the benefit of hindsight as foresight. Had I had that benefit of hindsight as foresight, then I wish I had had lots more police officers on duty on the Sunday and then into the Monday. In reality, we have to make decisions on what we know or what we believe to be true, and we have to make judgements on the best evidence that we have in order to respond to the situation that we are confronted with, and that is what we did. I think the key for me is that much judgement is made very quickly and what we actually need to do, because this is so important for policing and for the city, we need to be very careful about reviewing the evidence and coming to conclusions about what was right and what was wrong. We responded; we mobilised on the Saturday; we increased on the Sunday; we increased further on the Monday. I know one of the issues is why was this unprecedented? It was because the number of sites of disorder was something we had not witnessed in the city before, and that did take us by surprise.

Q74 Chair: Indeed. On the issue of costs, you very helpfully have told us that the total costs are going to now be £74 million if you add up the opportunity costs. Is that only for the Met or is that for the entire disorders all over the country?

Acting Commissioner Tim Godwin: That is purely for the Met. Obviously, the additional monies, not the opportunity costs, run at the moment at £35.5 million. I think one of the issues that we actually also have had to police is the Notting Hill Carnival. Obviously, we were concerned at making sure that that went well, and you yourself visited our control centre. Additionally, we have had the EDL events in East London that we had to police as well, so all that is adding to the cost.

Q75 Chair: Is there an ongoing cost? Can you say the cost per day even though the investigations are ongoing? You said in your letter that more people were likely to be arrested. Is this a daily increase in what you have to spend over your normal budget?

Acting Commissioner Tim Godwin: We now have a team of some 500 officers investigating the offences. We still have lots of CCTV to go through. We are looking at plans to maintain that, because the decision that we took was that sometimes you suddenly realise how thin the blue line is when you are confronted with such scale of disorder across such a large area. But the key for us in terms of strategically getting it under control is that crime has to have consequences, and so the arrest of those offenders had to be done swiftly and the courts had to respond swiftly. That was the key that we put into place and I think that had a very significant impact in terms of the repeats or lack of repeats that we then saw. As a result, it is vital that we maintain that effort going on so that nobody is in any doubt if you carry out that activity there will be consequences for you.

Q76 Chair: You have noted the statement of the Lord Chancellor and Secretary of State for Justice this morning, his view that it is the criminal justice system that in some part should bear responsibility. Do you think that that is correct?

Acting Commissioner Tim Godwin: I think this is a wakeup call for the criminal justice system, yes. We have in London, and I know in my other role as the ACPO criminal justice lead, been seeking to speed up justice, make it more relevant, make it more relevant to communities, and that is something that we need to do. I think the amount of people that have previous convictions does pose questions for us, and I think that we at the Met, certainly working with the Ministry of Justice and the Home Office, have to approach that and learn from that.

Q77 Chair: In terms of the mechanics of getting this money back, you have heard the evidence of the Mayor in his response to Mr McCabe. You write to the Treasury, do you, saying, “Could I have £74 million?” How is it precisely done?

Acting Commissioner Tim Godwin: We actually have to have a costed case, so we have cost centres around it so that we can validate the amounts that we are seeking. We then take that to the police authority. They negotiate with the Home Office and the Treasury about what reimbursement might or might not take place.

Q78 Mr Winnick: I know, of course, the position of the shooting of Mark Duggan is being investigated, as it must be, by the IPCC, and you would have heard questions to the Mayor. Has there been or was there initially any investigation into how the family, particularly Mr Duggan’s partner, was told of the shooting?
**Acting Commissioner Tim Godwin:** It is one of the things that we are looking into now in terms of what actually went on. There was some confusion in terms of who was going to tell Mr Duggan’s family and that we deeply regret. Our commander has been round to see the family to apologise for those errors, albeit I can understand why those errors occurred. But they were errors that we have apologised for. I think one of the things that we need to look at is the whole critical incident management that took place at Tottenham so that we can learn from it. I think that there were some good decisions taken and additionally there were some misunderstandings, and we need to get to the bottom of that. Lynne Owens, sitting next to me, has been tasked by me to pick up a number of those issues, critical incident management, causality, and so on. Equally, those conclusions, because this is so important and we want to be transparent, will be shared with this Committee as and when those investigations are completed.

**Q79 Mr Winnick:** Nothing can possibly justify what occurred with the looting and the rioting and no one, certainly not I, is in any way trying to find some justification. But coming to the actual event that some consider triggered off what occurred, we read in the press that the partner of Mark Duggan went to the police station, waited hours before any information was given, and even then she considered it unsatisfactory. I am just wondering how far you, as the most senior person, the most senior officer in the Met, looked into this.

**Acting Commissioner Tim Godwin:** We have, as I say, the review going through in terms of what went on at Tottenham during that period following the death of Mark Duggan. It is fair to say, as in all investigations, there are a variety of different views and interpretations of what was and was not said and we need to get to the bottom of that. There is also an issue for us that we have to look at how we relate and interact with the IPCC and I think sometimes some of that can create confusions as well. That is the learning that will come out with this and that is the critical one that we have to get done speedily so that we can then make sure that we don’t make those mistakes again.

**Q80 Mr Winnick:** Can I ask you about techniques used by the police in dealing with the disturbances? Are there any lessons to be learned? Do you feel that other techniques could have been used initially that could have helped the situation, to restore order?

**Acting Commissioner Tim Godwin:** Again, that is part of our review process. One of the things that impressed me was the use of vehicle-borne tactics in terms of moving people forward and keeping cordons. I think for us initially, though, we had a full range of tactics that we could deploy. It was purely numbers was the inhibitor. We have to look at that. I think the point that was made about “Where are all the cops?” is an issue that we are going to be confronting in the next 12 months in terms of maximising our footprint and getting those numbers out there. I think there is no issue about how many we have that are level 2 public order trained in terms of whether we need to increase that. All those, of course, have a cost.

**Q81 Mr Winnick:** The Mayor told us that he has not received any representation from the Met that other methods used in various countries, or indeed in Northern Ireland for that matter, such as water cannons and rubber bullets should be used. That is the position? You have not suggested or proposed that such methods should be used on the mainland?

**Acting Commissioner Tim Godwin:** We do have the capability to use baton rounds and certainly they were available during the disturbances. The circumstances where you use those is where you have a significant threat to life within the crowd, and we did not feel it was appropriate to use them in any of the three days that we were confronted with the violence.

**Q82 Mr Winnick:** Don’t you think that would have escalated the situation if such weapons had been used?

**Acting Commissioner Tim Godwin:** Again, it is hindsight and foresight and hypothetical. I think we would be having a different conversation if we had a young person on life support at the moment as a result of a brain bleed or some other injury. I take great pride in the fact that we filled up prison places as opposed to hospital beds, and I think that is the British way. I do not think that we should throw that out in response to certain criticisms.

**Q83 Bridget Phillipson:** The Mayor referred earlier to the numbers of those involved in the riots that had previous involvement with the police or had criminal records, and you have just referred to it there. The figures that he was talking about were Ministry of Justice figures, which presumably cover the whole country and the parts that were affected by the rioting. My view is if we are going to have a proper discussion about the nature of the people involved in that, it would be helpful to have a full and accurate breakdown of those figures, what kinds of offences we are talking about, what we mean by involvement with the police. Do you think that will be helpful so that the Committee can be better informed but also so that the public debate is informed more accurately and more fully about the nature of the people that have been involved in this crime spree?

**Acting Commissioner Tim Godwin:** Absolutely essential, and certainly for us we will be helping all those inquiries and, again, it is part of what we are reviewing. I think the issue for me is the fear of crime within—we talk a lot about gang strategies and all the rest of it, which are enforcement strategies, but those enforcement strategies, which we need to be robust, are often—we have them all in the criminal justice system. It is not having the impact. Why not? We have to do something about the fear of crime in the inner city, which means we have to empower citizens in the inner city to be able to stand up against criminals. I think that is where we are going to have to go and that means we need the analysis. Sorry, Chair.

**Q84 Chair:** No, it is okay. I think Ms Phillipson wants the figures. We accept that a lot of good work is being done. Ms Owens, where would we get these figures from?

**Assistant Commissioner Lynne Owens:** That is a piece of work that we are currently undertaking. I
think we do need to stress that they are changing almost every day. Every day we arrest somebody the figures change, so we have a whole analytical team currently working on that analytical product. But what is really important is that we give figures that are meaningful to this Committee so we do not have to keep updating them on a daily basis. Just to give you the gang figure as an example, when we last gave evidence to this Committee we thought that 28% of the people that had been arrested were members of gangs. That is now down at 19% because of the number of arrests that we have made since we last gave evidence. We will be in a position to fully inform this Committee, but because we are at the stage we are at of the inquiry it is just at the working stage at the moment. It goes broader than criminal history; it will include employment history; it will include age; it will include socioeconomic location; location of—

Q85 Chair: Is that for the whole country or just for the Met?
Assistant Commissioner Lynne Owens: No, we are just doing the Metropolitan Police Service.

Q86 Chair: Is the Ministry of Justice doing the rest of the country? They have their own figures, haven’t they?
Assistant Commissioner Lynne Owens: I believe that the Ministry of Justice have based their figures on the cases that they have seen going through courts, convictions.

Chair: Right. So we need to have some kind of co-ordination on this.

Q87 Bridget Phillipson: I think as well just for context to some of it, and by that I mean when we are talking about the people that are perhaps more adept at hiding their criminality. I do not know whether that is a factor.

Acting Commissioner Tim Godwin: Chair, if I may, actually we see it in the reverse. Most of the gang members we do in fact know. Most of the gang members we have active investigations against, so they were the ones that we scooped up first off, which is why the percentage was higher at the beginning. We are now working through and we are getting massive support through our various media sites where we are publishing the images, from members of the public who are contacting us. We have even had raids occur in one premise and a member of the public come up and say, “What are you doing?” “Oh, we’re getting some plasma screen televisions back from—” “Well, if you go to that address, that address and that address, they’re his mates and you’ll find some more there.” We are getting those sorts of things. London has had enough and that is why we are having a great deal of success.

Q88 Bridget Phillipson: I think that is why it is important that the debate we have is informed by the facts and by the statistics because otherwise all of us are simply rushing to judgement about things that we presume may or may not be the case.

Acting Commissioner Tim Godwin: Absolutely.

Q89 Michael Ellis: Going back briefly to the point about baton rounds, or rubber bullets as they are sometimes called, I understood from one media report that during the height of the disturbances they were quite close to being deployed at one point. Is that right?

Acting Commissioner Tim Godwin: We had moved, in fact, those were used in their carriers, not the baton rounds but the teams were used in their carriers to remove the barricades, but we chose not to deploy the baton rounds.

Q90 Michael Ellis: They were taken out of the holding area and handed to police officers trained to use them?

Acting Commissioner Tim Godwin: There were police officer trained units moved up to Tottenham.

Q91 Michael Ellis: But they were not discharged?

Acting Commissioner Tim Godwin: They were not deployed.

Assistant Commissioner Lynne Owens: They were not deployed and they were not authorised for deployment. There are three stages in the baton round deployment. The first is the release from their storage. The second is their authorisation at gold level, at strategic level, for support, and then down to silver commander level the authorisation to use them tactically. Our gold commander made a detailed entry in his decision log on the evening detailing his rationale for not deploying them, part of which was the community confidence implications that the Commissioner has already alluded to.

Q92 Michael Ellis: Who was your gold commander at that point?

Assistant Commissioner Lynne Owens: Simon Pountain.

Q93 Dr Huppert: There have been some very interesting things coming out and if I can just pick up on two of them very quickly. One, the statistical point that Bridget Phillipson raised. Whereas the Mayor was saying that most of the people involved were known to police and that we should be dealing with that group of people, you are saying that, in fact, that is just an artefact of the fact they are the first people you rounded up; is that correct?

Acting Commissioner Tim Godwin: That may well turn out to be the case, because we still have lots of images to go through and obviously the ones that you know are going to be arrested first. But currently it has been running fairly statically at that sort of 70%-plus figure.

Q94 Dr Huppert: The second quick question, I hope, you will be aware that there has been another death related to Taser usage. Can you just clarify whether
any of the officers involved with this had or used Tasers?

**Acting Commissioner Tim Godwin:** No, is the answer. TSG carriers do have Tasers on them, but they would not have been deployed in this situation.

**Q95 Dr Huppert:** The carriers had them but they would not have been taken out and used?

**Acting Commissioner Tim Godwin:** They would not have been put into this situation, no.

**Q96 Mr Clappison:** Can I just ask the Acting Commissioner a very broad question, drawing on his experience? What does he think works in tackling gang culture?

**Acting Commissioner Tim Godwin:** I think the issue for me is over the last 12 years in London you see gangs created and, sadly, if ends up with either very long prison sentences as they progress through their gang career or criminal career and some end up dead, but you get a new cohort coming through. I think the bit that we have yet to work out is how do you stop that cohort coming through and how do you empower communities to have the confidence in us, because there is a confidence issue in us in some of these communities that we have to work to overcome again. We have done an immense amount of work in moving that forward but we are not there yet. At the same time, breeding confidence in there and giving alternatives in terms of going through that criminal career, that is the key. One of the things that came out from the horrendous murder of Damilola Taylor is where we got an insight into the fear of crime among some inner city young communities, which is disproportionately higher than elsewhere, even though they are unlikely to admit it to you. But the disproportionate level of fear of crime in the inner city is something that we collectively—it is not just the police, we collectively—have to tackle.

**Chair:** We will come back to gangs slightly later.

**Q97 Steve McCabe:** Commissioner, I understand what you are saying about the benefits of hindsight and foresight, obviously, but I wondered with hindsight do you think you should have moved more quickly to increase the number of officers on duty and on the streets?

**Acting Commissioner Tim Godwin:** Obviously, with hindsight I wish I had had more on the streets on the Monday night to give my gold, silver and bronze commanders more assets to be able to respond to what were 22 boroughs of serious disorder. Of course I would, but to say that we were not expecting that is exactly true. We were not expecting that level and spread, that replication, that copycatting of sheer criminality. The key for us at that point, in those early hours of that morning into the Tuesday morning, was we must arrest these people. We must make sure there is a consequence for their actions. The emphasis was the investigation that we have done and the emphasis was getting all our partners, with the support of Government and others, to respond swiftly through the criminal justice system. I think the criminal justice system has shown what it can, in fact, do and I think that did have an impact in terms of what then followed in the other nights in London.

**Q98 Steve McCabe:** At this stage in your reflections, is there anything else you think you might have done differently?

**Acting Commissioner Tim Godwin:** I think we will reflect on the initial handling, as Mr Winnick said, in terms of the critical incident management that we did initially. That is not saying that I am critical of the borough commander there. The one thing about this is you have to make finite judgements and every now and again things occur from which you must learn and reflect. It is all too quick that we jump to blame people and that is wrong. We are responsible, I am accountable, but the most important thing that we do is look at what occurred, learn from it and make sure that next time—if there is a next time and hopefully it will be very rare—we will be able to deal with it in a different way.

**Q99 Bridget Phillipson:** ACPO told us that they received the first request for mutual aid from the Met on Monday, 8 August, but your letter to us talks about 100 public order officers being deployed on the Saturday. Do mutual aid requests always have to go through ACPO and what is the process by which you would decide it was appropriate to do so or to pursue other routes?

**Acting Commissioner Tim Godwin:** The initial route is we do it regionally whereby the forces that can respond the swiftest are the ones we contact direct in what is called a service mobilisation plan where certain numbers, so Surrey, Essex, Sussex and so on for us, would be our first port of call. On the Saturday night, we got four PSUs from the county forces to come and assist us. On the Sunday we went up to five, and then on the Monday, though, when we saw what had happened on the Sunday night, we went to PNICC for mutual aid, which was across the whole of the country, because the logistics of getting people down and so on is a challenge and that is where PNICC kicks in.

**Q100 Nicola Blackwood:** Do you think if there had been a more robust response to the initial disturbances in Tottenham it would have prevented the spreading and the copycat or do you think that it would have happened anyway? I know that is a difficult question but in your assessment do you think that you could have shut it down in the first instance or do you think that it would have happened anyway?

**Acting Commissioner Tim Godwin:** I think that is one that we need to reflect on when we can talk to those that were involved, but I get the sense that certainly the Sunday night the four other boroughs would have probably followed however we had responded. But in terms of the copycat sheer criminality that then occurred, the speed with which people took advantage of police officers being elsewhere was something we have not experienced before. That is a very difficult question for me to answer and I think I would like to go through the evidence first.
Q101 Nicola Blackwood: Do you think that the causes of the disorder in different parts of London, and indeed different parts of the country, had completely different sources and were in some ways spontaneous?

Acting Commissioner Tim Godwin: I think that while they were linked they were different experiences. The first one on the Saturday was an outburst of anger that then led to disorder. We then saw images of looting, which apparently was being untackled by the police. We were, in fact, arresting some of them. As a result of that, I think that encouraged a few more to look at the opportunity for smash and grab activity, which then went into the Monday that we saw across such a broad area.

Q102 Nicola Blackwood: Given the drop in the percentage of those arrested who are gang-related, what is your current assessment of the role that gangs played in perpetuating this disorder?

Acting Commissioner Tim Godwin: I think that the individuals who had a criminal enterprise in mind set an example that others felt was an opportunistic thing to follow. But again, it is very early to draw those conclusions. That is an instinctive feeling, but we need to get to the bottom of that. There are some people there that we were arresting with loot that are, “What on earth were you thinking in terms of doing that?” We need to get to the bottom of what actually happened on that Monday night, but the key again for us, I think, is crime has to have a consequence. That is why putting them in front of the courts and having the publicity around that is very important.

Assistant Commissioner Lynne Owens: I want to just flag a point in terms of the gangs. That relies on an internal flagging system, so I want to slightly caveat the data. It should be taken as sample data rather than definitive. There may be people that are part of gangs that until we arrest them we are not aware of their connectivity. I would not want the Committee to be sitting here saying that we are at a definitive figure. It is an indicative figure rather than definitive.

Q103 Nicola Blackwood: Yes. You mentioned earlier that now is not the time to be making an assessment of the figures and so on. When do you think that the analysis might be finalised so we could make an assessment of that?

Assistant Commissioner Lynne Owens: I think the challenge that we have is we still think we have about 20,000 hours worth of CCTV footage to view.

Q104 Chair: How many hours?

Assistant Commissioner Lynne Owens: 20,000, so the scale and extent of this is significant. We will on a weekly basis update the analytical product but in terms of when the endgame is going to be, we are waiting for a proposal come back to our management board in terms of how long the investigation is going to take.

Q105 Nicola Blackwood: At what kind of rate are you able to assess that?

Assistant Commissioner Lynne Owens: As the Commissioner has said, we have a team of 500 people working on this currently and consistently and we are getting really good support from the public and our boroughs to try and get to that end figure.

Acting Commissioner Tim Godwin: But equally we are looking at volunteers, we are looking at police associates, registers and all the rest of it because I reiterate—I sound a bit like a cracked record—the most important thing is that people are not seen to get away with it and there isn’t a consequence.

Q106 Alun Michael: You and the Mayor have both made very positive references to the progress the Met has made on what you called community confidence. There is often a challenge between general confidence and general community relations and what happens when there is a need for police action, which often involves bringing people into the area who are not normally policing that community. Could you say anything about how you assess the situation that you are now in and any implications for the aftermath of these events?

Assistant Commissioner Tim Godwin: I think there are a number of points there. One of the things that I think you will find from our looking at what actually happened in Tottenham early on was the decision by the borough commander, which I think was a very brave decision and probably a very wise one, too, that the policing ought to be local policing rather than bringing in those units from outside, because of the understanding and the sensitivity. We are very conscious of the impact that we can have in certain decisions along those lines.

We have done a lot in terms of explaining Stop and Search. We have monitoring Stop and Search advisers on every borough that actually go through why we are stop and searching, who we are stop and searching, which is an emotive issue in certain communities where you are pursuing things like Blunt 2, which is to try and stop weapons being on the street to drive down homicide and gun crime, which has been going down in London. It is about constantly making that debate, encouraging people to come forward to join us. The BPA, the Black Police Association of the Met have been running the Voyage programme on our behalf for a number of years now where they are taking people from inner city estates and training them in terms of leadership, how to become a leader in your community, how to stand up for your community, how to access us, how to hold us to account, and all those initiatives that we have been doing. We have run Kickz and Hitz and all sorts of initiatives to try to do that.

The most important thing, as I see it, for whomever the Commissioner is is to be very transparent. Hence we will bring our conclusions here and it is about transparent in terms of why we are using certain powers at certain times. We invite people to come and observe how we use our powers and it is about that connectivity. Do we always get it right? No. Do people make mistakes? Yes. Do we learn from that? Yes. Do we need to actually do more? Probably.

Q107 Mark Reckless: The Prime Minister told us that the police treated the situation too much as a public order issue rather than essentially one of crime.
Was that solely your mistake or did the ACPO guidance in keeping the peace also play a role?

**Acting Commissioner Tim Godwin:** I think that there has been a misunderstanding in terms of that particular perspective. Most public order is, in fact, crime as well. There are criminal offences often taking place within any public order situation. I think the piece from that when we were discussing with other chiefs some of the learning from us was that one of the bits in the Met is that we have a very brave but young in-service workforce as a result of the recruitment post-2000. A lot of our young officers have not experienced anything like this in their careers, and one of the things we needed to make sure was that it was not perceived as London was one big public order incident, that London had public order incidents that were going off where you needed to deploy your tactics, your cordons, your PSUs, but at the same time it was borough-based policing. We put that out very early on across the force to remind people we are borough-based policing with public order support. I think the part that was interpreted that we were saying that we had just done it as a public order event. That was not the case. I think there was a little bit of confusion on the basis of assisting other chiefs in terms of what they might be considering.

Q108 Dr Huppert: What proportion of the Met police officers are public order trained and what is your aspiration for what that number ought to be in the next few years?

**Acting Commissioner Tim Godwin:** 3,000 is the number that we have trained. Our aspiration is waiting for Assistant Commissioner Owens’ view. I would not be at all surprised if she doubled it, which is a hint. I think that for us in terms of force mobilisation and all the rest of it, we will need more level 2. Looking ahead at what might come in the future, I think we are going to need to increase it. But perhaps Lynne—

**Assistant Commissioner Lynne Owens:** At the moment we have just over 2,500, between 2,500 and 3,000. Just to give the Committee some quick figures that I did on about the third night in, just to see if we were looking to raise that to, say, 10,000, which would be a third of our police officer workforce, that would come at a cost of £8 million in actual cost. Of course, the decision that we do need to take is the abstraction that creates because there is a training requirement. That will be officers that were out of their communities, dealing with public order. Now, in the context of what we have seen, that may be the right decision to make, but it will be that decision that I will be putting back to the management board to say, “Where do we want to draw the level?” Of course, there is an HMIC review ongoing and I am working with my colleagues in ACPO, Sue Sim, who leads for public order because it is not just what does the Met need, it is what does the country need and how quickly could we mobilise those things. It is important that work we are doing internally feeds those two other bits of work as well.

Q109 Dr Huppert: Given your figure of 2,500, does that mean that a lot of the police who were deployed during the disorder were not trained and what were they able to do and what were they not able to do?

**Assistant Commissioner Lynne Owens:** The number of public order officers that were trained effectively quadrupled during the operation. On the first night, we had 380 of our own public order officers and they were joined by 100 of their county colleagues. On the Sunday we had 1,275 public order trained, of which 124 were mutual aid, and on the Monday we had 1,900 public order trained officers, of which 550 were mutual aid. As you can see, any suggestion that we were not responding to events or increasing numbers would be wholly wrong. In respect of what their level 3 colleagues could do, all officers are trained in officer safety. All officers have ASPs and CS spray. Indeed, I am not sure if any of you have seen the footage, but what you saw on Sutton Borough with the chief superintendent leading a charge down his own high street, that was wholly of level 3 officers. The reality is police officers join the service to protect the public, so any police officer that was in that position would put themselves in harm’s way, and we saw lots of evidence of that happening on the night.

**Acting Commissioner Tim Godwin:** On Thursday I will be commending the first 43 for extreme bravery in the circumstances that they faced.

Q110 Chair: Just a couple of points that have come out of your evidence, Mr Godwin. The first is on that first night in Tottenham it took eight hours to get the riots under control, I understand. At the same time there was looting in Wood Green but there were no police officers who were stopping this looting. Are you comparing what was happening in each borough in terms of the way in which you look back, the great gift of hindsight that you talked about? It does seem a little odd that there were police officers in one part unable to control the riots and there were no police officers in another.

**Acting Commissioner Tim Godwin:** Well, I think unable to control was actually we contained it. It could have been considerably worse, we do not know, but certainly they were containing it and certainly they were supporting the fire brigade in putting out fires and all the rest of it.

Q111 Chair: Do you accept in some parts there were just no police officers around?

**Acting Commissioner Tim Godwin:** But in terms of the point—well, as I say, we ran out of police officers. The thin blue line is quite thin on occasion. That is an issue that we do have to pick up. There is a challenge there, which is a legitimate challenge as to why do we need five times the number to cover 24 hour, which is one of the pieces that has come out from Her Majesty’s Inspectorate. Why do we have so many in court that do not get called and all the rest of it? That is a piece of work that will be ongoing. In terms of are we going to unpick everything, yes, we are.

Q112 Chair: In terms of the social media, you came before the Committee two weeks ago and you said you considered the possibility of shutting it down. Is this now something you have removed from your minds as a possible solution? The Home Office seems
to be saying very clearly that they do not think it is a good idea. We have just heard the Mayor say you were saying perhaps this is not a good idea. Is this now off the agenda?

**Acting Commissioner Tim Godwin:** I am sure it probably isn’t off the agenda for the Home Office and this House ultimately, I think.

**Q113 Chair:** What about for you as the Commissioner?

**Acting Commissioner Tim Godwin:** For me, on reflection in terms of what we can use the social media for in terms of our twittering to people that are engaged in that activity, the fact that it is a useful communication tool for us as well to get our messages out, we felt that there were net—as the Mayor said, it would have been net negative to turn it off, and equally we are looking as to how we can actually use that for intelligence. One of the biggest challenges that we have is the perception that we have intelligence about everything that everybody does at any given time in the day. Can I reassure this Committee, who I think would be quite worried about that if we did, that we haven’t?

**Q114 Chair:** We would want to look at our files.

**Acting Commissioner Tim Godwin:** Yes. But I think—right.

**Chair:** If they are available, of course.

**Acting Commissioner Tim Godwin:** I wouldn’t know anything about that. I think the thing with that, Chair, is that we do have to look at how we do use that intelligence. The criticism that comes is that it was on a social media site that some place was going to be ransacked and then is, and why weren’t the police there? The actual thing is because there are about 300 other places that might be as well. I think there is an issue about that and how we use intelligence and how we make that argument. There is a lot of learning that we need to do around social media sites.

**Q115 Chair:** You seem to have adopted—this is your final question—a “keep calm and carry on” attitude faced with these unparalleled disorders despite the fact that some politicians, or all politicians, were suddenly involved in telling you how to do your job or making suggestions as to how you should do your job. You have been pretty firm that that crucial decision about the surge, which was made on the Tuesday, which happened on the Tuesday, was made by you and your management board on the Monday night.

**Acting Commissioner Tim Godwin:** Yes.

**Q116 Chair:** That nobody else was responsible, that this is a decision that you made with your colleagues and you made it alone. Is that still the case: no politician was involved in telling you to mount a surge to get more police officers out on to the streets?

**Acting Commissioner Tim Godwin:** That is the case.

**Q117 Chair:** How do you deal with the issue of the Home Secretary’s statement that she called on you to be more robust, to have more police officers out there and to cancel all leave?

**Acting Commissioner Tim Godwin:** I think in that sense she was supporting the decision we had taken, Chair.

**Q118 Chair:** It was after the decision that you had already made?

**Acting Commissioner Tim Godwin:** Naturally, I briefed the Home Secretary and the Prime Minister and the Deputy Prime Minister on the Tuesday morning as to what our plans were.

**Q119 Chair:** Before COBRA?

**Acting Commissioner Tim Godwin:** And certainly found the Home Secretary and others to be very, very supportive in terms of bringing together the effort of all the different ministries to respond to the crisis.

**Q120 Chair:** But there was no question you were in charge with your management team?

**Acting Commissioner Tim Godwin:** I am in charge and I am accountable.

**Q121 Chair:** Mr Godwin, thank you very much for coming in. Best of luck with your application.

**Acting Commissioner Tim Godwin:** Thank you very much.

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**Examination of Witnesses**

**Witnesses:** Sir Hugh Orde, President, Association of Chief Police Officers, and Chief Constable Tim Hollis, Vice-President, Association of Chief Police Officers, gave evidence.

**Q122 Chair:** I am afraid we are running a bit behind. You have heard some of the questions because some will be repeated to you. Could I ask members of the Committee for brevity in putting questions because we have one further witness after we have finished with Sir Hugh and Mr Hollis and I wish to conclude as soon as practicable. Sir Hugh, when you were last before us you gave us some very helpful information. Thank you very much for coming back and thank you for your very full report that you have presented to the Committee. Thank you, Mr Hollis, for coming on this occasion. I know that you were intimately involved with the activities. I am going to put to you, and I would like brevity in answers to my questions and those of the Committee, the Prime Minister in his statement—the same question I put to the Mayor and Mr Godwin—seemed to be inferring that mistakes were made when he spoke to the House on the 11th when Parliament was recalled, that the tactics were wrong and more police officers ought to have been deployed earlier. Do you now accept that criticism? Should it all have been done much sooner?
Sir Hugh Orde: Thank you, Chairman, for the opportunity to address you again. I think the Commissioner has very well described it and I would concur with exactly what he said. The tactics were simply a function of the number of officers available on the ground to deliver. You cannot deliver effective, robust arrest tactics without substantial numbers of officers. You simply denude the line too quickly. As the primary duty of a police officer is to preserve life first, then although those who were attacking property quite rightly are now being relentlessly pursued but at the time, in the early stages, there were not sufficient numbers to do it. I do not think it is a mistake; I think it is simply a function of the numbers.

Q123 Chair: Can I just also ask you about the issue of costs? We have the figures for the Met at £74 million. Do you have via ACPO the figures for the rest of the country in terms of how much? I know what Leicestershire’s figures are because I spoke to Simon Cole and he said he had to dip into his contingency fund. Do we have a national figure on this?

Sir Hugh Orde: Not yet. We think it is in the region of £50 million plus. We are working on a consistent approach through our ACPO head of finance business area and we will have one. As soon as we do get a figure I will make it available to you. It should not be, I don’t think, too much longer.

Q124 Chair: It is about £50 million, the total amount?

Sir Hugh Orde: On current judgement about £50 million in terms of—

Q125 Chair: The total amount in terms of policing costs for the whole country was—

Sir Hugh Orde: That would be mutual aid, Chairman. Of course, much of the aid or the additional surge in particular, as Tim has described, in the Met, was from within their own force. The additional aid, of course, was provided through PNICC when we opened as requested on Monday morning.

Q126 Chair: Can I put to you what I also put to Mr Godwin, statements made during the event? You told Newsnight on 11 August, “The fact that politicians chose to come back from holidays is an irrelevance in terms of the tactics that we were then developing. The more robust policing tactics were not a function of political interference. They were a function of numbers being available to allow the chief constables to change their tactics”. Were you irritated by the presence of so many politicians? Ought they to have just stayed on holiday and ought Parliament not to have been recalled, to allow the police to have got on to do the job they were doing?

Sir Hugh Orde: No, I think there are two different things here. The point I was clarifying is one I think politicians would wish clarified. I do not think they would want to be held responsible for delivering tactics. In the British model of policing, the tactics, as Tim has I think very clearly described and any other chief would, would be their decision and, of course, their responsibility post event, which is why we are all here. You know me too well, I do not get irritated. It was simply trying to clarify the situation in the most articulate way I could think of.

Q127 Chair: Were you part of the decision on the surge, the crucial decision, on the Monday night or was it a Met decision?

Sir Hugh Orde: Well, PNICC was opened and Tim Hollis very kindly came down to run it on a daily basis. Just discussing with Tim earlier, all the bids were in place and being arranged during the Monday in response to a continuing request from forces for increased capacity. Our role, of course, is to co-ordinate that response through PNICC to negotiate with forces when the situation gets to a point where the regional response that the Commissioner described is inadequate.

Q128 Chair: But that is just the Commissioner, because ACPO’s role seems to be, and Mr Hollis’s role in particular, the co-ordinator of all these forces. Were you asked, either of you, on the Monday night, “Do you think we should have a surge?” or did you leave this to the Met?

Chief Constable Tim Hollis: We didn’t leave it to the Met. The first call, and it was from myself—and I was up in Sheffield enjoying my birthday weekend day off—on the Monday to PNICC, to the officer in charge, was at 8.40am. 8.40am on the Monday morning because, of course, I had observed and listened to what had happened the previous night. I am a former Metropolitan Police officer, I have a public order background, so I recognised that things were starting to increase in intensity, and a call to Sir Hugh seven minutes later, and he was in Devon on leave. So we were already—

Chair: We were all on leave.

Chief Constable Tim Hollis: Apparently, yes.

Chair: It was August. This is England.

Chief Constable Tim Hollis: The point I am making is that communication was already starting within the police service. The first call from the Metropolitan Police to PNICC was at 9.30am on the Monday. This was for additional mutual aid that afternoon and, as the Acting Commissioner has correctly pointed out, they had already used the conventional system, which is to contact the surrounding forces, if you have spontaneous disorder, for the initial call. Quite rightly, in my opinion, they recognised that things were escalating to a level where PNICC was required to start co-ordinating the national response. The other point I would make is that at 10.58am the same morning they were also asking us to put in place arrangements for a period commencing on the following day, the Tuesday, through to the 15th. So the Met were already thinking about the longer term continuation resilience issues, as well as dealing with the immediate issues on the Monday.

Q129 Chair: Do you get the point of—we are not experts, you are the experts—lay politicians who are not experts in these matters, who would have thought after what happened on the Saturday night in Tottenham—I too was on leave and I was watching this from abroad—that something might happen in
Birmingham or Leicester or Oxford or Manchester on the Sunday and that something else might happen on the Monday, the idea of a copycat event? Why did the police not foresee on the Sunday rather than on the Monday that there was going to be a problem elsewhere? Copycat riots have happened in the past, haven’t they? You did not have to wait to be asked. Is this something that good policing ought to take into consideration, or am I wrong?

**Sir Hugh Orde:** I am sure Tim will come in, Chair. Of course they did, and I know you are calling a number of chief constables who will tell you exactly what they did as these things built up, the point being PNICC only opens when it gets to a point where the forces can’t cope at a regional level. Say, for example, West Midlands, Greater Manchester, would be communicating with their colleagues in the regional area to send mutual aid to support each other as it built up. It got to a point, clearly on the Monday, where a number of forces said they could not cope and, of course, when it gets to that point we have to be in a position to arrange it at a national level. The other point I think worth making is the reason it worked was the tireless work of a very small number of people within PNICC but also there were large areas of the country that were peaceful. It was from those areas that we could draw the resource to put into the areas that were certainly not peaceful.

**Q130 Michael Ellis:** Chief Constable Hollis, I think this is for you, but I invite either of you to respond. I have been speaking to some frontline junior ranking police officers, who were part of the mutual aid deployment to the Metropolitan Police area and a couple of issues have been brought to my attention. One was that apparently there was at least one episode where officers from outside the Metropolitan Police area who had been deployed in their own vehicles could not go to a borough where they were needed because their radios would not work in that borough, whereas apparently they did work in another borough. So I am first asking about the effectiveness of communication. Secondly, I was told that petrol stations had, for rather obvious reasons, been asked to close during the height of the disturbances. I say obvious, presumably it was to prevent people from using them to make petrol bombs. This had the effect of causing police vehicles to run out of petrol, and I have been told of one episode where an ambulance broke down because it ran out of petrol. Do you have anything to say about those obvious difficulties?

**Chief Constable Tim Hollis:** On the interoperability, the police service now has Airwave. It was a problem in the past when we had our own different radio systems. As a result of the Airwave system, all forces now have Airwave. Obviously you asking me specific details of one location; I can’t account for that particularly. There may be issues about the setting that it is on, what it is authorised to pick up, but the radios themselves are intended to be interoperable between forces, between officers. Issues, therefore, for the local force are about what band they were on and what the facilities were.

**Q131 Michael Ellis:** Is this an issue that has arisen before?

**Chief Constable Tim Hollis:** Not to my knowledge, but it may well have done. One of the things we are picking up is through ACPO public order. Chief Constable Sue Sim, who chairs that, is in the debrief process learning the issues that have come up. There are a number of practical issues about vehicles and the co-ordination between forces that we are learning from and I am sure that will be one.

**Q132 Michael Ellis:** Sorry. The question about the petrol stations?

**Chair:** Very quickly, Petrol stations?

**Sir Hugh Orde:** I think that is again exactly the same. It is the sort of learning you pick up, these things are unusual events. Traditionally, most forces would have their own suppliers. Of course, with many of those under procurement it is now a lot cheaper to use a contract. Obviously that sort of stuff will come up and I am sure Sir Denis will pick it up too.

**Q133 Nicola Blackwood:** We heard from the Mayor and the Acting Commissioner that they had discussions about the suspension of social media during the course of the public disorder and their acceptance of the key role that social media played in the spreading of the disorder. You are quoted as saying that the use of chitter chatter via social media sites by criminals engaged in the unrest was a distinguishing feature in the disturbances. I wonder if ACPO and yourself in particular, Sir Hugh, were also engaged in those discussions about the suspension and what your particular view is about the suspension of social media in cases of public disorder.

**Sir Hugh Orde:** The Home Secretary has taken the lead, quite rightly, on this and has already had a meeting in which ACPO—not me personally—has been heavily involved. I think I am at one with the current Home Office view, which is it would probably have been disproportionate and also extremely difficult. I think the benefit of having it, rather than not having it, is probably the way to go in controlling it as best you can. Certainly much of the intelligence, and indeed much of the evidence, has been drawn from these machines, so I think it is one of those balancing acts. My sense is—I am agreeing with the Commissioner rather a lot today, aren’t I?—that the benefits outweigh the costs. One of the unique things I think I said at the first meeting that we came to here, albeit not a full and formal hearing, was that even the crowds didn’t know where they were going until they communicated it on these things. So if we can pick it up, and there is a huge volume of this stuff, and I think there is some really interesting technology we need to look at around that, I think we might be able to pre-empt where they are going in the future if we can get ahead of the curve. But it is a big piece of business.

**Q134 Nicola Blackwood:** In that case, the challenge surely is how to use the social media intelligence effectively. One of the problems that we experienced locally in Oxford West and Abingdon was that a lot of the locations and the targets that were being
reported and bandied around Twitter turned out to be false, and actually had the police responded to all of those locations it would have been an enormous waste of public money and police time. Are ACPO looking at the moment into ways in which we can improve the analysis of social media, the use of social media intelligence?

Sir Hugh Orde: That is very much part of the Home Secretary’s mission in the group that we are representing. I do think it is right that it is led by the Home Office because there may be some requirement for legislation, frankly, if one is going to take a harder edge. What you have described, of course, is the challenge of intelligence. What it does do is give you another opportunity to triangulate other stuff that you may well also be picking up. We are very aware of the misinformation. It has worked very well on EDL marches, for example, where forces have used Twitter to dispel rumours and to prevent things escalating, as well as for more traditional sort of communication. It is one of those ones that we are coming to terms with. In terms of how the crowd gets to a place, then of course we need to look at the tactics and Sir Denis is also looking at that.

Q135 Nicola Blackwood: Do you use your role to disseminate best practice use of social media, to use it in a positive sense for forces to communicate with the local community?

Sir Hugh Orde: All the EDL stuff has come out through discussions at ACPO level. One of the things that has come out is that if ACPO has a value—Members will have a view on that—I think it is getting the chiefs together. They come together every three months at ACPO cabinet, which is a smaller group of business area leads who share and agree policy; all that enables that communication. In fact, in this case one of the most useful and new events, which was the Home Secretary’s initiative, was a telephone conference between 43 chiefs, and even within that interesting, very fast time developments were being shared, and if we had not had that opportunity we would have had to think of something different. So, yes, we are adapting, we do use it to circulate best practice and, of course, all the business leads, all the policy and guidance is based on that shared learning.

Q136 Chair: Are you telling me that was the first time that the Home Secretary has had a conference call with all chiefs?

Sir Hugh Orde: Normally the Home Secretary turns up in person, Chairman, at our special events and has a direct conversation, but in this event that was not practical. To get 43 chief constables on the phone is a challenge, they were all pretty busy, and of course it is a far more limited event—only the key people spoke, but everyone had the facility to listen.

Chair: I get the point. Thank you, Sir Hugh.

Q137 Mark Reckless: You have told us that ACPO is committed to learning lessons from what happened and has launched a post-event review. When will this report and will it look critically at ACPO’s own role?

Chief Constable Tim Hollis: The one I undertook, because I contacted all 43 forces immediately after a hot debrief, two issues. One, the role of PNICC, any lessons to learn, and there were some lessons we learned on the hoof during that week. Secondly, the issue about information because we had a big demand for information from Government Departments and we tried to work with the Home Office to co-ordinate that more effectively so that we could actually ensure that. That has been completed and that is part of the hot debrief, very impressionistic. That has already been fed into our formal debrief process.

Q138 Mark Reckless: It seems to me from your letter of 22 August that ACPO has already given itself a clean brief. It says that during a conference call on 10 August Chief Constable Hughes assured the Home Secretary, "He had reviewed the ACPO Keeping the Peace manual of guidance and determined that it incorporated the whole range of tactical options. He emphasised that the challenge was how the police service implemented the tactics".

Sir Hugh Orde: I think that is a fair assessment in relation to the tactics. There are a lot of questions about the tactics, and indeed Members have been asking the Commissioner today and the Mayor about the tactics. The tactics that were found to be effective were the vehicle tactics, and I think this is what Chief Constable Hughes was referring to. Vehicle tactics are not new and they do exist in the manual. They have not been used routinely on the mainland, for want of a better description. They have been used routinely in Northern Ireland. The tactic exists. Now, are we looking at and working very closely with Sir Denis’s inquiry? Yes we are. If there is found to be a need for new tactics or rethinking how we operate, there will be, without question. I think Sir Denis is best placed for that because he can look at it with mature reflection and we can learn from what he finds.

Q139 Mark Reckless: But isn’t the problem with the manual that it states itself, and I quote from the manual that, "It relates to the policing of large scale national and regional events and the routine policing of local community events. This type of policing is centred on the management of crowds". Is it really sufficient for dealing with this wide scale looting? You have told us there were small groups of lots of people and it was a new challenge. Isn’t there an issue that this manual was too focused on managing the political protest and wasn’t very helpful for the police in this situation?

Sir Hugh Orde: It would be highly unlikely to use, for example, vehicle tactics against political protests unless they got extremely violent. So the tactics cover a range of things from peaceful crowd containment right through to the firing of baton rounds and use of water cannons. There is a whole spectrum. Should we look at it again? Yes, of course we should. Sir Denis’s terms of reference certainly cover that, and we will certainly engage with Sue Sims as our lead. Some new things happened in that pretty difficult week in policing. The ones that struck me as new were the lack of pre-intelligence of any sort, mainly because the groups themselves didn’t know where they were going, and the fact it happened in so many sites, 22 in London and, of course, across the country. That was
6 September 2011    Sir Hugh Orde and Chief Constable Tim Hollis

Sir Hugh Orde: I think they did and if you saw the evidence from footage, I don’t think chief superintendents leading baton charges down Sutton High Street is in the manual, frankly. Baton charges are in the manual but not that specific. I think the cops adapted very well with the resources they had to do the best they could and it reminds me, if one goes way back to the late 1970s, of the first Notting Hill Carnival. We were equipped with dustbin lids. I think it has developed. I am absolutely up for learning, but I don’t want to get too obsessed with what tactics are available. It is what is right for the circumstances.

Q140 Mark Reckless: Would it not have been better if the police just used their own discretion and applied common sense in this situation, rather than looking to this public order manual as if it was going to contain the answers to what you admit were unprecedented and unexpected events?

Sir Hugh Orde: No, I don’t think anything would have changed. The question around judgement calls, sitting back with having the luxury of not having any police force to command is an easy place to pass comment from, but when I spoke to Tim and we were looking at the timeline, I think I spoke to every chief, as did Tim, who was affected every day during that, at least once if not more, if a chief had said to me, “Look, I’ve doubled my capacity, I’m now at 6,000, I was at 3,000”, that is a huge surge. I suspect if one had said with hindsight, “I’ve actually quadrupled it to 24,000”, I expect I would be here explaining, or second guessing what was a difficult situation.

Q141 Mark Reckless: This Keeping the Peace manual, as you know, is a joint publication between ACPO, ACPOS and the NPIA, the National Police Improvement Agency. I was in contact just after the riots with Nick Gargan who runs NPIA and he said that clearly it needs to be updated. Would you support that, given that NPIA thinks that is the case?

Sir Hugh Orde: The lead for us, as you know, is the Chief of South Yorkshire, although he will shortly be replaced because he is retiring. I think we need to be careful about undue haste and suddenly saying we will throw all this up in the air. There are tried and tested tactics around peaceful protests and of course the British model is based, as the Commissioner pointed out, on minimum use of force and maximum use of persuasion, engagement and no surprises. If Sir Denis comes up with something and says, “Look, there are some clear gaps here”, of course we will respond to that. I think when Her Majesty’s Inspectorate, looking at their terms of reference, which are pretty broad, can sit back and take the evidence in reasonably short order and say, “We have identified some key gaps” then, yes, absolutely. These should be live documents, otherwise they are worthless, frankly.

Q142 Dr Huppert: This Keeping the Peace manual, as you know, is a joint publication between ACPO, ACPOS and the NPIA, the National Police Improvement Agency. I was in contact just after the riots with Nick Gargan who runs NPIA and he said that clearly it needs to be updated. Would you support that, given that NPIA thinks that is the case?

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Q143 Dr Huppert: May I make a brief observation? You talked about Airwave and the radio usage. There was an EDL protest in Cambridge and I spent the day in the gold command room seeing what was happening. One thing that I was told by people who were there from a range of agencies, NPIA, other forces, was that on many occasions radios do not work when people move to a different area, that there are problems with the whole thing collapsing at critical times. I was told the story about people being issued with emergency radios when it collapsed, mobile phones being used. I don’t necessarily need a complete disaster. May I also just ask briefly about how PNIIC works, since Chief Constable Hollis is here? How does the whole process work? Does it start when a force calls for help? Can the centre be activated in advance, seeing that something is happening and help might be needed? How quickly can you get going?

Chief Constable Tim Hollis: PNICC is a part of the ACPO responsibilities. It consists of three people, so it is permanently staffed by three. It has a day job; it is currently the security provision for the Olympics, so it has additional staff from the Olympics to look at the massive supply of mutual aid to the Metropolitan Police and the Olympic forces. A lot of work is being done on that. As I have already said, PNICC is already there and I contacted them on the morning of the Monday. The convention is that it has no executive role so if forces contact PNICC then obviously PNICC will make a judgement that can be operated and start to activate and co-ordinate the mutual aid. That is exactly what did happen on the day in question, on Monday the 8th. So it is a very modest organisation. The following day we upped it when on the Tuesday it became a 24-hour facility. We had additional people in there so it was running 24 hours a day to meet that extraordinary demand.

Q144 Chair: Why is it a modest operation? This is the sixth largest economy in the world; it is the centre for all kinds of activities. Surely we should have more resources that are available to do these kinds of things?

Sir Hugh Orde: Chairman, I am absolutely with you on that.

Chair: I thought you might be.

Sir Hugh Orde: Everything I have within ACPO has to be funded.

Chair: I am not talking about ACPO, I am talking about—

Sir Hugh Orde: Well, PNICC is funded through the forces and of course that may change next year and I am in conversation with the Home Secretary. What it
has proved is that in a 44-force model it is essential to have a co-ordinating function. The officers who are there can operate remotely, they all carry laptops, so it can be operated almost instantly from a remote location if need be. It is important to remember that the Scottish police forces also provided substantial help, so there was a link to Scotland, which we were deeply grateful for.

Q145 Mr Winnick: At the moment when the disturbances occurred, the overall responsibility for dealing with the situation was with the Metropolitan Police. Is that the situation, Sir Hugh?

Sir Hugh Orde: Within the Metropolitan Police area, every chief constable is responsible for their territory, so the Commissioner was responsible for events in London.

Q146 Mr Winnick: So as far as ACPO is concerned, its role would be what, in the circumstances that occurred—advising at all stages, or what?

Sir Hugh Orde: I have a number of roles. One is, of course, to support the Commissioner and other chiefs in getting the resource they ask me for and we met every request from every chief for mutual aid. As I said, without Scotland we would have been struggling, frankly. That was one role. My other role is, of course, to attend COBRA on behalf of chief constables. Of course, the Commissioner was also in COBRA and we did on a couple of occasions link chief constables from particular forces into COBRA so they could brief the Prime Minister personally, West Midlands and Greater Manchester being the two examples. My other role is in COBRA to advise Government, to give Government the state of play on behalf of chiefs who are responsible for delivering the actual tactics on the ground and keeping communities safe. I have no operational role at all.

Q147 Mr Winnick: To get it absolutely clear, the responsibility lies with the chief constables as the case may be and, as far as the Met is concerned, with the Commissioner or Acting Commissioner, not with ACPO?

Sir Hugh Orde: I think the Commissioner made that explicit, and he is absolutely right, it rests with the Commissioner.

Mr Winnick: And the chief constables obviously.

Sir Hugh Orde: And the chief constables.

Mr Winnick: Thank you.

Q148 Chair: You heard Mr Winnick’s previous questions on Mark Duggan. With your vast experience in Northern Ireland, it seems that this was the trigger that started off what happened in Tottenham that led to the disorders elsewhere. That is certainly what other chief constables have said to me, Chris Sims in Birmingham and others; it started with this incident. Could it have been handled better? I know there is an investigation, but the way in which we handle incidents of that kind that could lead in the end to a taxpayer’s bill of £125 million—everyone believes that that was the trigger. Could we have handled that better?

Sir Hugh Orde: Well, I think it would be wrong of me to comment on that, Chairman, for the reasons in the answer I gave before. You kindly talk about my experience in Northern Ireland. I think what we are talking about is a critical incident, and in fairness the Metropolitan Police has led on critical incident training and recognising these things and dealing with them. The Commissioner has already said he would rather have seen some things done differently, in particular around family liaison. I think that was also a point made publicly by the IPCC, but I know you are hearing evidence from them. My sense of it was that it was something taken very seriously. Whether one can attribute to that death—and any death is regrettable, tragic and very much a question that will be decided by us in due course when we call for a public inquiry apart from the inquiry that the Select Committee is carrying out—one of the questions we have to decide in due course when we write our report is would any of these disturbances have occurred without the shooting of Mr Duggan? That, of course, is a very important question, which does not in any way, as I said earlier on, justify in the slightest the looting and the disorder, and indeed worse that occurred in Birmingham. But would any of this have occurred without the shooting of Mr Duggan? I wonder if you recognise, Sir Hugh, that is very much a question that will be decided by us in making our report?

Sir Hugh Orde: It is an extremely good question. I am delighted you got the challenge because I am not
sure I know the answer. I am not sure anyone knows the answer, to be quite honest. It was an event and then if one looks at the consequences of that event, they were huge. There have been issues before. I remember in Brixton the shooting of Cherry Groce, I think, years and years ago led to riots but they were localised. There wasn’t this eruption across the country.

Q151 Michael Ellis: As regards costs, have you had any discussions at ACPO with central government about how the costs incurred by each force will be met in respect of these riots?

Sir Hugh Orde: Well, certainly the Prime Minister has made some observations in relation to riot damages. Chief constables are working with their police authorities in relation to the total costs or the additional cost. There are no promises to date that this will be met. There are rules around what you can claim in exceptional circumstances, but a case has to be made and it is a matter for individual chiefs to make them. What we will be in a position to do, Chairman, through the work of the Chief Constable of North Yorkshire, Grahame Maxwell, is to tell you what the costs are—the total costs.

Q152 Chair: The Prime Minister told the House on 11 August, in response to a question from me, that the Treasury will stand by the police in terms of these costs. Do you mean that we need to find out what the words “stand by” mean, or are you not—

Michael Ellis: We need to find out what the costs are first.

Sir Hugh Orde: I think in fairness to the Prime Minister, it would be helpful to know what the costs are. Tim?

Chief Constable Tim Hollis: Two things. On the Monday lunchtime an e-mail I sent to a colleague at the Home Office who had been asking what might happen actually said, “There are going to be significant costs here; as a chief constable, answerable to my police authority—and I have a meeting with my chair this week—they are very interested as to what interpretation is put on what should be borne by forces in the normal cost of events and contingency funds and what will be coming from central Government.”

Q153 Michael Ellis: So have these extra costs come through?

Chief Constable Tim Hollis: Not yet. The operation is still running. I have assigned officers in London today as we speak, still on Operation Kirkin, still running until after—

Q154 Michael Ellis: So we cannot expect central Government to have worked out something before you yourselves have worked out what the costs actually are?

Chief Constable Tim Hollis: Correct, but it is in hand.

Q155 Chair: Just dealing with the issue of the handover of tapes from the BBC and ITV and Sky, is there still a dispute about the handover of information, or are they prepared to give footage of those involved to enable the police to prosecute? Do you know the answer?

Sir Hugh Orde: I am afraid I don’t know the answer. I will have to get back to you, Chairman.

Q156 Chair: Do you have a view on this? Is there an ACPO view on this?

Sir Hugh Orde: There is legislation around this. In my previous experience in Northern Ireland we would normally have to go to court to secure an order to secure those tapes, and that is how it worked and then they were handed over. I don’t know if it is still an issue. I will find out for you.

Chair: Mr Hollis, Sir Hugh, thank you very much for coming to give evidence. Best of luck with your application, Sir Hugh.

Sir Hugh Orde: Thank you, Sir.

Examination of Witnesses

Witnesses: Len Jackson, Interim Chair, Independent Police Complaints Commission, and Deborah Glass, Deputy Chair, Independent Police Complaints Commission, gave evidence.

Q157 Chair: Mr Jackson, Ms Glass, thank you very much for coming. Our apologies for keeping you waiting. I’m afraid it is the nature of these inquiries that Members have questions to put, but I am most grateful to you for coming. You have written to us and given us a very full explanation of the involvement of the IPCC in these matters. I would like to ask initially about the contact between the police and the family of Mark Duggan, which clearly was the issue that we wish to discuss with you today. Is when the Duggan family was informed going to be part of your terms of reference? Our understanding is that the Duggan family only found out about these matters when they watched it on national television. Is that going to be part of your inquiry or is it not?

Deborah Glass: If I may answer that question, Mr Chairman. The focus of the investigation is going to be very much on the wider circumstances of Mark Duggan’s death—essentially whether the use of force was lawful and proportionate, but clearly we are aware of the wider concerns being expressed by both the family and the community and we are anxious to address those. Whether it forms part of the wider investigation or whether it will be addressed separately is something that we are still looking into. We certainly intend to look into those questions.

Q158 Chair: Why is it taking so long? Clearly, we have had an incident in Tottenham, we know what has happened in terms of the public disorders that followed this, the Prime Minister has made statements, the Home Secretary has made a statement, Parliament has been recalled, we are holding this inquiry, you are holding an inquiry, others are holding...
inquiries. When are you going to decide what your terms of reference are? It seems very odd that you do not know what your full terms of reference are.

Deborah Glass: That is not quite the case. The core investigation here is the investigation into Mark Duggan’s death. That investigation began on the night of 4 August and is continuing. What we have said, and the coroner has been advised, is that will take between four and six months.

Q159 Chair: We understand that. I understand what you are investigating, this Committee understands it, we have looked to the IPCC before, but why are you taking so long to add to the terms of reference the issue of communication between the police and the family of Mr Duggan, which seems to be the cause of so many problems in Tottenham? Why is this process taking so long? Isn’t it a no-brainer?

Deborah Glass: Not exactly, Mr Chairman. The reason is that it is being discussed very closely with community representatives as part of the community reference group that has been set up with this case.

Chair: Which representatives?

Deborah Glass: There is a community reference group that has been set up with this case. The Commissioner responsible for the case is liaising very closely with that group to talk to them about the kinds of issues they would wish to see reflected in the investigation.

Q160 Chair: How many people are on this group?

Deborah Glass: At the moment there are four people on this group.

Q161 Chair: How do they get appointed to this group?

Deborah Glass: It is a process that is essentially led by the Commissioner responsible for the case, there is no sort of formal structure here. The group started rather larger than this, the day following the riots. There were a large number of people who wanted to be part of it. What the Commissioner has done is try to ensure that it is a manageable size.

Q162 Chair: Well, four is certainly manageable. Are there members of the family on this group?

Deborah Glass: The family are updated separately. There are separate responsibilities in relation to keeping the family updated and the family are being updated on a weekly basis.

Q163 Chair: It sounds most unsatisfactory. The whole nation is looking at this issue in one way or another, and surely it should be up to the IPCC to say this is a relevant factor—the communication between the police and the family, which apparently caused the people to go outside the police station and cause the disorders in the first place. Surely it is something that the IPCC can add to the terms of reference rather than an unelected group which seems to have been created on an ad hoc basis.

Deborah Glass: It is a relevant factor and it is being looked into.

Q164 Chair: But that is not the answer. When would we have an answer on what are the terms of reference?

Deborah Glass: One of the reasons why this may be looked into separately is it will allow us to publish the outcome and the answers to these questions in advance of the investigation into Mark Duggan’s death, which inevitably would wait until the judicial and coronial processes are completed.

Chair: Of course, I understand that.

Deborah Glass: So what I am eager to do is to ensure that there is no delay, so that as soon as the answers are available to these questions we will make them available.

Q165 Chair: There clearly is a delay because this event occurred weeks ago, and on Thursday this Committee is taking evidence from the local Member of Parliament and the Home Secretary about these matters. Surely a decision can be made now as to what is in the terms of reference, even if it is a separate inquiry, and what isn’t. We understand perfectly your point about judicial issues and the fact that there could be prosecutions and why it should be separate. Isn’t the issue of communication central to part of these issues?

Deborah Glass: The issue of communication is central and it is being looked into; whether as part of a separate inquiry or as part of this one is a matter—

Q166 Chair: It is being looked into by whom?

Deborah Glass: The IPCC investigations team.

Q167 Chair: So there is an investigation into the issue of the communication between the police and Mr Duggan’s family?

Deborah Glass: These are the concerns that are being expressed and as I have indicated—

Q168 Chair: No, not the concerns, Ms Glass; I don’t think you understand my question. Is it being investigated or not? Yes or no.

Len Jackson: Yes, it is.

Chair: Thank you.

Q169 Steve McCabe: I was just wondering if there was more of an answer to come. Am I right in thinking that you said that you expect to conclude your investigation in four to six months? That is right. I presume part of the investigation will involve interviewing the officers who were involved. Has that already happened?

Deborah Glass: I hope the Committee will understand why it is not possible for us to provide an up-to-date account of what the investigation has achieved thus far.

Q170 Steve McCabe: I am not asking that. I am just asking if you have interviewed the officers who were involved, not what the outcome of that interview was. I am asking: have you interviewed the officers who were involved?

Deborah Glass: We have accounts from the officers.

Q171 Steve McCabe: You are a lawyer, aren’t you? I don’t want to get into technical legalese here, but
when I say have you interviewed the officers and you say you have accounts, should I conclude you have not yet interviewed the officers?

**Deborah Glass:** I think that it is a conclusion—

**Steve McCabe:** I can draw that conclusion.

**Deborah Glass:** You can draw whatever conclusion you wish, Mr McCabe.

**Chair:** Ms Glass, this is not a contest; this is a Select Committee inquiry of Parliament. You are not here to have discussions; you are here to answer questions. I think it is much better, if a question is put from Mr McCabe, “Have you interviewed?” the answer is either yes or no. It will proceed better, I think, if we have straight answers to the questions. Mr McCabe?

Q172 Steve McCabe: A witness to this Committee previously said that if the roles were reversed and it was a police officer, tragically, who had been shot then you would expect that the people involved would be interviewed immediately, not months later. What is the justification for the IPCC taking so long to interview the officers directly involved in the incident? Is there some rational reason for that? Normally one would expect the interview to take place immediately following the event so that you get the most comprehensive information possible.

**Deborah Glass:** There are two broad issues here. The first is that police officers are lawfully authorised to carry weapons and therefore they are authorised to use them when it is absolutely necessary to do so, so there is a contrast between a police officer carrying a weapon and a member of the public carrying a weapon. What we will look at in any investigation is whether the use of lethal force was absolutely necessary. With any investigation, we will consider whether the officers are witnesses or suspects. They can only be treated as suspects if there is evidence to allow us to treat them as suspects, otherwise they are witnesses. What we cannot do—

Q173 Steve McCabe: Let me ask one last thing then and I will leave it here. Why do you get a better understanding about the use of lethal force if you wait several months before you interview the participants?

**Deborah Glass:** I’m not suggesting that at all, Mr McCabe.

**Chair:** Ms Glass, this is not a contest; this is a Select Committee inquiry of Parliament. You are not here to have discussions; you are here to answer questions. I think it is much better, if a question is put from Mr McCabe, “Have you interviewed?” the answer is either yes or no. It will proceed better, I think, if we have straight answers to the questions. Mr McCabe?

Q174 Steve McCabe: Well, why the delay? I don’t think I have understood your answer.

**Len Jackson:** Can I answer in broader terms?

**Steve McCabe:** An answer would be good in any terms but at the moment I haven’t had one.

**Len Jackson:** Quite often in investigations in general of this kind there is quite a bit of forensic evidence that can take some time to get together. It is quite often sensible under those circumstances to ensure you have all of that evidence and its results available to you before you interview someone, whether they are a witness or a suspect. That is a judgement call for investigators to make, and investigators make that judgement and it is different in each case.

Q175 Steve McCabe: Mr Jackson, that is interesting, but of course that is not the procedure that is normally followed by the police. They don’t suspend the prospect of interviewing until they have collated all the forensic evidence. They interview and they collect the evidence as they are going along. Is there something unique about the way you arrive at your conclusions that means you operate differently to the way the police conduct their investigations?

**Len Jackson:** No, Mr McCabe, it is not that there is something unique; it is simply, as Deborah has described, that there are differences between a police officer carrying and indeed using a weapon and a member of the public carrying and using a weapon. Therefore, it is important for the IPCC in its investigations—because they are different, investigating police officers from investigating members of the public. There are times, therefore, when an investigation may take a different course.

Q176 Steve McCabe: Do you think the public watching this exchange will be full of confidence about your inquiry?

**Len Jackson:** One of the difficulties we always have with inquiries like this is that the family, and indeed the public, want answers quicker than we are able to provide those answers. That is true of families, it is true too of police officers, and indeed if you look at the social network at the moment you will see that there are people who are accusing the IPCC of being too close to the family and the community and people who say that we are too close to the police. The truth of the matter, of course, is that we sit in the middle in a very, as you put it, unique position of independence. It is our job to find the truth and therefore the investigation is designed to do just that. If it takes time to do that, it is much better to do it slowly and get it right than do it quickly and not.

**Chair:** Mr Jackson, thank you. That is actually also the role of Parliament. The reason we sit here is that we are independent and we seek the truth.

Q177 Nicola Blackwood: I am sure that everyone on the Committee understands the need to properly consider all of the evidence and take the time to make the correct judgement. However, what I am not sure I quite understand is why you wouldn’t want to get accounts from all those involved in the incidents, witnesses, relatives, and suspects, as quickly as possible because then surely recollections would be at their freshest and you would get the most accurate information. So that is why I think it is confusing that the implication we have received from your answers so far is that interviews would be delayed by several months, because then surely you would lose valuable information and your investigation would then be hampered and undermined were it to come to a prosecution.

**Deborah Glass:** I am sorry if I gave that impression, because that isn’t the case and you are absolutely right that it is important to get accounts as quickly as possible. What we seek to do is to get witness accounts as quickly as possible. The question I was trying to answer, and I am sorry if it didn’t come across very clearly in relation to the question of witnesses and suspects, is that if somebody is a witness—and we are in the same position as the police in this regard—we have no power to compel witness
As regards the current investigation, and generally the police are co-operative in that process, so we are not lacking accounts in this case—we will seek to get that evidence as quickly as possible.

Q178 Bridget Phillipson: Can you just explain for the sake of clarity what you mean by an account? What is the process of, presumably, your staff taking accounts from those involved?

Deborah Glass: A statement about what happened would be an account.

Q179 Bridget Phillipson: In the same way that a police officer would take a statement from the victim of a crime?

Deborah Glass: For example.

Q180 Dr Huppert: Some of the early stories about what happened contained the news or the suggestion that there was an exchange of gunfire between Mr Duggan and the police. I believe the IPCC has now accepted that it was the source of that story. How did that happen?

Deborah Glass: Well, it was certainly one source. One of our staff made a mistake in the very early hours following the incident, and when we realised we had made that mistake the following week we admitted it and we apologised. The context for that is very important. The information that was known, and there was very little, was that there had been an armed operation; that a member of the public had been fatally shot; and that a police officer had been wounded and taken to hospital. There was an inference that was drawn from that and I don’t believe we were the only ones who drew that inference, but it was wrong.

Q181 Dr Huppert: Were you the first people to say that publicly?

Deborah Glass: That I don’t know. It didn’t appear in any of our official lines because it had not been verified but we did become aware the following week that one of our staff had referred to an exchange of fire. I don’t believe that he was the only person to have done so. I believe there are witness reports also that refer to this.

Q182 Dr Huppert: Do you think that the family of Mark Duggan and the community in that area have confidence in your investigation? How would you assess their level of trust in this process?

Deborah Glass: It is obviously very difficult. We work in a controversial and adversarial environment. We are closely engaged with the family of Mark Duggan; there are meetings with them every week; we are closely working with the community; we have a reference group set up, also meeting regularly; and we are keeping them informed. I think we have to accept that it is a very difficult, adversarial process and we are doing what we can to ensure that people have confidence in the outcome.

Q183 Dr Huppert: You have not quite answered the question. You said you are keeping them informed, you said that you try to have conversations. How would you assess their level of confidence though? If you are keeping them informed you must get some feedback from them.

Deborah Glass: I think that as long as they are engaging with us they clearly feel that we have something to contribute to this and that is what we intend to go on doing.

Q184 Mr Winnick: Are any of the investigators looking into the unfortunate death of Mr Duggan formerly members of the Metropolitan Police?

Len Jackson: Yes, there are some 13 investigators currently involved in this investigation.

Mr Winnick: 13?

Len Jackson: Yes, and in answer to your question, two of them are ex-Metropolitan Police officers.

Q185 Mr Winnick: The person, Ms Glass, that made the mistake of saying—I am referring to the answer you gave to Dr Huppert—that there was an exchange of fire, was that person involved with the police previously?

Deborah Glass: No, that was the on-call press officer.

Q186 Mr Winnick: As regards the current investigation that is taking place, is it advisable that someone who was involved with the police—nothing dishonourable, far from it—should be one of the investigators?

Len Jackson: We believe, and we make no apologies for this, that it is important to have the right skill sets to do what are quite often complex investigations and ex-senior police officers are quite often people with those skill sets. Currently, just over a quarter of our investigators are ex-police officers, which of course means that three-quarters are not and are trained to become investigators. It would be impossible to provide the quality and the level of investigation that we do provide without having some ex-police officers on the books.

Q187 Mr Winnick: Do you know at this moment in time—you may not have expected this question—what rank the two held in the Metropolitan Police?

Len Jackson: Not without checking, but they would be of a fairly senior rank, up to at least inspector or chief inspector. I would need to check that and I am perfectly willing to come back to you if you would like me to.

Mr Winnick: If you would, thank you.

Q188 Alun Michael: Can we come back to the issue of communications with the family and with the community? There have in the past been complaints by witnesses to this Committee of a lack of information provided by the IPCC to bereaved families, both at the start and in the course of the investigations. Can you tell us how you are managing
the contact with the family and the community in this case?  
Deborah Glass: Our family liaison managers first made contact with the family on the Friday and spent several hours with about 14 members of the family and friends on the Saturday, round about lunchtime at the mortuary, provided them with contact details, the name of the Commissioner and gave them the opportunity to put any questions that they had, explained that this was going to be the subject of an independent investigation. There was a considerable amount of contact in the first 24, 48 hours, clearly a very difficult time for the family. The information we had was that the parents were not up to seeing the IPCC. That was confirmed directly to the Commissioner on the Sunday. She then had a meeting with family members on the Sunday afternoon and contact has continued since then on essentially a weekly basis. Clearly these are challenging areas for the IPCC, and indeed for communities, and I would just emphasise that point—that of course they have questions and they want answers, and the frustrating thing is that we don’t have the answers yet available, that answers will take time.

Q189 Steve McCabe: How many live investigations is your organisation currently dealing with?  
Len Jackson: In a given year we would cover about 170 independent investigations and then a number of managed and supervised ones too. So, we may have getting on towards 100 that would be live at any one time. Those are independent investigations, and that is apart from all the other work that we do around appeals and so on.

Q190 Steve McCabe: So about 100 at the moment. Where does this investigation rank in terms of the amount of resources and time that are being devoted to it?  
Len Jackson: In any initial investigation there is always an intensive amount of work and we would devote a significant number of investigators to it. When you think that we have approximately 130 to 140 investigators across the country, putting as many as I have suggested on this particular investigation at this time is significant but it is a significant investigation. We have to manage our resources as best we can in that context and, of course, as we develop the lines of inquiry we can judge how many we will need to continue.

Q191 Michael Ellis: You have spoken about the number of investigations conducted annually. From recent IPCC casework, what is your assessment of the state of police and community relations in England and Wales at the moment? Would you have such an assessment?  
Len Jackson: I don’t think we are genuinely qualified to answer that question, Mr Ellis. The issue for us, of course, is whenever we become involved in a situation like this it is a tense time and relations will not be at their best. As far as community relations are concerned, with 43 police forces across the country, I think probably it is a question better put to ACPO and to the individual forces. It would be wrong for us to try to hazard a guess.

Q192 Chair: Let us be very clear, you are the Chairman of the IPCC and you are making it very clear that there will be an investigation into the communication issues between the police and the family?  
Len Jackson: Yes.

Q193 Chair: You are about to finish your term of office, I understand. As this is your valedictory appearance before the Committee, is there any issue that you want to raise with this Committee concerning the operation of your organisation?  
Len Jackson: Thank you, Chairman. That is very kind to give me the opportunity. There are two things I would say. First of all, with regard to this particular issue, relationships with families and with the community are always difficult, particularly in the early stages of an investigation such as this. As I said earlier on, if you look at social networking and everything else in the media that is going on at the moment, you will see that we understandably have critics on both sides of the fence, people who believe that we are too close to families and too close to communities in the work that we do and people who believe that we are too close to policing. If we don’t sit in the middle as a completely independent organisation in the search for the truth then we are not doing our job. That is what we seek to do and that means that quite often relationships, both with the police and indeed with communities and families, will be tense and difficult. It comes with the territory, as it were.

With regard to my own departure, the Home Secretary and Ministers are still considering my replacement and I have indicated—

Q194 Chair: How long have they been waiting to appoint your successor?  
Len Jackson: It has taken a little while, it is fair to say. There were interviews earlier on in the summer and I gather that the Home Secretary and the Prime Minister are in discussions at the moment about who the final candidate might be. They have asked me to stay on for a little longer in order to facilitate a smooth—

Q195 Chair: How long is a little longer?  
Len Jackson: At least until the end of October. We will have to see after that. I have indicated that I am prepared to do so.

Chair: Mr Jackson, thank you very much for coming in to see us today. Ms Glass, thank you for coming in to see us. We may write to you again with other information that the Committee requires.

Len Jackson: Thank you, Chairman.
Thursday 8 September 2011

Members present:
Keith Vaz (Chair)
Nicola Blackwood
James Clappison
Michael Ellis
Lorraine Fullbrook
Steve McCabe
Alun Michael
Mr David Winnick

Examination of Witness

Witness: Rt Hon Theresa May MP, Home Secretary, gave evidence.

Q196 Chair: I call the Committee to order and welcome the Home Secretary to the second session of the Committee, which is concerned with the disorders that occurred in August this year. Home Secretary, thank you very much for coming to give evidence to us. Could I first start with the declaration of interests of members of this Committee? Mr Michael?

Alun Michael: My son is Chief Executive of the North West Police Authority.

Chair: Thank you.

Q197 Chair: Home Secretary, these are very busy times for you, as usual. Can I start, before we go into the riots, with a question on the dramatic decision by the Government to postpone the elections of police and crime commissioners? They were to take place in May next year, but were moved to November next year, which is, of course, in direct contrast to the evidence given to us by yourself, Ministers and others who were emphatic that there ought to be elections in May. We sought to have them as quickly as possible; they were an essential part of your new Landscape for Policing. Why have you suddenly decided to make such a dramatic U-turn?

Theresa May: Thank you, Chairman, for the opportunity to come before the Committee, particularly in relation to the report that you are doing on the public disorder issues. In regard to the elections for the police and crime commissioners, I think you yourself, Chairman, had indicated that you thought in the past that perhaps May 2012 is not the appropriate date and they should be postponed.

The reason why we took the decision—when I appeared before this Committee previously it was our firm intention to retain the May 2012 decision. Having looked at the timetable which was appearing following the vote that took place in the Lords, and having thought that through further and had the conversations with the Electoral Commission about the amount of time necessary, and given that this is to prepare for the first time we will have had police and crime commissioner elections, we decided it was appropriate to delay it for that period into the autumn of 2012, and specifically into November. That will give full and proper time to enable us to ensure that not just the practicalities of the election are in place, as with the requirements of the Electoral Commission, but also that we are able to make sure that campaigns can be run about the new body. The new individuals will be elected so that people are fully aware of who these individuals are, what their responsibilities will be and the importance of these elections.

Q198 Chair: But this was put to witnesses, including Ministers, and we said that the best course of action was to postpone until after the Olympics. The Ministers were very clear and emphatic: they had to go on in May. We heard yesterday from the Prime Minister that it is going to cost an extra £25 million. That is about 2,000 police officers. Is this not a decision that has been taken because Mr Clegg and the Liberal Democrats have decided to put party issues above the high principles that you and the Prime Minister feel are important in terms of democratic accountability?

Theresa May: Chairman, when I was questioned previously about whether the election should be postponed beyond the Olympics, I saw no reason in relation to the Olympics why the election should be postponed. Remember that our original timetable for getting the Bill through Parliament was that we would have finished the Bill by now; it would be on the Statute Book. We had hoped to do that in July 2011 so that would have given a longer period of time prior to the May 2012 elections.

Now, because of decisions that were taken in the Lords and the length of time it took for the proper consideration in the Lords, that timetable has been delayed and, having looked at it again, we did feel that it was right to ensure that we had a good length of time in preparation for the elections, retaining 2012. That is important because it means that the police and crime commissioners will be able then to set the 2013 budget that is important for them, but it does give that extra bit of time to ensure that we have every aspect covered.

Q199 Chair: So Mr Clegg, the Deputy Prime Minister, has had absolutely nothing to do with this and you are quite happy, even though you are facing cuts of 20% in your budget, to spend an extra £25 million on this?

Theresa May: I can assure you, Chairman, the money is not coming out of policing settlement and we are in discussion with the Treasury as to the best way of ensuring that that funding is available. As you may recall, the £50 million that it was going to cost to hold the elections in May has been provided by the Treasury and has not come out of the policing settlement or the Home Office settlement.
Q200 Chair: So where will it come from? How has it suddenly appeared?
Theresa May: We are in discussions with the Treasury as to the best way of funding that.
Chair: So at the moment you do not know where it is coming from?
Theresa May: As I say, we are in discussions with the Treasury. As you might know, Chairman, discussions with the Treasury can often be lengthy matters.
Chair: Indeed.
Steve McCabe: November 2012?
Chair: I might move on now to the disorders and the evidence given to us—[Interruption.] Sorry, Mr Winnick has a question.
Q201 Mr Winnick: As far as the police commissioners are concerned, some of us would wish it could be postponed indefinitely, Home Secretary, but can I ask you about the Metropolitan Police post—the Commissioner of the Metropolitan Police? I think you were reported in the newspapers, directly or indirectly as the case may be, as saying that under no circumstances should someone who is not a UK citizen be appointed to that position because there has been a particular American individual named. Is that your position?
Theresa May: My position is very clear. I set it out a few weeks ago and it is the following. I certainly do not want a delay, given that we are coming up to Olympic year and given the uncertainties for the Met that have occurred as a result of the resignation of Sir Paul Stephenson—and, of course, they had the resignation of Assistant Commissioner John Yates as well.
I do not want to postpone the appointment of the Metropolitan Police Commissioner; I think it is important that we get somebody in the post in good time. The Met has particular responsibilities over and above just the policing of London. Crucially among those of course, it currently has responsibilities for counter-terrorism. In that aspect of national security it is appropriate that, and it is one of the reasons why, the Metropolitan Police Commissioner has always been a British citizen, and a reason why I think it is important that the Metropolitan Police Commissioner remains a British citizen. I also have the view that there are a number of good candidates in the UK who are well able to take on the role of leading the Met.
Q202 Mr Winnick: As far as counter-terrorism is concerned, of course we are the closest ally, are we not, with the United States? So I am just wondering whether an American citizen could, in any way, be considered, bearing in mind this particular person’s background? He has a lot of experience of the police. I am not suggesting that he should have been appointed or shortlisted; I am just wondering whether there could be any possible doubt about his commitment to counter-terrorism.
Theresa May: It is not an issue about any particular individual’s commitment to counter-terrorism. It is about the fact that in dealing with counter-terrorism and national security matters related to the UK, there are certain aspects of that which are open only to a British citizen.
Q203 Chair: Anyway, you have a shortlist but we had evidence from the Mayor of London, who was very clear that when the decision was to be taken, it was going to be a joint decision between you and him. Is that your understanding—that it is a decision of equality rather than you having the final say? What is your understanding?
Theresa May: The formal position, Chairman, in relation to this, as you know, is that the Home Secretary makes a recommendation to Her Majesty the Queen and the appointment is for Her Majesty the Queen to make. I will be interviewing candidates with the Mayor of London and will obviously be discussing those candidates with the Mayor. I have also received views from the Metropolitan Police Authority on the candidates who we will be interviewing. They have obviously been through a proper interview panel process. The Metropolitan Police Authority have given me their views and the Mayor and I will be interviewing together. Obviously, we will be discussing the matter after we have held those interviews.
Q204 Chair: The Mayor left us with the clear impression that if a certain candidate was not acceptable to him—and there are only four candidates, as I understand it. The announcement is going to be made by you on Monday, so time is obviously—that is what he told the Committee. Was that wrong?
Theresa May: We will be interviewing candidates on Monday. Whether it is possible to make an announcement on Monday will depend on practicalities because as I say, we cannot make an announcement until the decision has formally been taken by Her Majesty the Queen. The timing of the announcement is not entirely within the Home Office’s decision and we will obviously be following proper processes to ensure that an announcement can come out as soon as possible. I am not saying it will not be Monday; I am just cautioning the Committee.
Q205 Chair: I can only tell you what the evidence given to a Committee of this House was. The Mayor was very clear to this Committee that the announcement was to be made on Monday. So you are just telling us that that is not necessarily going to be the case. It does not sound as if these discussions are going particularly well if the Mayor thinks he is going to make the announcement on Monday and you quite rightly have said that there are practicalities which mean that it might not be. So, do you tell this Committee now that it might be on Monday?
Theresa May: It might be on Monday.
Chair: It “might” be rather than it “will” be.
Theresa May: Yes. All I am doing is saying that I would not want to say categorically in case there is any hold-up in the process that we rightly go through.
Chair: I think it may be in everyone’s interest that somebody contacts the Mayor and tells him this because he was quite clear to this Committee when he gave evidence on Tuesday—unless he is watching these proceedings, of course.
Theresa May: Well, I can assure you, Chairman, that we are in contact with the Mayor’s office and I am
intending to speak to the Mayor later this morning about the arrangements that are put in place.

Chair: Excellent. But at the end of the day, it is you who will make this decision. It is your recommendation. You can discuss all you can with the Mayor but, as with previous Home Secretaries, you will make that final recommendation to Her Majesty the Queen.

Theresa May: The formal position is that it is the recommendation of the Home Secretary to Her Majesty the Queen. Of course, if you look at the structures we have, I cannot envisage a situation in which one would want a candidate going forward who a Mayor was saying they could not work with, for example, because that would not work in practical terms. That is why it is very important for those discussions with the Mayor to be part—

Q206 Chair: Is it a veto or is it something you have to take into consideration?

Theresa May: I am tempted to say that in the normal course of how one deals with these things, I think using the language of veto or “do you take into consideration”—we are not normally going to be sitting down and talking in those sorts of terms. The Mayor and I will be interviewing together and we will discuss together the candidates that have come forward, and, as I say, formally a recommendation will go to Her Majesty the Queen.

Chair: Finally on this, the veto word was not mine; it was the Mayor’s word when he gave evidence and said he would veto a candidate who did not support his gang strategy. These are not the Committee’s words, these were his words. You have been very helpful on that. Thank you.

Q207 Chair: Let us move on now to the riots. You, of course, were abroad like the rest of us. Parliament was closed when this all happened. When did you first get informed about the disorders that were happening in London?

Theresa May: I first learned about the disorders on Sunday morning—the disorder that had taken place on the Saturday evening. I spoke to the Acting Commissioner that morning who gave me an operational update and I received updates through the day. During that day, I spoke again to the Acting Commissioner and I had conversations with the Prime Minister, with the Deputy Prime Minister, with David Lammy—of course, his constituency had been so badly affected—with the Mayor, with the Deputy Mayor, and with the duty Minister at the Home Office, Lynne Featherstone.

Q208 Chair: What is the role of the Home Secretary in such circumstances? We have had some very strong evidence from the Acting Commissioner and the President of ACPO that the police were taking the lead at all times in these issues. You arrived back on the Monday before the Prime Minister and before the Mayor, and you presumably had certain views as to why these riots had occurred. It is early days of course, but why do you think these disorders occurred?

Theresa May: I think that is very difficult to say, Chairman, and I think it is not helpful for politicians to speculate suddenly as to what has happened. I think there are a number of issues here that we can only properly assess when we have a proper analysis of the people who were involved in the riots. A lot of people thought initially this was something that was very much about gangs and young people. It is obvious that gangs were involved. Young people were involved but of those who have been arrested so far, the figures show that only about a quarter—only about 25% or so, around that sort of figure—were juveniles.

Now, the problem is that at the moment we have figures for any point in time, but of course the number of arrests is changing and will continue to change, I think, for some time. I think it will increase for some time. So the actual picture about who has been involved is going to be a slightly moving picture and until we know that, it is difficult to look at the exact cause—what triggered the crime, if I can use that phrase. But I am absolutely clear that what underlay it was criminally. I think we see that about three quarters of those who have been arrested so far have had some form of criminal record, be it a caution or other disposal.

Q209 Chair: Because the Prime Minister was very clear when he spoke to the House on 11 August. He said that there were simply far too few police officers deployed on the streets and the tactics that they were using were not working. That is quite a serious criticism by a Prime Minister of the way in which the police have operated. Do you share that criticism?

Theresa May: Well, let us be absolutely clear. Perhaps if I can go back to the point you made about roles because I think this is obviously an important aspect; the roles of the Home Secretary, the politicians and the police are different. The police have operational independence. We are absolutely clear about that. They make the operational decisions, but it is absolutely right that the politicians—and obviously particularly myself as Home Secretary and the Prime Minister; but in the particular role that I am in—make clear to the police, and that I make clear to the police, what the public view of what was happening was and what the public expectation of policing was.

Also, the police need to know that they have the politicians’ backing for decisions that they are taking. It is one of the issues that has come up in the whole question of public order policing; that was made very clear to me by some front line riot officers in Salford when I visited them—that they need to have confidence as to what they can do, how they can police and that the politicians will back them in that policing. So the operational decisions are down to the police officers, but it is right that the politicians make clear what the public expectations are of those police officers.

Now in terms of what happened in policing, obviously the riots took place initially on the Saturday evening. There was some spread to other parts of London on the Sunday. On the Monday the Met had—and I visited the operations centre and the
gold command briefing on that Monday evening with the Acting Commissioner.

Chair: Yes. We will come on to the time scales.

Theresa May: Yes, can I just make the point? I mean, they did put more officers on the street on that Monday night, but that proved not to be enough and they then had to increase the number that they put on the streets.

Q210 Chair: So do you agree with the Prime Minister that, practically, the tactics were not working? This was an error of judgment. Do you agree with the Prime Minister?

Theresa May: I think patently obviously it is right for the Prime Minister to say—and as I have said as well, and indeed as I think senior police officers have accepted—that the numbers they put on the street on Monday night did not work. It was when they increased the numbers that they put on the streets, together with a tough arrests policy which we have been clear about as well, that that actually had the impact.

Q211 Alun Michael: Can I just return to the question of the issue of the number of offenders or people who had previous offences? I welcome the measured approach that you have taken by saying that we need to be careful about jumping to conclusions, and I do not blame Ken Clarke for jumping to conclusions on what appeared, at first instance, to be a factor behind the proportion of people with previous offences. Would you agree that it is important for us to be absolutely certain about what the facts are before coming to conclusions? Some of the conclusions that have been highlighted in the press have suggestions that we should put it down to feral youth and a failure of the criminal justice system. Do you agree that those should be set aside until we have the absolute facts and can therefore make judgments with clarity?

Theresa May: Well, one thing I would say is that there are a number of elements, I think, looking at what happened, and some of those elements may vary from site to site. I think, for example, we have seen that some of the riots—the behaviour that we saw in Salford—may have come from a different generation and different cause from some other areas and parts of the country. Similarly, there will be other examples too.

What I do think is important is that it is absolutely clear that we did see young people, in a wider sense than merely juveniles, out on the streets. Disorder, arson, criminality—that is the key thing for me. This was criminality that was taking place on our streets. We do need to look at some wider issues than simply the policing of this public disorder, of course. It is right that we should do that on the basis of a proper analysis of who was involved and the groups that were involved.

Alun Michael: Indeed. So we should be certain about the facts before that informs public policy.

Theresa May: What I would say, Mr Michael, is that there is some work that we are doing on gangs particularly. I am chairing the Inter-Ministerial Group on Gangs that the Government has brought together, and I will be reporting to Parliament in October on the work of that group. One of the things we are trying to do is to look at the involvement of gangs; it is possible that that is not as high as people at first thought, but that does not mean that the Government should not be doing work on gangs. I think that is a piece of work that needs to be done anyway.

Chair: We will come on to gangs in a moment.

Q212 Lorraine Fullbrook: Home Secretary, I would just like to talk about the police numbers on the streets and their response. On the Saturday night, there were approximately 9,000 officers on duty. By the Tuesday, there were over 24,000. Were you satisfied with the speed and manner that the police responded to the riots?

Theresa May: Well, I think what we saw were situations where at points in time, people watching what was happening felt that those who were on the streets seemed to be in control of parts of the streets. I have spoken to individuals who were living in areas that were affected and who were obviously, genuinely frightened about what was happening outside their homes and on those streets.

This goes to one of the reasons why I have asked the HMIC to look at the whole question of public order tactics and the numbers of police needed in these situations. What the police were confronted with was a situation that was unprecedented and that they had not dealt with before. They were particularly confronted with a situation where messages were going round very quickly on the social media. Activity was springing up far more quickly than they had seen it happening before and they were having to find ways of coping with that. They were putting in place what they believed from their experience was going to be policing that worked. In the event, on the Monday night it did not, and they had to increase those numbers on the Tuesday.

Q213 Lorraine Fullbrook: What do you consider were the strengths and weaknesses between the Saturday and the Tuesday?

Theresa May: Well, I think one of the things that we perhaps need to look at is the nature of what actually took place on those occasions—and I think the nature of the activity was different on the Saturday night from on the Tuesday night—but I think the ability across the country to be able to pull in the extra resources was very important for the police and was a great strength. The PNICC, under ACPO, worked very well in terms of providing that extra resource that needed to come in.

Some of the questions that we need to ask, and these are the ones I have asked HMIC to look at, are particularly around the number of police who are trained in public order and at what level those police are trained in public order. That is a point that chief constables, some outside London, have made to me as well as discussed within London.

Lorraine Fullbrook: Thank you.

Q214 Alun Michael: Is there a need for increasing or expanding the powers and techniques available to the police in dealing with large scale disorder? If so,
do you have any idea of what new powers or techniques should be made available?

Theresa May: Yes, I think we do need to look at it. I mean, we obviously need to look at whether the police have the powers available to them to do the job that they need to do. If I could just say here, in response to the previous question, that the other strength was the sheer bravery of our police officers who went out there on the streets and faced some appalling circumstances. Certainly, when I spoke to those riot officers in Salford—I mentioned this in the House—one of them said to me that the sky was dark because it was raining bricks on them. We asked them to put themselves in that position and they did it. They did it very bravely, but we do need to make sure that when they are in that position they do have the full powers and techniques available to them. We have already said that we will be introducing legislation to enable them to have greater powers in relation to face coverings. As you will know, Mr Michael, there is a limited power that could be exercised in certain circumstances to require the removal of face coverings. We want to extend that power in terms of the removal of face coverings.

We are looking at the issue of curfews. One of the things that the police did start to introduce and use effectively was dispersal orders, but of course those, again, have limitations in the way in which they can be used. So we will look at whether there is a requirement for some greater powers in relation to the operation of curfews.

Q215 Alun Michael: The question of resilience, obviously, has been very important indeed. It is a matter of fact—we can argue about numbers—that there will be fewer trained and experienced police officers available in future. That is going to have an impact on resilience, isn’t it? You have spoken on the one hand of increasing the numbers who are trained in public order, but there is going to be a smaller number of officers overall. What effect do you think that is going to have?

Theresa May: As I have said previously, at the end of the spending review, the number of police officers available would still be such that would enable the police to deploy in the sort of way that they did in response to the riots. I hope that they never need to have to deal with anything like this again.

Q216 Alun Michael: But it is bound to have an impact, isn’t it?

Theresa May: As I say, at the end of the spending review, the number of police that will be available will enable them to deploy in a similar way to the way they did during the riots.

Q217 Alun Michael: There have been some comments and suggestions in the media about involving the Army. Would you like to comment on those?

Theresa May: Yes, there was. Obviously, when the riots were still taking place, there was quite a bit of commentary about what should happen next. The Government’s position was very clear—that it was the Government’s role to ensure that all possibilities had been looked at and that we were examining what might be necessary in relation to the answer to the question, “What if the extra police on the streets had not worked? What if we had seen those riots continuing?” I think it is right; in that context, the Government looked at the issue of water cannon, for example—ensure that should the police want that, it was available.

Chair: But you were against the use of water cannon. You were quite firm about that.

Theresa May: I, and indeed senior police officers, said that in this circumstance they did not believe the water cannon was right. I think it is not something we have traditionally used on the mainland. Obviously, it has been used in Northern Ireland. The circumstances in the disorder we saw taking place were such that it is questionable whether a water cannon would have been of benefit.

Q218 Chair: Indeed. Clear up, if you can, three quick points on what happened at the time. You are very clear in your mind that it was the police that were responsible for the surge. Mr Godwin gave evidence on Tuesday to say that the decision for the surge was taken before the COBRA meeting, not at the COBRA meeting, and that politicians were not involved in that decision.

Theresa May: What had happened was that obviously the Prime Minister, the Acting Commissioner and I met before the COBRA meeting and the Acting Commissioner set out his plans to ensure that there were greater numbers on the streets.

Chair: That was his decision?

Theresa May: The police proposed that they should put greater numbers on the streets. They had calculated the number that they wished to put on the streets and they came to that meeting with myself and the Prime Minister and we discussed those numbers on the streets.

Chair: Well, that is not what Mr Godwin has said to us. He is very clear that the decision was taken with his management team on the Monday night and that he then informed you, the Deputy Prime Minister and the Prime Minister that the surge would take place. Are you saying there was more of a discussion?

Theresa May: No, I think that is just what I have said. He told us what the numbers were and we discussed.

Chair: Right—that that was what he was going to do?

Theresa May: We discussed those numbers and—

Chair: But it was his decision?

Theresa May: Yes.

Q219 Chair: Absolutely. Secondly, the statement that you made that all leave was to be cancelled—could you clear that up? Did you make that order or was that again an operational decision?

Theresa May: No. What happened was that as a result of what was taking place on the Tuesday night, I decided to have a conference call with chief constables on the Wednesday morning. I had that conference call with chief constables. At that stage, it was clear that the action that had been taken by the Met—and the Met had, of course, cancelled leave, they had called on special constables, they put more police on the streets—together with their tougher
arrest policy, had had an impact. I made it absolutely clear to chiefs up and down the country that I expected them to follow the example that had been shown by the Met in terms of police leave, of recalling special constables and of ensuring that there were proper numbers on the streets to deal with disorder.

**Chair:** So it was an expectation, not an order?

**Theresa May:** I made it absolutely clear to them that I expected that that was what would be happening.

**Chair:** Okay, thank you.

Q220 Mr Winnick: Would you accept, Home Secretary, that the events initially were triggered off by the police shooting of Mark Duggan?

**Theresa May:** Obviously, the shooting of Mark Duggan took place on the Thursday, and I would be very cautious in saying that the events have the direct link that you are talking about in this sense. I know that at the time the Duggan family made it clear that in their view, there was nothing that should have led to those riots on the streets; I cannot quote the exact words that were set out.

An incident took place in terms of the shooting of an individual on the Thursday night, and we then saw the riots taking place. Quite what happened in relation to those people who chose to go out on those streets and act in a criminal way—set fire to buildings, damage buildings and cause disorder and riot on our streets—quite what led them to do that and what initiated that is something that none of us can wholeheartedly 100% say we know.

**Mr Winnick:** Yes. I was talking or asking you about what happened initially. Clearly later, when rioting and disorder took place, it was quite likely that those involved knew nothing about Mark Duggan. But again, I would put to you the point that initially the disturbances were caused by the death of Mark Duggan by the police. Would you accept that?

**Theresa May:** Well, the order of events, as I understand it, was, obviously, that this shooting took place. On the Saturday, there was a peaceful demonstration of a limited number of people. When those people had left the scene, then a larger number of people came and disorder exacerbated, or the disorder occurred and then that was exacerbated.

**Mr Winnick:** I am wondering how concerned you are, as Home Secretary, about what happened when Mr Duggan’s girlfriend, or partner, visited the police station? She is quoted as saying that when she went to the police station to find out precisely the circumstances, she was told, “Don’t worry, it is being sorted out” and they should go and wait outside so that the police could deal with other people. They waited—that is, Miss Wilson—some four hours. Isn’t that a rather disturbing state of affairs?

**Theresa May:** The whole question of how the issue of Mark Duggan’s death was relayed to the family and how both the Metropolitan Police, and indeed the IPCC, dealt with this is being investigated and is being looked into. It is important that we allow that to take place before making any comments in relation to those events. I think it is important that those are properly looked at and considered by the bodies that are doing so.

Q221 Mr Winnick: Obviously, this Committee is conducting its own inquiry, but you will know that on the Floor of the House, a number of Members suggested that there should be a public inquiry into some of the worst disorders this country has seen for some 10 or 12 years, or longer. Are you totally opposed to a public inquiry?

**Chair:** Can we have a quick answer?

**Theresa May:** Well, I was going to say that I take the view, as the Prime Minister did, that this Committee of this House is doing its report, and obviously we will look forward to seeing the results of the Committee of the House. There are some wider issues around this whole question of the public disorder which are being looked at in a variety of forms, but I think we very much look forward to the report of this Committee.

**Chair:** Your confidence in us is greatly appreciated, Home Secretary.

Q222 Mr Clappison: Home Secretary, it is important that we have the fullest information about the rioters and what triggered the riots. It is apparent that a number of those who were involved were opportunists who were carried along with it, although doing serious criminal acts, and also that there was an element of copycat, but you yourself have said in your evidence that there was evidence of some propagation and planning and spread of the riots from one place to another. Have you an assessment as to what extent gangs may have been involved in that? If it was not gangs, can you make any comments about who else it might have been?

**Theresa May:** Yes. The Metropolitan Police particularly, but obviously other forces, are looking at the number of people who they have arrested who have known gang affiliations. The problem is that as the number of arrests changes, that percentage of people involved in gangs changes as well. So we have seen, in fact, the percentage of people involved in gangs fall slightly over time as further people have been arrested. So I think it is true to say that on current evidence, it would seem that the majority of people involved were not individuals who had been involved in gangs, although obviously a number of people involved were involved in gangs. But there is some evidence that obviously there was some gang activity taking place in terms of encouraging people to take part in these events. As we say, some of that encouragement was being propagated on social media.

**Mr Clappison:** That was coming from gangs—some of it was coming from gangs?

**Theresa May:** Some of it was coming from gangs. I think some it would have been coming from others—other individuals.

Q223 Mr Clappison: In any case, you yourself have rightly said that there are far too many young people involved in gangs, whose influence can be baleful. I think you quoted on the House of Commons floor a figure of 6%, and I am pleased to hear that you have a strategy in place—you are developing a strategy to deal with this, and I hope that it is one which will have the full weight of Government behind it. Can you give us an assurance that the strategy will be
looking at not just discouraging people from joining gangs, but giving a constructive way out for people who want to leave that particular way of life?

**Theresa May:** Indeed it will. If I can perhaps give the Committee a little bit of information about the Inter-Ministerial Group, it is a genuine cross-Government Inter-Ministerial group we have brought together, and I am working obviously closely with Iain Duncan Smith, the Secretary of State for Work and Pensions, who has a particular background through his work with the Centre for Social Justice in looking at some of these issues.

But we have brought together not just the DWP, the Home Office and the Ministry of Justice—we have also brought in the Department of Health, which I think is an important player in this picture; the Department for Culture, Media and Sport—I think sport is one of the other outlets that we can point to; the Department of Education, because I think education is also an aspect of this; and indeed, from DWP, where people are old enough to be in work, ensuring that people have work opportunities is another part of the picture.

**Mr Clappison:** Are you looking at what has worked elsewhere and, if necessary, thinking out of the box, because I think there will be some support for that in the present circumstances?

**Theresa May:** Yes, we will be. We are doing two things. First of all, I am going to be hosting an international conference, probably in early October. We are casting around and looking across the world, finding out countries who have gang problems. Obviously, the United States is a particular example here, but there are some other examples, too. We will be bringing people together to do exactly that, to find out what is working elsewhere.

We are also looking within the UK. There is some good practice within the UK. The Met itself has been doing some work on gangs. We had evidence the other day at the Inter-Ministerial Group from Waltham Forest—the work that the council and the Met have been doing there with some good effect. Stratfordclyde is another example where a lot of work is being done on gangs. So we are looking as widely as possible at what has worked and then one of the issues for us will be how we ensure that what works is put into practice.

**Q224 Lorraine Fullbrook:** Home Secretary, just to go back to the social media. I understand BB Messenger was the main conduit of spreading information. Have you found in any of the investigations that there was an element of postcode swapping among not only gangs, but people who were just joining in the criminality—for example, in the different locations? In Battersea, did they go to Croydon, and in Croydon did they go to Battersea? Has there been an element of postcode swapping?

**Theresa May:** I think that there has been some evidence of some postcode swapping—that people were willing to go outside, people who normally would have conducted their criminality in one postcode being willing to go to another postcode.

**Lorraine Fullbrook:** Thank you.

**Q225 Steve McCabe:** Home Secretary, can I just go back to the gang issue for a second? Members of this Committee received an e-mail yesterday from a Met officer who retired a week before the disturbances. This gentleman says he was previously part of Operation Trident, and he claims that there is a widespread view within the Met that the gangs are so organised that they pose a serious threat to disrupt the Olympics. I wondered if anyone had brought that to your attention and if you had any comment you could make.

**Theresa May:** Well, obviously in any case we had significant plans in place in relation to security of the Olympics and within those plans, issues of potential for public disorder had of course been considered. Now following the riots, we are already doing the work to look again at whether there is anything we need to learn from the riots and the policing of the riots in relation to the Olympics. So we are certainly looking at the— as you might imagine, in relation to the security of the Olympics, we look at every issue that we believe we need to be aware of and consider in the work that we are doing.

**Q226 Steve McCabe:** Thank you. Can I just ask about another aspect of the role you played during this? I was struck earlier when you were saying that we need to reflect on what we really know. You were quite harsh in your criticism of police authority chairs and members of police authorities and you contrasted it with the role of the Police and Crime Commissioner. Do you feel, in hindsight, that you may have been a bit too harsh and a little uninformed about the role of police authority members throughout the country? I know, for example, that the Chairman of the West Midlands Police Authority did contact you to give you some information about the role that members have played there.

**Theresa May:** Well, the point I made, and I made it in a speech—

**Steve McCabe:** You made it on the television and we all saw it, so that is why I am asking if you were too harsh and a bit unfair.

**Theresa May:** The point I made was this. What we saw in London with the Mayor was that the Mayor was very highly visible—obviously, he was away at the time that the riots started, he came back from his holiday and he was highly visible on the streets. He and I, in fact, both went down to Lavender Hill on the Tuesday and met people there who were involved. He was around various parts of London where the riots and disorder had taken place, so he was highly visible out there with people and in a way that I had not seen other chairmen of police authorities and other police authority members being.

**Steve McCabe:** So is that a measure for police commissioners in the future—“If you are visible, you are doing your job. If you are doing it with less public exposure, it doesn’t count”? Is that a conclusion I should draw?

**Theresa May:** It is not a question of whether or not it is public exposure, but part of the job is about listening to the public.
Q227 Steve McCabe: Well, lots of police authority chairs were listening to the public. Let me ask you one final question about the riot damages situation. Who assesses the claims and where does that money come from? Is that another negotiation with the Treasury or do you have money reserved for that?

Theresa May: No, money is available for that, and there are arrangements between the Home Office and the Treasury to ensure that that money is covered. There is a proper process of loss adjusters going in and making assessments about the claims, and a number of claims have already been received. The time period has not yet finished, ended. As you know, we extended it from the normal 14 days to 42 days, but there is a proper process where claims are looked through, as you might imagine, to ensure that they do fit the requirements.

Steve McCabe: Thank you.

Q228 Michael Ellis: Home Secretary, we heard from the Association of Chief Police Officers earlier this week, and they said that they had not yet calculated—various police forces who had been helping the Metropolitan Police in mutual aid—the cost of this policing operation. When you eventually have some costings, how do you anticipate the cost of policing these riots will be met? For example, I am very conscious of the fact that, of course, the Government has been left a legacy of considerable debt by the previous Government, but presumably we have to find the resources from somewhere. How do you anticipate the costs of policing these riots will be met?

Theresa May: Obviously, there are processes in place in relation to enabling these forces to make claims for special grants into the Home Office, and obviously, as is always the case in these situations, there is a discussion with the police authority concerned about the claims that are made, but we have been clear that we are willing to—there is money that will be made available to cover costs in relation to these. There will be discussions about the level of those costs, as you might imagine. As I have just said in relation to the Riot (Damages) Act, there are proper processes that one needs to go through. The Home Office has ensured that we can make money available and obviously has done that in conjunction with the Treasury.

Michael Ellis: The costs are presumably still ongoing. Is some mutual aid still in progress, is that right, as far as assisting the Metropolitan Police is concerned?

Theresa May: Obviously, the mutual aid for the Met did continue beyond the riots. It has varied up and down. Significantly, they continued—particularly when they were policing the Notting Hill Carnival, they produced mutual aid in relation to that. As I understand it, we have not had a formal bid from the Met for what their costs will be. I understand they are still in the process of calculating those, but I look forward to receiving it in due course.

Chair: Thank you, Mr Ellis. But they did give us a figure on Tuesday. The estimated figure was £74 million, and Sir Hugh Orde said—and Mr Ellis is quite right—that the final figures have not been worked out, but for the rest of the country it was £50 million. The Prime Minister was very clear in the House, in answer to one of my questions, that the Government would pay these costs. I think his words were on 11 August, “We stand by the police”. Is that still the case? Obviously, there is negotiation about figures, but at the end of the day the principle is that the Government will help?

Theresa May: The Government will provide help. As I said in my answer to Mr Ellis, we have ensured that there will be money available in the Home Office. There will, though, as you yourself recognised, Chairman, have to be a proper discussion with the various police authorities as to the order of costs that can be covered and the proper figure that arises, and that process—

Chair: You do not want these figures to be inflated along—you want to be sure that these are the right figures, of course?

Theresa May: It was not me who suggested, Chairman, that anybody might consider inflating these figures.

Chair: I was not suggesting that either. I was saying just in case it was.

Michael Ellis: Yes. I presume there is an established protocol for these costs to be calculated and submitted?

Theresa May: Yes.

Q229 Nicola Blackwood: There was obviously a lot of debate at the time about the role that social media played in promoting the public disorder, and there was also a lot of discussion about whether it would be appropriate to shut down social media sites at the time of widespread disorder. I know that the Home Office decided that they would look into this.

We have subsequently, though, heard from the Mayor, the Acting Commissioner and ACPO that their view, in retrospect, is that social media sites are net positive, because they can dispel rumour and they can also give out information about how to keep yourself safe and about what the police are doing. I wonder, in the light of that, what view the Home Office has now come to. I know that you have had some meetings and I wonder if you could inform the Committee of where you stand now on social media sites during times of public disorder.

Theresa May: Yes, and I am grateful for the opportunity to make it absolutely clear that at no stage were the Home Office or the Government talking about closing down these social media networks. We have had a very constructive meeting with the companies, with ACPO and the Met present at that meeting. What we discussed was that there were two aspects, one of which is how better use of these media can be made by the police. I think the practice is patchy throughout the country and it is necessary that we help the police—and I think the companies will be able to do this—to understand better how they can make best use of the social media networks.

On the other side, I think we all want to ensure that these networks are not being used to incite or encourage criminality or for criminal behaviour, and
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so we were discussing with the companies—and of course companies do have their own policies in relation to, for example, inappropriate material being put on site and they themselves will, on occasion, stop users because of the nature of the material that they are putting on. They have their own policies, but we have discussed with them how we can ensure that social media networks are not used to encourage criminality.

Nicola Blackwood: I know that there have been a couple of quite high profile prosecutions for encouraging rioting via social media. Is the Home Office considering using that as the route to control social media as a route for spreading disorder, rather than shutting down sites? Is that now the preferred route, or is it going to be used in social media as a means of intelligence gathering?

Theresa May: Well, I think it is certainly right, and it was instructive for those who have thought of using social media in this way, to see the sentences that were passed on those who did use social media to incite rioting and disorder. As I said, it was never our intention to take additional powers to close down social media networks—that was not the Home Office position or the Government position.

It is right that those who are using these in the sort of way that you have described are appropriately charged and taken through the criminal justice system, but I think what we need to do as well is look more generally at those two issues that I raised. One, how can positive use be made of the social media networks by the police? On the other hand, looking at the processes when we see that somebody is using a social media network, or trying to use it, to incite criminal behaviour.

Q230 Alun Michael: I have written to you, Home Secretary, in my capacity as Chair of the All-Party Group, which brings together people with an interest in internet and ICT issues with industry and others, and you have given a very positive response. I am encouraged by what you say.

Would you accept that, rather than looking for ways that powers of legislation or controls can be put in place, which might soon be out of date, the speed of technical development and of the social use of communications moves so fast that we need a partnership approach, involving Parliament and industry working with Government, to get the right ways of limiting illegal or damaging activity and enhancing the positives?

Theresa May: Indeed, and I am very grateful, Mr Michael, to your Committee for the help, support and advice that they have offered. We look forward to your comments on this particular issue. We need to ensure that we are working in partnership. If I am honest, I think the police have found it difficult to deal with this issue of the social media. It does mean that everything happens so quickly, and therefore we need to be doing what we can to help them, working with industry, to understand this and how they can make better use of it—how they can understand what is happening on the social media, significant amounts of information. Sometimes people talk about intelligence on the social media. A lot of it is just information out there; sifting what is genuine intelligence from what is misinformation and just information is one of the issues I think that they need to be looking at.

Chair: Can I just clear, since you are before the Committee—thank you for that answer, Home Secretary—on a number of non-riot questions? Mr Ellis.

Q231 Michael Ellis: Home Secretary, I want to ask you, if I may, moving on from the riots, about the deportation of foreign national prisoners. It is a matter of public record that the last Government failed to deport foreign national prisoners when they reached the end of their scheduled time in custody. Can you update the Committee now on the number of foreign national prisoners who are deported? Can you also say something about what you are doing to drive down the numbers?

Theresa May: Thank you, Mr Ellis. I am aware, Chairman, that this is an issue that this Committee has shown a particular interest in over time. Indeed, there was also some media speculation in the summer, during the recess, particularly about the number of people, foreign prisoners, who had not been considered for deportation, which is the process that, of course, should be gone into.

I am absolutely clear that if a foreign national, given a privilege when they come to this country, then commits a crime and they are sent to prison, they should be considered for deportation at the end of their sentence. I believe that is absolutely right, and we should be doing that. As you have made reference to, under the previous Government in 2005, it was established that 1,013 convicted foreign prisoners had failed to be considered for deportation as they should have been. Since then, I can tell the Committee that according to the most recent figures, in 2009–10, under the last Government, there were 64 cases where a foreign national prisoner had not been referred to them for consideration for deportation. In 2010–11—i.e. mainly under this Government—the figure was 28, and that compares to that 1,013 in 2006, or I think I said 2005.

All those 28 individuals are being considered for deportation, but it is right that the UKBA has done a lot of work in the intervening time to improve the way that they interact with the courts, but I am absolutely clear that we need to do more. This is an issue that has been rightly of concern to this Committee; it is of concern to the public as well, and there are a number of areas where I have tasked UKBA to take further action. I have tasked them to work more closely generally with partners in the criminal justice system to identify foreign nationals earlier, promoting early removals and sharing information. I have asked them to work with the police to ensure that the Live Scan fingerprint scanning system that is available is used routinely by police officers to identify and fix nationality at the point of arrest, because identity lies behind this issue.

I have tasked them to work more closely with NOMS to establish more foreign national-only prisons, which eases the process of removal. An additional 342 places are going to be available by this autumn, which I hope that UKBA will be able to make use of. It is also right that we look again at the arrangements for rinse and wash and how we can ensure that the procedures are made easier, around freedom of movement around the country and around the issues that the Americans have, for example, with the death penalty. Given the way that the international treaties are structured, it is right that we look again at how we ensure that our arrangements are made a little easier, which could help with the process of deportation.
should give us the figures that Mr Ellis has elicited from you today, rather than refer us to the Home Office website, which is rude and discourteous to a Committee of the House.

Theresa May: We have had discussions about this issue, Chairman, and I recognise the importance of responding properly to questions raised by this Committee.

Q232 Chair: Thank you. Now, just very quickly—I do not want to open this up—you signed a banning order against Sheikh Raed Salah. Despite signing the banning order, he boarded a flight from Tel Aviv. I understand he is still in this country. Though electronically tagged, he is free to travel around, though he is banned from public speaking. You initiated an investigation into why the ban that you had signed had not been served on him, or indeed given to the Israelis. It is now six weeks. Do we have a conclusion? Do we know why this order was never served on him, and why is he still here if he is such an inappropriate person to be in the United Kingdom?

Theresa May: He is still in the United Kingdom because of the legal processes that are open to him in terms of appealing against his deportation from the United Kingdom. That is going through and he is not being detained because the decision was taken by the courts that he could be released on bail.

Chair: Your investigation, it is six weeks?

Theresa May: The investigation, we have identified a number of aspects of the way the process operates which need to be dealt with.

Chair: Would you write to me with the information?

Theresa May: I am very happy to write to you with that information.

Chair: Because we are very concerned. We would like to know that when the Home Secretary bars somebody, the person does not arrive.

Theresa May: Yes. I am happy to write to you with that information. It involves action that will be taken by the UKBA and the Foreign Office.

Chair: Indeed. Secondly, there is someone who is not electronically tagged, but politically tagged, and that is Lord Wasserman, who, as you know, is now a co-ordinator for the new IT company that you have set up. On the very day that the Committee wished him to give evidence to us, he did not come, but he did speak publicly at a seminar in place of Nick Herbert, your junior Minister, and answer questions from the private sector about this new IT company.

Now we think, as a Committee, that when policy decisions are made—even if it is by a special advisor and they are prepared to go into the public domain and answer questions—they really ought to come to Parliament and answer the questions of the Select Committee. The Prime Minister was very clear at the Liaison Committee that when special advisors are involved in, and consider again whether or not it would be appropriate for him to come before us?

Otherwise, we just have to have Ministers back to answer these questions.

Theresa May: I will look at the issue. Obviously, given what the Prime Minister has said at the Liaison Committee, this will be an aspect of appearance before Select Committees, I am sure, that is being looked at more widely.

Q233 Chair: We hear in The Times today that you are selling off Bramshill—not you personally, but the Home Office, and you are the Home Secretary. If you are selling off Bramshill, where do you expect police officers are to be trained?

Theresa May: First of all, Chairman, no final decisions have been taken in relation to the estate. The NPIA work is being done as part of that process of looking at training and leadership, and post-NPIA situation, to look at the estate. When decisions are taken, they will be announced in the proper way.

Q234 Nicola Blackwood: The Committee heard some worrying evidence about the European arrest warrant, issues relating to forum and of course US-UK extradition treaties. We are waiting for the Government’s review of UK extradition policy. I wondered if there was any news about when that might be forthcoming.

Theresa May: I will happily write to the Committee concerning this, Chairman, but I think Mr Justice Scott Baker is due to report—the Committee is due to report to the Home Office at the end of September. I think that is the date, but I will confirm that to you.

Q235 Chair: As far as Gary McKinnon is concerned, it is now 18 months since it landed on your desk. We know it is a very difficult issue. We know the Americans want Mr McKinnon back as quickly as possible. When is Mr McKinnon going to have an answer?

Theresa May: Chairman, as you know, we have been in discussion with both Mr McKinnon’s representatives and I have been in discussion with the Chief Medical Officer about appropriate independent medical examination of Mr McKinnon. I believe—I thought that a letter had come to you on that matter, but I will check.

Chair: Yes. Well, I am not really interested in a letter saying there is no decision. I would rather like a letter saying there has been one.

Theresa May: I will not be taking a decision until I have seen some independent medical advice.

Q236 Mr Clappison: Since the European arrest warrants have been mentioned, could I issue an invitation to you, Home Secretary—I do not need an answer, just an invitation to you—to look at the debate last night on the European directive on access to a lawyer and many other criminal procedure directives? In the course of that, serious concerns were expressed by the Chairman of the European Scrutiny Committee
on a matter which is apparently still subject to negotiation. Can I just invite you to take a careful look at that, particularly from the point of view of this country not imposing further legal restraints on it which are not necessary?

Theresa May: I would be happy to look at the debate which Mr Clappison has referred to. I am sure that this was a debate in which the Chairman of the European Scrutiny Committee took a very active part.

Q237 Chair: Let me take you back to the beginning, finally. You have to make a decision, probably the most important decision of your term as Home Secretary, as to who the next Commissioner is going to be. You are telling us very clearly that this decision hopefully will come out on Monday, but it might be later, because of practicalities. It is a discussion that you are going to have with the Mayor, but the decision is yours, finally. I think you hope that it is going to be something of a waltz; he is expecting, I think, a foxtrot as far as negotiations are concerned, but whatever the discussions, it is your decision and your final decision. Is that right?

Theresa May: As I said earlier, Chairman, the Home Secretary makes a recommendation to Her Majesty the Queen. It is Her Majesty the Queen who appoints; it is not I appointing the—

Chair: Of course, yes, but I do not think she is going to interview the candidates, is she?

Theresa May: Just on the timing—

Mr Winnick: She is going through all the names at the moment.

Chair: Sorry, before you finish, Mr Michael has something which might affect what you have to say.

Q238 Alun Michael: Just on the issue of appointments, there seems to have been an extremely long delay on the appointment of the new Chair of the Independent Police Complaints Commission. The previous Chair moved to a new role as the Chief Inspector of Prisons before the last general election. When can we expect a decision on that?

Theresa May: That is close to being finalised, but the current Acting Chair has agreed to continue until the end of October.

Alun Michael: Yes, but it is 18 months now since the role has been vacant, isn’t it?

Theresa May: It is. There has been an Acting Chair in place over that period of time, but we are well aware of the need to ensure that there is somebody who is able to take on that role, given the importance of the work that is done by the IPCC, and I was just going to say—

Chair: Sorry, your timetable, yes.

Theresa May: Yes, on the timetable. If it is not on Monday, then it will be very soon thereafter. We are not talking about significant days of delay. I just wanted to make that absolutely clear.

Chair: Well, if you need help with your discussions with the Mayor, this Committee is happy to assist.

Theresa May: I know you are always happy to assist in a number of ways, Chairman.

Chair: Home Secretary, thank you very much for coming in. You are welcome to stay. I know you are very busy. We are now hearing from the MPs and local people from the areas. I know you are very busy. We will send you the transcript.

Theresa May: Thank you.

Examination of Witnesses

Witnesses: Nick de Bois MP and Mr Andrew Nicholas gave evidence.

Q239 Chair: Mr de Bois, thank you very much for coming to give evidence to us. Mr Nicholas, thank you also for coming. This part of the inquiry deals with local Members of Parliament and their constituents who were directly affected by the recent disorder that occurred. Clearly, from the very start of these disorders, Mr de Bois, you were involved. You were extremely active on behalf of your constituents and made a number of local statements. When did you first find out about these disorders?

Nick de Bois: Well, first of all, Chairman, and Members of the Committee, thank you very much for inviting us here to have this opportunity. I do appreciate it. I was actually first aware that there could be trouble when I received messages that there was quite a lot of activity on social media sites suggesting Enfield was the target for that day, bearing in mind that this was the Sunday, so it was likely that it was potentially the first for repeat disturbances. I was about 50 miles away, so we drove into Enfield and I went straight to the town centre. I was there from about 5.30 pm.

Q240 Chair: Yes. Mr Nicholas, tell us about your involvement and your personal experiences.

Mr Nicholas: I think, like many people, we were not following the riots particularly and certainly were not aware of the geographical extent of them until quite late on Sunday, when it became apparent that Enfield had been involved. Again, like many residents, I suspect that we did not really realise how far geographically the riots had spread. I certainly anticipated that the peripheral borders between Enfield and Haringey may well be affected, but that it was unlikely to have come any further than that.

Chair: So you were in Enfield, is that right?

Mr Nicholas: I was at home, which is just outside Enfield. My business is in Enfield, and it was probably fairly early evening on Sunday when news reports started coming in. We started to see a Sky newsfeed which showed our own building and subsequently the riot coming past it and stones and rocks being thrown at the police and through our building’s windows.

Chair: So that was the first time you saw this on television.

Mr Nicholas: Indeed.

Chair: It must have been extremely alarming for you.

Mr Nicholas: It was extremely alarming, Chairman, yes.
Chair: What did you do when you saw this on television?
Mr Nicholas: What I did not do was go down there, and I felt that the last thing that was necessary was for anyone to go down and get involved in it. We could see clearly on television that the police were dealing with it as far as they could and I felt the best thing to do was to stay out of the way and see what happened when we went into work on Monday morning.
Chair: What happened when you arrived there?
Mr Nicholas: A scene of total devastation. Every window on the ground floor had been broken and large pieces of pavement and rocks had been thrown through the windows into the rooms. Some of the other-floor windows had been broken also, and an attempt had been made to set fire to the building. At this point, I would very much like to take the opportunity of thanking the policeman. We subsequently saw a film clip where it was very clear that two rioters had started—attempted to start or had started—a fire in one of the ground floor rooms, and the policeman had grabbed a fire extinguisher and put it out. I would very much like to take this opportunity publicly to thank that officer, because I think that without that, we could have had a considerably bigger disaster in Enfield.
Chair: Do you know his name?
Mr Nicholas: No idea. I have written to the local police making my position clear and asking them to, if possible, find out who it was and to thank him. I did get a phone call from their PR people saying that they would try and get hold of him, try and find out who it was and pass on our thanks.
Chair: What is your business? How long have you been conducting it from there and how many jobs have you provided?
Mr Nicholas: We have been in Enfield for about 40 years now. It is a family building company, a building business. We employ seven people and our building, our own offices, are at the end of a terrace just off the main high street—in fact, next door is the Civic Centre. All our staff of course were extremely devastated by what happened.
Q241 Lorraine Fullbrook: I would like to ask Mr de Bois something. Were you briefed by the police during that evening, as I was near the station at one point, I could not understand why we were letting people come up on the trains. It appears—and I have this only on hearsay, second hand—that the request was made to National Express to hold the trains at around 4.00 pm to 5.00 pm. This did not happen until 9.30 pm, which obviously meant that many considerable numbers of them were around the station, effectively receiving these people as they were coming in, but just containing at the time. No attempt, no request—and that is the difference—was made to stop some of the bus traffic that was also being used, but I cannot say I witnessed that myself. I only have that on hearsay.
Nick de Bois: Well, I am very glad you asked that. It became apparent—Enfield Town Station is an end of the line and, frankly, people were just getting on the train and coming up. Subsequently, it has emerged that of the arrests that have been made for the Enfield disturbances, 50% were from within the borough of Enfield and 50% were from outside the borough—not just outside the borough, but as far as Twickenham. So that gives you an idea of the travel. We have been in Enfield for about 40 years now. It is a family building company, a building business. We employ seven people and our building, our own offices, are at the end of a terrace just off the main high street—in fact, next door is the Civic Centre. All our staff of course were extremely devastated by what happened.
area. Although the arrest figures currently show 50:50, my inclination is to believe that, if you like, passers-by, people who came to look at it were then caught up in it. I think they quite deliberately made a conscious decision to do it, which would also explain how a larger element of local people ended up trashing their community.

But I would say, overall, that in the early parts of the evening, there is no doubt in my mind—and I was there and I witnessed these cowardly thugs who had arrived in cars and by train with their faces covered, running up residential side streets as they carried, in some cases, their loot, and in other cases to retrieve weapons. In one case, I stood by as about 15 people walked past me on the high street with their faces all covered, one of them carrying a crowbar and the others on the phone organising their friends, telling them which station to come to.

Chair: Where were the police during all this?

Nick de Bois: Now, this is quite interesting because in one case, the police were probably no more than 30 yards away. I was very close at that point. I was not deliberately close, but these people appeared from round a corner, having parked their cars, and the police at that time made no attempt to arrest the individuals there. Now, at the time, I thought that was strange. Frankly, Chairman, I pinched myself and thought, “Am I really standing in my own constituency high street when there are hooded people walking past me with crowbars and nothing is happening?” Obviously, the policy on the Sunday night was one of containment at this point, and that is what happened. So to try and rationalise this, while I think gangs exploited it, I do not believe that is what drove it initially.

Q244 Nicola Blackwood: At that point, what was the proportion of police to those who were out rioting on the streets?

Nick de Bois: Well, of course, visual impressions can be wrong.

Nicola Blackwood: It is difficult, yes.

Nick de Bois: But my guess is in an ever-changing situation—and I have to stress, it changed almost minute to minute—at one point, there were fewer police than necessary to deal with the large crowd of individuals that had gathered in the market square, which is very close to the station. What was happening quite quickly, and I understand it was more public order police were arriving from Tottenham, where they had been, understandably, in north London, based on what had happened before. They arrived quickly and they arrived obviously in the TSG vehicles, which in itself probably and ultimately incited the level of violence to a new level.

Chair: Thank you. I ask colleagues to ask quick questions and you for briefer replies, Mr de Bois, because we have other witnesses.

Q245 Michael Ellis: Mr de Bois, I am interested in exploring a little bit more about what you saw. You witnessed personally some of the rioters as they ran past. You have alluded to mobile phones that they were using and to seeing them get into vehicles.

Nick de Bois: Yes.

Michael Ellis: Could you elaborate on that a little more? I mean, did you see what type of vehicles they were getting in? Did you see anything about the mobile phones they were using? I mean, these were people who clearly were affluent enough to have phones and cars.

Nick de Bois: Yes. They were souped-up GTIs, as I have described them, but I may be slightly wrong in doing—

Michael Ellis: Souped-up GTIs?

Nick de Bois: Well, they were very smart, recently-registered Golfs and that type of vehicle, but I was not standing around looking too closely. But what was most striking and what was deeply offensive—down one of our very nice residential areas, what would happen is that while the police were busy containing an awful lot of people, these groups, they got into their cars, they were on, as you say, iPhones and all those sorts of gadgets, and then they would drive and park maybe 500 yards somewhere else and go back into the town to do whatever they were doing. In this case, I believe it was an attempt to do some looting. They were affluent. This was no social justice cause. This was pure criminality.

Q246 Steve McCabe: Well, just coming back to that question, you said that people said, “Why have you come to our town to do this?” because they were not from there. They were dressed well. They got into their cars, they were on, as you say, iPhones and all those sorts of gadgets, and then they would drive and park maybe 500 yards somewhere else and go back into the town to do whatever they were doing. In this case, I believe it was an attempt to do some looting. They were affluent. This was no social justice cause. This was pure criminality.

Nick de Bois: My opinion is that there were probably two groups of people who came to Enfield. I think that there were people who came from the night before, for all I know, may have looked around and thought, “Why are we doing this to our own area in Tottenham?” and collected at Enfield. I think the communication lines and the relationships between the two boroughs are quite close. I think there was opportunism, and it became a self-fulfilling prophecy. Mr McCabe, because during the day, early on in the day, there were a number of target towns being discussed on the social media. Enfield emerged, and suddenly it becomes this self-fulfilling prophecy. Now, I believe we should just use and understand social media, not try and ban it, but there is no question that it encouraged people to go there, and it was an affluent part of the borough. So I suspect it ticked the boxes from that point of view.

Steve McCabe: So these were affluent people moving to another affluent area to commit pre-planned organised crime?

Nick de Bois: In some cases, yes, most definitely. According to my understanding, there was almost a truce between the various gangs, and it would not surprise me to find in the ultimate arrests, if any gang members have been caught, that there may be gangs from another area that were arrested in Enfield and vice versa. Remember, on our night, it moved and it eventually went to Walthamstow, I think, after us.
Chair: Thank you.

Steve McCabe: Can I just ask Mr Nicholas one quick question?

Chair: Yes, of course.

Q247 Steve McCabe: I just wondered, we obviously know about the terrible damage to businesses and the impact on traders, but what do you think is the current effect on the community in Enfield, Mr Nicholas?

Mr Nicholas: I think initially it terrified the community, because we haven’t ever been subjected to this kind of violence before. I think the scale of the violence terrified the people. While it is very easy to second-guess in hindsight, I think the sight, particularly on television, of watching the police appearing simply to attempt to move the rioters on rather than making arrests or getting involved in really taming them, has quite unnerved a number of people. I don’t think the police came out of it badly and I do not think the reputation of the police has been harmed in any way as far as the Enfield residents would go, but I think that they would very much hope that lessons have been learnt from this and that should, God forbid, any such thing happen again, a much tougher line would be taken by the police.

Q248 Mr Clappison: That was the question I was going to ask, so I will just ask Mr de Bois if he has anything to add to that, about the effects on the community.

Nick de Bois: Well, I would say that initially, yes, it was absolutely terrifying, and there were some questions asked, but I have not criticised the police particularly. I think we had, in the end, 220 police officers, 20 effectively from our own borough command and 200 that came up from public disorder. What has happened now is Enfield was open for business very, very quickly. There are a few places with boards still up and I think Mr Nicholas’s is sadly still one of them, but we have had a tremendous spirit grow out of this. If we go to Enfield town now, you will see posters all over the place saying what a great place Enfield is and “Keep smiling, Enfield” and local communities are shopping, back shopping in the streets supporting us. There is a silver lining that has come out of this in our community, and I am immensely proud of that.

As far as the police go, I think, yes, they accept that the policy of containment, while it obviously had an effect—they look back and they think that perhaps some of the breakaway groups should have been dealt with. I think that is fair.

Chair: We understand the police thing, but do you think when you were standing there and watching these people walk across your path with crowbars, somebody ought to have stopped them?

Nick de Bois: Mr Chairman, at that time, I believe there were about 150, maybe 200 people gathering in the market square. I could be wrong about the numbers. I have no hesitation in reflecting the view of my constituents, and I accept this view, because of the nature and geography of that area. I would have happily taken a water cannon to it and dispersed the whole crowd, because I think it just fuelled the mood which led to the stoning of a TSG vehicle, which led to the riots.

Please don’t forget that in Enfield—this is not only about Enfield town—the very next night, we lost, in the largest arson case ever in the history of the Met, the Sony Centre, which was set on fire. That has put under threat 250 jobs, which we are working very hard to keep.

Chair: Mr Nicholas, do you agree that tougher tactics in the beginning would have spared the rest of Enfield from more disorder?

Mr Nicholas: That would certainly be my view, yes. I mean, I think it did upset a lot of people throughout the country, watching on television various parts of the capital where it would appear that nothing was being done to prevent things happening.

Q249 Nicola Blackwood: What were community relations with the police like before the riots and how would you assess them now, after the riots?

Mr Nicholas: I think community relations with the police were perfectly good beforehand, and I don’t think they have suffered. Indeed, I think a lot of people probably have a great deal more respect for the police, because they saw the kind of violence that they were being subjected to, and I think we understand that what they were doing was reacting to the orders that they had been given, which as I understand was this should be treated as a demonstration rather than as a riot.

So I think the community accepts that what the police did was what they were being told to do, but has a great deal of respect, I think, for the police on the ground who went through a most horrendous time, and many of whom were injured. I think that the respect for the police, possibly in many respects, has increased as a result.

Nick de Bois: Could I just say, I think the housing advisory groups, business groups and police council have operated superbly.

Q250 Alun Michael: Mr Nicholas, you said that you are Chair of the governors of a secondary school, and you referred to primary—

Mr Nicholas: Secondary and primary, yes.

Alun Michael: Yes. I am referring to the secondary age group. Obviously, from the evidence that we have heard, there is a much wider age group that was involved in all this, and you have referred to adults being involved in the whole event in quite an organised way. But clearly it would have had an impact on young people in the area, and some might have been drawn in—others, as you suggested, were advised on the basis of common sense to stay away.

What sort of follow-up is there and what sort of response has there been in the school community?

Mr Nicholas: Well, of course the schools have only very recently gone back, so it is early days, but I certainly intend to be asking some questions about what information we can glean from the police and from the school community itself as to what kind of involvement there may have been, either directly or peripherally.

Alun Michael: It might be interesting for the Committee when you have had the chance for that
discussion, because you both talked about the way in which the community has regrouped, and the school-age group’s reaction would be of particular interest.

Q251 Chair: Now, you talked about the issue of age. Was there any race dimension or gender dimension to the riots? I mean, you have said, Mr de Bois, that they were covered up, some of them, so you could not see who they were. Was this mindless criminality, as you put it, Mr de Bois, or was a particular group involved? Mr Nicholas.

Mr Nicholas: I think mindless criminality. I don’t think that there was any evidence that we have seen or heard that there was any racial element to it. I think it was simply opportunistic violence and criminality.

Chair: What about the issue of gender, because others have said to me when I visited the areas that there were more women involved. Obviously you have no experience of riots as such, in Enfield, but did you notice that, is that something that struck you?

Mr Nicholas: It is not something that struck me particularly, although I suppose to an extent, one is conscious that a lot of females were involved in it, perhaps more than one would have expected.

Chair: Mr de Bois, Mr Nicholas, thank you.

Q252 Steve McCabe: Can I just ask one question, just following on from that? Mr de Bois, you suggested, if I understood you correctly, that these were fairly affluent organised gang members who were responsible for quite a lot of this. Were these from mixed gangs then—these were black and white groups co-operating together?

Nick de Bois: First of all, I would not say it was all—I could not confirm they were all gang people.

Steve McCabe: Of course.

Nick de Bois: I am not sure they were operating as a gang. There may have been gang members, but they were not—I cannot say for certain they were all that. To be absolutely fair, it never crossed my mind to make an evaluation during the course of the evening. I know I had a few conversations, and I can say that it was both black and white, but as it happens, they were all men. I did talk to some of the people directly, as bizarre as that sounds, and what struck me—and I hope the Committee will note this, because I think it is a theme that is developing—is that absolute self-belief that there would be no price to pay for their action. They took the masks down and told me. One of them advised me to put my BlackBerry away, because they might take it later, and this was a ludicrous situation. It was a very determined arrogance that they would not have to answer for their actions.

Chair: Mr de Bois, Mr Nicholas, thank you very much for coming in. You have, no doubt, access to your local newspapers. The Committee would be very keen to see information that was published the week after the disorders, because obviously we cannot go to every area of the country, but we would very much like to get a feel of what happened. But on behalf of all of us, Mr Nicholas, it must have been a terrible time for you, a family business of 40 years seen going up in flames. You have our sympathies and we hope that you will return to full business as quickly as possible. We are most grateful to both you and Mr de Bois for coming in this morning. Thank you very much.

Examination of Witnesses

Witnesses: David Lammy MP, Mr Niche Mpala Mufwankolo, owner of the Pride of Tottenham pub, and Lynn Radose, resident of River Heights, gave evidence.

Q253 Chair: Mr Lammy, Mrs Radose and Mr Mufwankolo, thank you very much for coming to give evidence to us. Mr Lammy, for you this is familiar territory although not before the Homes Affairs Select Committee and we are most grateful to your constituents for coming here today. Mr Lammy, it started in Tottenham. Why did this riot, this whole series of events, begin in Tottenham in your view?

David Lammy: Clearly, the death of Mark Duggan is significant in relation to Tottenham. This Committee will understand that the death of any individual, but a young, black man in open air, on a busy Thursday evening in Tottenham, was of tremendous concern. Sadly, Tottenham has a history—Joy Gardner, Cynthia Jarrett, Roger Sylvester—of deaths, in police custody particularly, that have been difficult events and indeed have led to other unrest. There was a lot of rumour about what happened and you will also be familiar with the confusion about the support for the family, hearing about this on television and other things. On the Friday morning, I put out a statement saying that there was an atmosphere of anxiety and calling for calm, and that is not something an MP does lightly, frankly.

Q254 Chair: Did you also say at the time that, if this was not dealt with there could be disorders, riots?

David Lammy: I didn’t say that publicly because I didn’t think that that was the right—

Chair: But did you feel that that might have happened if it wasn’t dealt with properly?

David Lammy: I talked to the police about tension and about Broadwater Farm and the context of other deaths in police custody that have led to riots. I did not say specifically that there would be riots. I went to Ferry Lane Estate and to Broadwater Farm Estate and I spoke to the youth, just hung out with the youth, and it was clear to me that things were very, very tense indeed.

Chair: Indeed.

David Lammy: Just to say, I have found out subsequently that there were text messages going around prior to Saturday night encouraging violence on BBM networks.
Q255 Chair: Thank you, Mr Mufwankolo. My apologies for my pronunciation of your name. Can you tell us where you were when you first knew there were disorders in Tottenham?
Mr Mufwankolo: On that day, I was in my premises as it was a football day. We heard that there was a demonstration near the police station, so I was thinking that it will never reach where we were and as normal after a football day, most of the pubs were just closing, go home for a rest.

Q256 Chair: And your establishment is what? I have obviously been to it, but other members of the Committee haven’t. What is your business on Tottenham High Street?
Mr Mufwankolo: I have a pub, a public house.

Q257 Chair: And you are in the pub?
Mr Mufwankolo: Pardon?
Chair: Were you in the pub at the time of the disorders?
Mr Mufwankolo: I was in the pub because, as I was saying, before the demonstration was close to the police station and at that time, I was at the pub. We were thinking that it was not going to spread downtown to the north side of Tottenham, so I went home. From home, I found that it was spreading downtown. I came back to my premises to see how things were. That’s where I found that doors were smashed up and I just preferred then to go inside. I went inside and I saw a lot of youngsters stealing drinks with bags, putting them in bags. When I tried to confront them, that’s when I found out that some of the windows were smashed up and other guys were coming in with a knife. I ran to the first floor in my office to hide myself, then I could watch what was going on in the premises on the monitor.

Q258 Chair: And then what happened? Did they come up after you or did they—when they saw you running upstairs, did they—
Mr Mufwankolo: When they saw me running upstairs, because the place was completely dark, they went up and were trying to get me downstairs. They were smashing any doors they could see that were closed to see if I was there. Then when I saw them start spreading, coming upstairs to the first room, I knew that if I stayed, they would find me and it would be very dangerous for me. Then I went out to a small window of my office to the balcony and from the balcony, I went to the roof. I jumped into the roof and then I could watch, because my roof—I have some windows that you can see inside what is going on, so I could see them all smashing everything and I hid myself in the roof. From there, I just climbed down the drainpipe to come down to safety.

Q259 Chair: It must have been a shocking and terrifying experience for you to be in your own business establishment, to be chased up into a room. You had to presumably lock the door, did you?
Mr Mufwankolo: Yes, it was very terrifying, to be honest. It was something that you couldn’t believe was happening.

Q260 Chair: How much damage was done to your business? Clearly they stole a lot of drinks from your establishment. Was damage done?
Mr Mufwankolo: Everything was damaged. I mean, I cannot even describe the damage because all the efforts I have put into the business just vanished in a minute.

Q261 Chair: How many years have you been running your business?
Mr Mufwankolo: I have been running the business now even not a year yet. It took me two years to build up the business and eight minutes to see it just vanishing.

Q262 Chair: What is your business called? What is the name of your pub?
Mr Mufwankolo: Pride of Tottenham.

Q263 Chair: Mrs Radose, were you there on the night?
Lynn Radose: We were on our way home from our family’s house when we heard on the radio that there were disturbances in Tottenham. We got back home about 10.30.

Q264 Chair: On which night?
Lynn Radose: On Saturday night, at which point the riots were further down the High Road and the disturbances—I think they were calling it on the news at the time. We were just watching the news constantly; seeing the bus on fire, seeing the looting and we had a balcony on the end part of our flat so we could see down the High Road. We could see the flames of the bus, the flames, we started to see the riot getting closer to our building and there weren’t any police anywhere that we could see from our building. The only thing we could see was a police helicopter and the rioters getting closer and closer.

Q265 Chair: What was your building? What was your business?
Lynn Radose: We lived above the carpet shop. We lived in River Heights in the building above the carpet shop. There were 26 flats.

Q266 Chair: How long have you lived there?
Lynn Radose: My husband’s owned the property for eight years.

Q267 Chair: What did they do to the carpet shop when they arrived?
Lynn Radose: From what we saw on TV, they smashed the windows of the carpet shop and then set it on fire. Then some of the other rioters entered into a garage and threw tyres into the carpet shop. I guess that’s what fuelled the flames.

Q268 Chair: So it was on fire. It was on fire before you arrived there, wasn’t it?
Lynn Radose: No. We had left the property before it went on fire. We were back in our house. We were watching it on TV. Then, as the riot was getting closer, we got scared for our lives so we left the building before the rioters approached it.
Q269 Chair: How many members of your family left the building with you?
Lynn Radose: My husband and I left and we left with our next door neighbours on either side of us, so six of us left the building at the same time and then we started to call our neighbours and say, “We think you should leave the building. It might be under attack”.

Q270 Chair: And what kind of damage was done to the building? I have obviously seen it, but other members of the Committee have not.
Lynn Radose: It is completely destroyed. The carpet shop was on fire and for some reason, the sprinkler system in the carpet shop wasn’t linked to the sprinkler system in the building, so pretty much instantly or within a very short period of time, the whole building was on fire. The fire alarms weren’t going off. Neighbours were setting off the fire alarms themselves and the whole building was completely destroyed. All 26 properties and the carpet shop.

Q271 Alun Michael: I would be interested to know something. The Acting Commissioner acknowledges there was an issue sometimes when there is the policing of the local community by local police and either other police officers have to be brought in for specific purposes or there is an operation by a different group. Are any issues of local policing and other policing, Mr Lammy, tied up with the events that you saw happening in the estate?
David Lammy: I think the major development of the last 15 years in policing in most developed countries is community policing and where that works well, it works fantastically well. If we move from 1985, when relations with the police would have done that, there has been some progress, but I have come to expect, in my 11 years as the MP for Tottenham, that when operations involve police from outside of the area, things can go badly wrong.

I am concerned that the local police did not know about Operation Trident and I am concerned that the public disorder aspect of this, manned a long way away in Scotland Yard, obviously did not work successfully. When I speak to homeowners and shopkeepers, what they say to me—I can’t illustrate to this Committee, although obviously the Chair has been to Tottenham and has walked the length of Tottenham High Road, from the police station to where the carpet shop is and where the Pride of Tottenham is, is some significant distance.

It takes a good 15 minutes, maybe 20, to walk that length. It is almost half a mile. This is a riot that stretched up one of the longest high roads in the country and went on for over eight hours. Glickman’s is an ironmonger that has been in Tottenham for about 120 years. Its business alarm went off at 4 am. At 4 am, Glickman’s, just past the carpet shop, we have an alarm going off and widespread looting when the violence started eight hours earlier. So this has gone on for a significant period and those at the north of the high road, Pride of Tottenham, those looting this building are saying—where were the police? We could not see them.

Q272 Alun Michael: Can you take us back to the first stages then? You’ve illustrated the amount of time and distance. In the first instance, how quickly were local police engaged with the developing issues?
David Lammy: I was contacted in the evening at around 9 pm, I think, and told that there was a car on fire outside the station. I was contacted again half an hour later and told there was a second fire. I then received text messages from councillors and activists and people of the community telling me there was a bus on fire. From my conversations with the police, it was clear that they felt that the police station was coming under attack. I did not get a sense that the police felt able, with the fire brigade, to put out those fires or contain that violence. I was in constant contact with the police and with the wider community and it went on throughout the night. It was many, many hours before this was contained.

Q273 Lorraine Fullbrook: Thank you, Chairman. Mr Lammy, can I ask, between the Thursday evening and Saturday evening, were you briefed at any time by the police that they had intelligence that there was going to be trouble on the Saturday evening?
David Lammy: No.

Q274 Lorraine Fullbrook: Thank you. Can I also ask you, Mr Mufwankolo, when you were watching your business being destroyed and feared for your life, were you calling for police help during that time when you were climbing up on to the roof of your business?
Mr Mufwankolo: I did when I came down. When I climbed right down, I went to my neighbour’s place to seek help. My phone’s battery at that time was completely low. I used my neighbour’s phone to call the police and the only thing the 999 people said to me was, “We know what is going on. We cannot do anything at present. You have to hold on.” That’s the answer I had from the 999.

Q275 Lorraine Fullbrook: Did you feel that you had been served as a citizen by the police when your business was being destroyed in front of you?
Mr Mufwankolo: To be completely sincere, yes, and I know why—because the violence was very big. I’ve never seen that kind of violence since I have been in this country. The riot people were surrounding where I was, Scotland Green, because I’m just like a small island of Scotland Green, so all of them were there. So the police couldn’t even attend because if they did so, maybe they were going to be attacked by those people.

Q276 Lorraine Fullbrook: Can I ask, Mrs Radose, during your horrendous ordeal, were you calling for police help as well?
Lynn Radose: Yes, and we were told a similar thing—"The police know what’s happening, they can’t do anything about it.” It was more when our other neighbours phoned the fire brigade when it was on fire and the fire service told them they can’t get there because there’s no police—and there weren’t any police anywhere, I cannot stress that enough for you. We had a balcony on the third floor and we could see a riot, we could not see one police officer. By the time
Q277 Lorraine Fullbrook: What help have you been given since you’ve been burned out of your house?

Lynn Radose: There’ve been quite a lot of support. For the first two weeks, every single day we went to the local community centre where there was help from the MP’s office and from the Metropolitan Housing Trust. We’re part of the freeholders, and they had counselling services and that kind of thing there, housing services. There has been a lot of support.

Q278 Mr Winnick: Mr Lammy, you quickly condemned what was happening and you were quoted in the media talking about the mindless violence. I for one certainly admire the way in which you took immediate steps to condemn what was happening, but I wonder if we can go back to the very beginning of what occurred? The police shooting of Mark Duggan. I take it Mr Duggan was one of your constituents?

David Lammy: Yes.

Mr Winnick: How far, Mr Lammy, is it your view, as the Member of Parliament, that the shooting of Mr Duggan was the trigger which set off the rioting and the looting?

David Lammy: I think that this is a sort of perfect storm of a catalogue of errors that could have avoided riots on the scale that we saw, so my starting point is absolutely that a death of this kind—we know from experience in London—can trigger unrest. Now, in the old days, the police would immediately start investigating themselves and there would be a lot of suspicion about where that would end. The good news is that the IPCC stepped in here very early. The bad news is that the IPCC is left in the place it is left in. The message it sends is that they wanted no violence of any kind—a peaceful protest, yes, but certainly no violence. Are you—I’m sure you are—investigating, if that is the right word, how it is that the family were not told of Mr Duggan’s death? That is the question I put to the Home Secretary. His girlfriend, or partner, went to the police station and was told to wait outside because they had other queries. She waited some four hours.

David Lammy: On the Saturday morning, I raised with the Commissioner of the IPCC concerns that I was hearing that the family were saying that they had not been liaised with. Clearly, there was confusion about whether that had or had not happened and about who was responsible for making it happen.

Q279 Nicola Blackwood: I’d just like to say, Mr Mufwankolo and Mrs Radose, how much the Committee is appalled by your stories. I think all of us are completely disbelieving that you should have had to go through these terrible experiences at the hands of members of your community. There has been a lot of speculation about why this should have happened and what might be the causes, and I just wonder what you think might have been behind or in the minds of some of those people who were rioting when they were doing it.

Lynn Radose: I have no idea why people would set our building on fire and wreck people’s businesses. I think ultimately the people to blame are the people who did it—the people who smashed the shops and set off petrol bombs. There is no debate on that whatever, but part of it is that they were allowed to.

Chair: So it’s communication, lack of communication.

David Lammy: Yes, that did not happen.

Chair: By the police or the IPCC?

David Lammy: It is for the system to determine where that should lie, but clearly, at that point, community confidence is essential and I’m afraid that did not happen.

Can I just add, though, that despite the concern expressed by me and community members about tension and fears, and subsequently young people have shown me their text messages to go and cause violence in the community—I don’t know whether the police were cognisant or aware of that. I do think that this event was hijacked, by those intent on causing criminal damage, and I want to make a distinction between what happened in Tottenham and Croydon. Arson and the burning of people’s shops and homes obviously has far greater impact and terror than pure looting and I just want to emphasise why Tottenham is left in the place it is left in. The message it sends for hours on News 24 and Sky News playing out across the world and the vacuum it was allowed to create, with then unrest in Wood Green just a mile up the road and no police there at all—what happened in Wood Green then became the pattern for what happened across the rest of England.

Q280 Nicola Blackwood: And what do you think community relations with the police in Tottenham were like before the riots and what do you think they’re like now?

Lynn Radose: I have no—
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Nicola Blackwood: Maybe from your personal perspective,
Lynn Radose: I would have no engagement with the police whatever in my day-to-day business; I would have no idea. I can imagine it’s worse now than what it was.
Nicola Blackwood: Mr Mufwankolo?
Mr Mufwankolo: Now after the riots we’ve seen, there are sometimes more police on the streets. That was not the case before. That is a small change after the riots—we can see more police officers in uniform than before.

Q282 Nicola Blackwood: Do you trust the police more now than you did before the riots?
Mr Mufwankolo: I’m not talking in a sense of trust; I’m talking in a sense of presence of the police, so the trust comes to what they are doing and not what they are. I’m talking in a sense of we can see them more in the street now.

Q283 Nicola Blackwood: All right. Mr Lammy, what’s your assessment of police relations with the community?
David Lammy: I think that there has been progress since the 1980s and I think for any community to have suffered two riots in the space of a generation, this a path that Britain has never been on. I can think of some cities in America that have been here and it is pretty bleak. I think there are confidence issues around, obviously, the death of Mark Duggan, but there are also profound concerns that we must never let tough, impoverished communities and we must never ever allow gang members and criminals to run the streets. My stress is on the 99% of people in Tottenham who are horrified at the violence, who are horrified at knife crime and gang members, who pay their taxes, who go about their business and who need policing. I’m afraid that has now taken a real confidence kick. It is those people that I am concerned about.

Q284 Chair: Mr Lammy, you were a Minister of the last Government. Should the last Government have done much more?
David Lammy: I think that the advancing on community policing was important. It needed to go further in fact, and I remain concerned at the recruitment of ethnic minority officers in the Met. I don’t just say that on the basis of equality; I say that on the basis of sound pragmatism. We must have officers in Tottenham who were born in Stockwell, Hackney, Peckham, places like that, and clearly progress stalled under a Labour Government.

Q285 Chair: But you are not telling us that there was a race dimension to this at all, are you?
David Lammy: No. I have been very clear. I do not think that this has the character of the race riots we saw in the 1980s, or indeed in the early part of this decade in Bradford and Burnley. I think this does have class dimensions to it, of course, but if you are burning down local—these are the people I’m in politics for and if you’re burning down their businesses and homes, that is an attack on a community. That is not an attack on the police in the political sense.

Q286 Michael Ellis: Mr Lammy, can I take this opportunity to commend you for your leadership of your constituency during what was clearly a very challenging time? It is well recognised that you were a very strong leader at that time. You have referred a couple of times to text messages and other forms of communication like that. I want to ask you a little about what you think can be done, if anything, about the role of social media in situations like this. Perhaps you think that there is very little that can be done, but do you have any views on it?
David Lammy: What I can say is that I sat with a 14-year-old yesterday who showed me some text messages that he had received on 7 August—prior to the Saturday 8 August—inciting violence in Everton and Enfield. This is a 14-year-old who is in a closed network—people share PINs on the Facebook network. Obviously, this is a wonderful 14-year-old who showed his mum and I’m told made that available to the police and others. I want to keep his name anonymous for obvious reasons. I am deeply worried that the police seemed unaware of those networks. I called for the suspension of BlackBerry Messenger. What I meant by that was for the police to get order on our streets, this was on the Monday, there should be some suspension in the evening. I think there are huge implications obviously in relation to social media and we can’t lose all our freedoms because of those intent on causing harm or violence, but clearly, part—

Q287 Chair: Is it still your view that it should have been suspended? The Home Secretary has just told us—obviously, you didn’t hear her evidence—that the Government is firmly against any shutting down of social media in those circumstances.
David Lammy: I called for suspension in the heat of the problems. Clearly, the police were able to get order without suspension, so that is not my view now. No, I think I would have to say that, but it is my view that the police—where violence is occurring—need to be on top of the intelligence and other things, and it is for them to explain how they want to do that.

Q288 Michael Ellis: I think it is fair to say that they became increasingly more on top of it as the situation deteriorated.
David Lammy: But look at the consequences for Tottenham.
Michael Ellis: Yes, of course.
David Lammy: The millions, the £75 million it is going to cost to turn it back, to put it back in order.

Q289 Michael Ellis: Can I just ask a question to Mrs Radose? You said earlier that you were originally in the flat and you evacuated as the situation deteriorated. Were you able to retrieve any of your personal belongings?
Lynn Radose: No, what happened was I started packing a bag of stuff and then, like I said, we had a balcony so we could see the riot and my husband had said, “I think you might get mugged for your bag if...
you take it” so then we didn’t take anything. All we took was our mobile phones and our passports.

Q290 Mr Clappison: Very briefly, I will follow on from what David Lammy was saying, very much in that spirit. Do you think that in the media it has been sufficiently highlighted that many people have suffered dreadfully—including, amongst others, many people who perhaps don’t have the resources to fall back on that some others have? Do you agree that it is individuals in communities who are victims of this?

David Lammy: I don’t think they have and the terrible thing about this is 300 or 400 people in Tottenham have dominated the news, when everybody else was the victim. Everybody else did not go out and riot. Everybody else has the same policing, and they did not behave like that. These 300 got the focus and that is a great concern. The reputation of Tottenham is driven by the 99% who stayed at home and who were doing good things on behalf of the community, not the 300 who caused this damage who should have been stopped.

Q291 Mr Clappison: Can I ask Mr Mufwankolo, very briefly, what feedback he’s had from his regulars at his pub since this took place? I imagine they’re not too thrilled either.

Mr Mufwankolo: Our people are not really returning to pubs. Pubs in Tottenham are very empty because we still have a sign of burned premises and they’re modest premises. A few people who have returned to pubs are not believing that is happening there because we have some shops that they were going to regularity that are burned; they have to change their daily way of shopping now. It is all a big process. The change in the life, in the regular life of everyday people, they are still in shock—even the regular customers are still in shock.

Q292 Lorraine Fullbrook: Thank you. Just a quick question, please, to the two constituents of Mr Lammy. Mr Mufwankolo, can I ask when you expect your business to be up and running again?

Mr Mufwankolo: What I did after this is I tried to put in all my efforts, not just to cry and be desperate. I put my effort to get my business back in order, at least to start opening the doors and to serve some of the customers who can come to assist me. So at present, I put all my effort to have my business back running again.

Q293 Lorraine Fullbrook: Can I ask Mrs Radose, when do you expect to be back in a house of your own with your husband?

Lynn Radose: Our own property? Right now, we don’t know. They are going to rebuild the property that we lived in. The insurance company said that can take up to four years. We’re currently in negotiations to try and move that quicker for us personally. We’re just in limbo.

Q294 Chair: Mr Lammy, on behalf of all the members of the Committee, can I again commend the role that you played in your local community at this very challenging time? I also commend your constituents. Thank you very much for coming in. You have our deep sympathies. None of us would have liked to be in the position that you were in. If you have any further information, Mr Lammy, we would be very keen for you to send it to the Committee. If there is a possibility of us coming to Tottenham later on, we will come as a Committee, but thank you most sincerely for coming in today. Thank you.

Examination of Witnesses


Q295 Chair: Mr Mahmood, Miss Mahmood, Mr Brown, Mr Ubhi, thank very much for coming in to give evidence to us today. I think you may just need to switch round the nameplates, as they are a little mixed up. As you know, this Committee is conducting an inquiry into the circumstances surrounding the disorders between Tottenham and Birmingham in the first part of August. Mr McCabe, a member of our Committee of course, is familiar with the landscape of Birmingham. Some of us are not.

I have been down at your invitation, so we may ask you for descriptions of precisely what you saw. We are interested in what happened on the day. Mr Brown, if I could start with you. You were in the community in Birmingham on the day of the first disorders, which happened, I think, on the Monday in Birmingham. Is that right?

Michael Brown: Correct, but my involvement and I think my attendance here are a consequence of a conference that was held in Birmingham which brought together. I think, in the region of 150 people to consider issues that may have given rise to the riots. To consider how the riots were managed and to consider what it is that communities or what actions could be taken as a consequence to prevent those kinds of events from recurring.

Q296 Chair: Excellent. That would be very helpful to the Committee. Mr Ubhi, were you out there on the night of the disorders?

Amrick Ubhi: I wasn’t, no. On the Monday, we were there till about midnight and as the earlier speaker said, there were all those text messages around, so people were aware that things had kicked off in Birmingham city centre. With regards to Handsworth and Lozells, where we’re based and we were situated, it was all relatively calm up until 12.15 am on Tuesday. So I left the Gurdwara complex at about 12.30—
Chair: Just to help the Committee, the Gurdwara complex is on which road?
Amrick Ubhi: Soho Road, Handsworth, right of the corner of Soho Road and Lozells Road.
Chair: Would you describe that as a central part of Birmingham?
Amrick Ubhi: It has become renowned as the gateway to Soho Road, so that’s what it’s termed by our city colleagues and our civil society down there now. Basically, the Gurdwara is the largest Gurdwara outside India as far as activity goes—not floor space, but activity and it’s involved in a lot of interfaith work, a lot of youth work but that’s through the civic arm that I’m head of.

Q297 Chair: You were there on the Tuesday morning?
Amrick Ubhi: On the Tuesday, we were there until about 12.30, and at about 12.30 I left the complex and everything was sound. We knew there were issues in town but we were given a heads-up that something was brewing and it was likely to overspill.

Q298 Chair: Who gave you this heads-up?
Amrick Ubhi: The heads-up came from a couple of our colleagues who sits on various forums with us. He said, “Amrick, we believe that there are going to be issues down Soho Road” and so a lot of the traders were out waiting to see whether they were required because there was very little police around and very little activity of any other sort that was, let’s say, alarming in any way.

So we took stock at about 12.30 and said, “Look, there’s nothing happening now”. The front of the Gurdwara has big gates and those gates were shut. The Gurdwara was secure. The complex next door was secure, that is the—

Q299 Chair: Yes, so when did it become insecure?
Amrick Ubhi: I think it stayed secure, the Gurdwara stayed secure. At about 1 am or 1.15 am, as I had literally driven into my front drive, I received a call; I am about seven minutes, eight minutes away from Soho Road. I received a call saying, “Amrick, we’re walking down Soho Road” and that was Raj, one of our colleagues who sits on various forums with us. He said, “We’re just walking down Soho Road and there’s a lot of youth here”. I said, “Okay, whereabouts are you on Soho Road?” He said, “We’re outside Badial’s” which is what, 200, 300 yards from where we were. At that point, he kind of went, “Oh my God”, I said, “What’s happened?”

Chair: Tell us what you saw rather than what somebody else told you.
Amrick Ubhi: Basically, I was eight minutes away, so I could only—

Q300 Chair: Right, so did you arrive there and see the disorder?
Amrick Ubhi: I got back to the Gurdwara and asked, “Where do we need to be?” and at that point, we stayed at the Gurdwara. We didn’t have any intention of going out to go and find trouble or look at what was going on. So we stayed in the confines of the Gurdwara and said, “Is the campus okay and if there’s anybody that needs help in the immediate vicinity, can we provide help?” I did not make my way down Soho Road. I was on intel, I had been speaking to Inspector Sean Russell and kept in touch with Sean Russell who—he and I were—

Q301 Chair: Yes, so tell us what the effects on the community were and what happened.
Amrick Ubhi: The effects on the community were very unnerving in that a lot of the community had come out—if you think about the demographic make-up of the community along Soho Road, it is predominately Asian, Muslim, Sikh and we’ve got a lot of new arrivals now, there’s a lot of Polish. So all of a sudden, what you had was the whole place turned up on its head because people were standing outside trying to protect their properties and didn’t believe or think that the police were responding quickly enough. The perception, even at that time, right on the coalface, was why is the police protecting the city and the jewellery quarter but not coming out to protect us?

Q302 Chair: So there was damage to properties on that road.
Amrick Ubhi: Yes. Damage to properties had started because there were shutters being pulled out, two cars had been overturned and set alight in the middle of the road, and there were attempts being made at pulling shutters down and getting into shops. So the net effect of that was that more traders were turning up to come and protect their premises.

Q303 Chair: And this was what time on Tuesday?
Amrick Ubhi: This would have been about 1.45 am.

Q304 Chair: Right, thank you. Mr Mahmood, you’re the constituency MP for part of that road. What did you see and what was the reaction of the local community?
Khalid Mahmood: The real serious issue was that people were saying that the police are just standing by and our shops and properties are being looted, nobody’s taking any notice. We’re calling the police, we’re asking them to do something and nothing is happening. This led to a number of people coming back out from the houses to stand outside their properties to protect them. That, to me, was a very, very grave position—where you’ve got people ready to defend their properties against these people. That could have broken out into a huge riot in itself and huge damage to people.

Q305 Chair: Did you feel the police ought to have been doing this rather than the public?
Khalid Mahmood: Yes.

Q306 Chair: So where were the police?
Khalid Mahmood: In terms of Soho Road, they were standing at the top end protecting a police station. To my amazement, traffic was still going up and down. There had been no attempt to seal the road off to stop further people coming in. There was no semblance of any order at all. People were saying we had some jewellers who were broken into. We had an electronic shop that was broken into with electronic equipment,
TVs and the like; we had a phone shop that was broken into. Two of the banks on the road were broken into and they tried to make away with the cash till, which you had the opportunity of coming and seeing. They were trying to drag it off, but luckily the manager had taken the money out of that cash machine.

**Q307 Chair:** This is a cash machine physically being removed out of the bank.

**Khalid Mahmood:** Physical cash machine, inside the bank.

Chair: Yes. I have obviously seen it, but the Committee haven’t.

**Khalid Mahmood:** That’s right, yes, sir. They managed to break into the bank and tried to take this portable machine away or tried to open it and luckily, they didn’t succeed, but there was no money in it in the first place because the manager had taken the money and put it in a sack.

**Q308 Chair:** Yes, very helpful. Thank you.

Miss Mahmood, again, a large part of this area was in your constituency. When did you first hear about it and what did you see when you arrived down there?

**Shabana Mahmood:** I had a conversation with Chris Sims, who’s the Chief Constable at West Midlands Police, early on the Monday morning—just talking about the day and the police getting ready because they were concerned obviously that the violence was going to spread to Birmingham as well. Then I started getting calls in the very early evening, about 5.30 pm or 6 pm, that things had kicked off in the city centre, all of which is in my constituency. Those calls kept coming and obviously there was much more trouble. I was on my way into the Mailbox, which is in the city centre, and it’s where the BBC are based. They’d asked me to come in and do a couple of interviews. I was driving in with my dad and the police were, at that point, cutting off access into the main city centre area. I could see lots of groups of young people and what shocked me was that some of them are very young—they couldn’t have been more than 14 or 15-years old, carrying bags of stuff that they had obviously just taken from shops.

**Q309 Chair:** What kinds of things did you see in their bags?

**Shabana Mahmood:** Mobile phones, and one girl was showing another one of her mates a range of phones that she had in this bag, whipping them out and handing them out to her friends as they were crossing the crossing in front of us.

**Q310 Chair:** Did they have hoods on, these people, or were they visible to you? You could identify them?

**Shabana Mahmood:** Some of them had hoods. Others were visible. It was all very open. I was shocked at the girls who were laughing and for whom it—the impression I had was that they that had just been and had a great day out almost, and it was really shocking. They were also just streaming across the street and obviously the traffic heading down that street didn’t realise it was all closed off. Only at the top, there was a very—

**Q311 Chair:** Were any police there?

**Shabana Mahmood:** Only at the top to prevent further cars from going into the main city centre. Where I saw the youngsters, there weren’t any police officers at that point.

**Q312 Lorraine Fullbrook:** Can I ask just one of Mr Mahmood? At any time on the Monday, or even on the Tuesday morning, were you officially briefed by the police about any intelligence they had that something was going to happen in either area?

**Khalid Mahmood:** No. We made contact with the police on the Tuesday and had a meeting with the traders. Police attended that meeting, but I certainly had no briefing before that and we then made further contacts with local area commanders and officers to try and look at the information about what was going on.

**Lorraine Fullbrook:** But that was after they had had meetings.

**Khalid Mahmood:** Afterwards, yes.

**Lorraine Fullbrook:** But you hadn’t been officially briefed beforehand to say they’d had any intelligence to say this was going to kick off?

**Khalid Mahmood:** No, I didn’t.

**Shabana Mahmood:** As I slightly referenced in one of my earlier answers, I did have a conversation on Monday morning, but that was—

**Lorraine Fullbrook:** But that was indicated by you?

**Shabana Mahmood:** Yes, it was and it was picking up just an overall fear that if the trouble was going to spread, Birmingham would be a natural place for it to move to after London.

**Q313 Steve McCabe:** I think I want to direct this more to Mr Ubhi and Mr Brown. Obviously, the trouble started in the city centre and we have heard about that. When it flared up in Handsworth, was it the same people who were causing trouble in the city centre who then moved to Handsworth? Were these people from Handsworth or were they from somewhere else? Do you know? Did you have enough information about who was causing the trouble in Handsworth?

**Michael Brown:** From what I have heard, there was quite a high degree of mobility across the city so that people were involved—

**Steve McCabe:** But you do not personally know?

**Michael Brown:** No, I don’t know. I have not spoken to those people, but that is what we understood.

**Amrick Ubhi:** On the night, the concern was that nobody had been stopped coming out of the city into Handsworth. Just for the benefit of the Committee, if we see this cup here as the centre of Birmingham, you would have to go through this block here, which is the jewellery quarter, to get to Handsworth and Lozells at this end. The argument that the traders were putting up right on the spur of the moment when it was kicking off was, “Why are the police protecting that asset but ignoring us? Do we not count as citizens?”

The perception was that they had been contained here or, rather, if not contained, dispersed from here and clearly made their way along Constitution Hill. That’s what the text messages were saying as well—through the jewellery quarter and into Handsworth. So, yes, there was some mobility, using Michael’s words—
what was in the city was migrating to and ended up in Handsworth and Lozells.

**Khalid Mahmood:** There are two elements there. I think Amrick is right to a large extent, but also there was a group of people round the Murdock Road and Albert Road area where we had had history previously, and there was a dispersal order in place. We were working—the local council had been working on that area—particularly with some young people that were there. I think they then joined that area as well. There was a combination of people coming from the city centre and some people internally from within Handsworth moving across.

**Shabana Mahmood:** It is almost the same as Khalid, in the sense that people were clearly streaming from the city centre towards, as Amrick says, Constitution Hill and then over Hockley Flyover and into Soho Road. But then there were also people from within the Winson Green and Dudley Road area, also coalescing and moving either on to the Dudley Road, which is another high street with lots of shops, and also the Soho Road, which is the bigger sort of business area.

**Q314 Steve McCabe:** The reason why I ask that is that I think we have heard from the MP from Tottenham and his constituents that it was people from Tottenham who attacked and damaged their own community. I think we have heard from the MP for Enfield and his constituent that it was people from outside Enfield who were organised and went in to attack the community. I was curious to know what the perception in Handsworth and Lozells is—if it was coming from within, if that is the right term, or if it was externally driven.

**Shabana Mahmood:** Certainly the problem in the city centre—there might have been a small number of people who were from outside Birmingham—but it was internal, if you like, to Birmingham and then particularly with the trouble we saw on the Dudley Road, where obviously we had the incident with the car and the three deaths. That was internal to Birmingham or internal to that area as well; it wasn’t external individuals.

**Q315 Alun Michael:** I ask this question first to Mr Brown and Mr Ubhi, but I would be interested in the comments from the Members of Parliament as well. One of the issues that comes up in some areas is the relationship between local policing—community policing, policing by the people who are regularly policing that area—and when others have to be brought in, either for a specific operation or because support is needed. Was this an issue in relation to events in Birmingham, which we are asking you about today? What are the relations like with the police?

**Michael Brown:** I’m not aware that was an issue. Certainly the feedback that we had at the conference was—to a degree it was contradictory because on the one hand people are saying the relationships with the police were good and, on the other hand, they were questioning whether they could trust the police to do the job they were paid to do. There is a bit of a dichotomy there, but I think that the relationship is with the police. I think that’s what they see the relationship is with the police. I don’t think that there is a differentiation between those who are local. There are some who are local who will have better personal relationships within the community.

**Alun Michael:** But it is not a big issue in your respect. Mr Ubhi?

**Amrick Ubhi:** From my experience, in any walk of life you do not build relationships with institutions; the relationships are with individuals. Personally, and as a community group, we have good working relationships with certain individuals on a local basis and that has served and worked well. Leading up to the event, we were already talking to Chief Inspector Sean Russell, who was in the throes of putting some local reference groups together. We had a meeting that Stephen Hughes, the Chief Exec of Birmingham City Council, chaired and he has a local Handsworth and Lozells reference group, which meets regularly. He has all his top officers there and then local people to come in and raise some of their issues.

One of the issues that was fed back by Superintendent Matt Ward at the last but one meeting, if memory serves me right, was that there are some fault lines, as we call them. There is a lot of work going on at the moment because there have been some issues with some festivals that were pending or coming up, a carnival coming up. There was some work commissioned to say, “Well, go out and find out what’s going on”. Superintendent Ward came back and said, “There are potential fault lines. There is some tension but nothing major that is alarming.”

Just having that dialogue, and on the back of that Sean Russell had been tasked with putting some groups together to have some dialogue and see where things went, so we were already talking and having that conversation. When you talk about relationships, even from that point, nearly two, three months before the disturbances, right through the disturbances and even today, that dialogue with Sean still carries on. It is that that is helping us inform, quell or dismiss a lot of the text rumours, the rumour-mongering that’s been going on, that has helped us.

From a policing point of view, I think since the last incidents that we have seen in Handsworth and Lozells—I’ve seen them all personally and am sick to the back teeth of them—we do not seem to have learned those lessons. It is about community policing and putting local bobbies into the local area so that they can build those relationships, so that when something is bubbling it has got to a source, prior to it becoming contagious. Does that make sense? Dealing with it at source is a lot easier than trying to band-aid it after it becomes cancerous.

**Chair:** Would you like to comment, Mr Mahmood?

**Khalid Mahmood:** There are a number of issues with the police and local policing. I think over the last ten years we have had a fairly good relationship; we have had increasing policing but since last year that issue has changed considerably. The Chief Constable brought in a new programme called Paragon that meant a quite significant reduction in local policing. In that period over the last year, crime has gone up in the area; there were issues I alluded to earlier on with dispersal orders now put in place because of the rise of the sort of tension that was going on. So over the last year there has been a difference in the way
policing has taken place, and far thinner policing. The community areas all have far fewer community support officers, who have done a fantastic job in the area previously.

This is not a political point, but the reality of what has happened on the ground. There are fewer officers there to deal with the issue and so, therefore, crime has risen.

_Shabana Mahmood:_ I want to put the issues and relationship in the context of what happened in Winson Green, which is where the three young men lost their lives. Up to the early hours of Wednesday morning, a lot of people had been feeding into me that they felt they had to police their area on their own, and there were a lot of young people about. You have got to remember this was Ramadan so the late evening prayers were taking place and finishing at 11.30 pm, 11.45 pm, and the pre-dawn breakfast was about 3.30 am.

There were a lot of people up and about and offering to help their friends who owned businesses on Dudley Road and Soho Road—just stand outside and make sure that those premises weren’t looted. All of that was happening and there was a sense that they had been forgotten about or that they had been let down.

Then obviously after the incident with the three young men being struck with a car, that spilled over and then there was real tension in the air, a real disappointment with the police response.

On the Wednesday afternoon, I chaired a meeting just to facilitate a dialogue between the police and the community. It was an open meeting and we had hundreds of people turn up, a huge crowd gathered outside and there was real potential for a fight then.

There was a real disappointment again with the police, and Tariq Jahan in the end had to calm himself and address the crowd outside, telling everybody to calm down and to go home. It was one of the most difficult things I have ever done. The follow-up meeting from that is tomorrow and again the idea is to try and facilitate this dialogue to get the relationship between the police and the community of Winson Green back to where it should be.

_Q316 Michael Ellis:_ Mr Ubhi, did you also witness, observe and anticipate a necessity for members of the community to protect particularly important buildings to them, for example the Gurdwara? Did you see that happening in your community? Do you feel that there is disappointment in the police locally for not being able to respond when they were needed?

_Amrick Ubhi:_ I think it is important to understand it from a cultural perspective before I answer your question, if I may.

_Chair:_ If you have a brief answer, that would be very helpful.

_Amrick Ubhi:_ Yes.

_Michael Ellis:_ Forgive me, but this is the first opportunity I have had to ask a question to this panel. May I respectfully suggest you answer the way you see fit?

_Amrick Ubhi:_ I think culturally, as Sikhs, we are brought up to be law-abiding, to work with the police and to work within the confines of the law. We are also brought up not to be dependent but to be independent. It is not the case of us sitting there waiting for an attack or something to happen before we react; it’s about being pro-active, as I’ve just said, with neighbourhood police and neighbourhood policing and local policing. That is what happened; people were being pro-active. Whether anything kicked off on that night or not, they would have still been out, they would have still had cups of tea and exchanged niceties and somebody would have brought some food along and dealt with it. The perception about the police is still the same—they were too busy in the city and in the jewellery quarter and neglected the Asian businesses, which were predominantly on Soho Road.

_Q317 Michael Ellis:_ Do you feel that community elders and leaders played an important part in keeping younger members of the community sufficiently under control?

_Amrick Ubhi:_ I think there was probably scope to have done more but, based on the heat of the moment, the lid that was kept on. I applaud every community for what they did that night to keep the lid on things.

_Q318 Michael Ellis:_ Just very briefly, you have mentioned a couple of times text messages and the like and the role that they played. Do you or anybody else on the panel have any views on whether anything could be done, especially during the heat of situations like this, to control social media?

_Amrick Ubhi:_ I shall speak as an individual, not on behalf of anybody here. In the heat of the moment, if I could have flicked the main electricity switch for the whole country, I would have done—because what that text messaging, BlackBerry and everything else was doing was nothing short of inciting. It was inflaming situations. It was turning communities against communities, turning people against the police for no reason other than, “Let’s have a nice laugh.”

_Shabana Mahmood:_ I would add, though, that from my own personal experience of what was going on and everything that I saw myself, the social media side of it was as much a force for good as it was for whipping things up and creating trouble. For example, there was a clean-up operation organised purely on Twitter on the Tuesday morning and lots of people went into the city centre and the Soho Road to help clean up. Also, after the three deaths occurred, there were so many young men, young Asian Muslim men, in particular, who wanted to go out and—passions were running so high they either wanted to march or they wanted to show how angry and upset they were. Then it was other young Muslim men texting them or Twittering them to say, “Calm down, brother. It’s Ramadan; we have to appreciate the spirit of the month we’re in, it’s a holy month”. In that respect, it was a force for good as well.

_Q319 Chair:_ Mr Brown, you mentioned a conference that you chaired and you were keen to tell the Committee about it. Very briefly, I am afraid—we have other witnesses coming in—what were the headline issues?

_Michael Brown:_ I will be brief. There were a number of issues, which probably fall under four general
heads. I am trying to get them in order. One was about the factor that may have conspired to create an atmosphere in which the riots, or any kind of rebellion, could take place. A lot of that relates to social factors, whether it be factors around people not being able to get jobs, around loss of service, around loss of hope, around seeing what’s going on elsewhere through the media, through politicians, through people deemed to be leaders and a sense of hopelessness. There is another set of discussions, issues, which related to how the riots were dealt with. We have talked about the relationships already—questions about the state of readiness and whether the police were ready, and there has been quite a bit of discussion around that. Whether, in fact, it was a case of whether the numbers that they had out on the street were sufficient to deal with the volume and breadth of incidents and whether there were sufficient deterrents, visible deterrents, either in terms of police numbers or visibly seeing people being detained, being arrested—these were some of the questions—and whether in fact there was a police strategy. Not just about having police there, on the face of it not doing anything, but what was the factor behind that?

Q320 Chair: Obviously, you have a lengthy report there. It would be helpful if you could write to the Committee, or we could have your conclusions. You could submit it as formal evidence. I think you may have done so. That will be very helpful for our deliberations. One issue which is always apparent in Birmingham, and again I am sorry to ask you to be brief but we have one more set of witnesses to come in, is the issue of race in Birmingham that was raised when I was there. Was that a factor in these riots? I have asked this of every single witness. I just want to be very clear from you all that this was not an issue or it was an issue.

Michael Brown: No, it certainly isn’t. Nearly everybody I spoke to about it is denouncing that and saying, “No, it wasn’t”. In fact, it has been portrayed as such and the portrayal of it as a race issue has the potential to cause tremendous damage by, I think the phrase is, demonising particular communities—the African Caribbean communities. It is not helpful, not just to the community but also to community relations.

Amrick Ubhi: No, I do not think there were race issues. However, the perception which seems to come through, as Michael just said, is that this has been drummed up to be something that it really isn’t. We firmly believe that this was purely a criminal matter and that was what the reference group believes that came together to help quell some of those concerns that came about.

Chair: Mr Mahmood, Ms Mahmood, Mr Brown, Mr Ubhi, thank you very much for coming here today. I am sorry; we could have gone on for much longer, but I am afraid that we have other witnesses. What you have had to say to us has been very helpful.

On behalf of the Committee, can I thank the two MPs for the leadership that you have shown in your communities? To you, Mr Brown and Mr Ubhi, would you pass on the condolences of this Committee to all those who have been affected? There were people who died in Birmingham as a result of these riots. Our sympathies are with the families of those who have died and, of course, with those who suffered so much because of the devastation to their businesses. We may well return to Birmingham before the end of our inquiry. Thank you very much for coming.

Examination of Witnesses

Witnesses: Jane Ellison MP and the Reverend Paul Perkin, gave evidence.

Q321 Chair: Ms Ellison and the Reverend Perkin, thank you very much for coming. I apologise for delaying you; I know how busy you both must be, but the Committee is exercised by this very important issue. Reverend Perkin, were you there on the night of the disturbance? Were there things that you saw that you think should be brought to the attention of members of this Committee?

Reverend Perkin: I was there throughout. The area was a very, very narrow localised area, almost conterminous with my parish, only a few hundred yards in every direction. It was a very protracted period of time. From my perspective it was 12 hours, from 3.00 pm in the afternoon to 3.00 am the next morning, I was there throughout.

Q322 Chair: What did you see that would be helpful to this Committee?

Reverend Perkin: I was with my son much of the time, coming and going in different parts, some of the time to see that my church was protected; it is on the edge of the area of rioting. But it appeared to me that there were four phases. Phase one was 3.00 pm to 8.00 pm in the evening, when we had been told that the rioters were coming. Everybody knew in the area. A rumour, a message had gone and spread like wildfire that looters were coming and shops were to close early.

Q323 Chair: This was which day?

Reverend Perkin: This is Monday. Around 4.00 pm, shops were shutting early. I was around; I was watching what was happening. Everything was very, very quiet because the shops had shut. It was very deserted, apart from a couple of police—I don’t know whether they were regular police or community officers—who were standing around in one or two localised positions. At that stage I went home for a brief time and came back again later when we heard that mobs had gathered.

Phase two was 8.00 pm for the next couple of hours. This was such a long period of time, 12 hours, that I may be wrong an hour or two in almost any direction. But during phase two, which you could call open season for looting, my son and I stood and watched
as the first shops were being smashed and so on. I can remember my first feeling; it felt surreal. People use words like that afterwards—it was like being on a different planet almost, not just in a different country.

Q324 Chair: Were police there at that stage?
Reverend Perkin: No. Phase two, some police had arrived but they were right outside the area making barriers to traffic coming into the area. For example, when I briefly went home and came back I couldn’t get through a barrier, but they didn’t seem to realise that there were about ten entrances into the area, so I just had to walk a few yards extra to get in.

Phase two, the local police were there and in significant numbers—I don’t know, 10, 20, 30, 50 police; it was very difficult to count. But in the area where looting was taking place, not a single police presence at all. I can remember thinking, “The police will be here in five minutes”. Then five minutes turned to 10 and then to 15 and then to 30 and to an hour and there were no police anywhere.

Q325 Chair: Not even police standing by and watching? There was just no police?
Reverend Perkin: Not to our view. They would have been a few more a hundred yards away. Phase three, the riot police arrived and they set up two lines in St John’s Road in the middle of the Clapham Junction area and they stood and observed. They were only a few hundred yards away. We were conversing with the rioters throughout—my son and I were trying at least. We weren’t confronting but we were trying to talk. We thought if we’re talking to people at least that stops them, distracts them.

Q326 Chair: What were they saying to you, Reverend?
Reverend Perkin: The atmosphere was, I think, very unique at Clapham Junction. It was more like a carnival atmosphere. It was a party atmosphere—a very, very hyped up, intense celebration that, “We can do this and we can get away with it.” Look, the police are 50 yards away and they’re just watching.”

We are now into the third phase, the riot police were there forming two lines, which, incidentally, were not, from my perspective, protecting anything. It was like an army in battle that were not defending anything. They weren’t sure which way the front was, the battle front.

Q327 Chair: Did you want to go up to them and say, “Why aren’t you doing anything”?
Reverend Perkin: Absolutely. In fact, we did. We had lots of conversations, you are talking about a very long period of time, an hour, two hours, while all this was going on. We had lots of chats with the looters. The most we said was, “Why don’t you go home?” But we also went and talked to the riot police a great deal as well. It was a matter of, “Can I introduce you to each other?” “Hello?”

Q328 Chair: Yes. What was their response?
Reverend Perkin: Their response was, “We’ve just been told to stand here.”

Q329 Chair: They actually said that to you? They used the words, “We’ve just been told to stand here”? Reverend Perkin: For the young riot police—for the young riot police—for whom I have great admiration, incidentally; these were mainly very young people—it was their third night out. They didn’t know the area; they had come from other parts of London. They were exercising restraint and patience. I have no complaint of them. There was a colossal lack of co-ordination and leadership, from what I observed.

Jane Ellison: Chairman, thank you very much for asking us to come and give evidence; we are very pleased to have the opportunity. Just to corroborate what Paul said there, I had a series of conversations and exchanges of messages with the Acting Borough Commander during the evening and, around the time Paul is describing, he confirmed to me that he had instructed his officers to withdraw and observe and gather evidence because he considered them outnumbered. He said his priority was “to preserve life”. That was the phrase he used. In his view, he could not guarantee the safety of his officers because of the numbers of rioters being disproportionate to the number of officers, public order trained officers. He had ordered them to withdraw and gather evidence I think that very much ties in with Paul’s observations on the ground. I was in a slightly different part of the area. If you would like me to describe—

Chair: Yes, in one moment. I am just bringing in Lorraine Fullbrook first.

Q330 Lorraine Fullbrook: Thank you. I would like to ask Ms Ellison, were you briefed by the police at any time on the Monday and given intelligence that there was going to be trouble in the Battersea constituency, specifically Clapham? You were?
Jane Ellison: Yes. I was called to what they call a gold group stakeholder meeting that started at 5.00 pm in Battersea Police Station on Battersea Bridge Road. It finished around 6.15 pm, 6.20 pm on Monday, 8 August. That was the representatives. I was the only MP there; the other two MPs in Wandsworth were represented, senior representatives of the council and so on.

The meeting started with a briefing about what had happened in Lambeth and neighbouring boroughs and what happened in north London the night before, and then obviously we were interested in what might or might not be occurring. There had been some localised trouble in Tooting the night before; we were given a report on that. The Acting Borough Commander, who was chairing the meeting, said that they had intelligence to suggest there were several possible targets for trouble that night, Monday night, in Wandsworth—the Southside Shopping Centre towards the town centre, Putney High Street, Putney Exchange, Tooting High Street, where there had been some trouble the night before, and Clapham Junction. They also said there was some specific intelligence about JD Sports in Clapham Junction.

Q331 Mr Clappison: I am intrigued by the Reverend Perkin’s presentation. Congratulations to both of you for the role you played—being on the spot and being present. When you were speaking to the rioters, did
you tell them you were a member of the clergy? How did they respond, if you did?

**Reverend Perkin:** No. No, I didn’t.

Q332 Mr Clappison: Your church has a wonderful range of services that you provide to people, helping people in need. Did you get the impression that many of the people were local people? What was their attitude towards the community?

**Reverend Perkin:** Many of the rioters, as far as we could see, had come from outside the immediate community. There were some locals, which has come out in some stories, some opposite stories of those who didn’t riot. One of the young boys called James, who was being mentored that afternoon by our Future Skills ministry that is working with excluded youth in the area, was receiving pressure that evening to go out with his friends and, as a result of that mentoring session, resisted the pressure to do so. There clearly were people from within the area, but there were a lot of people coming from outside the area.

As I said earlier, there were four phases. The fourth phase was when the armoured vehicles arrived after all the action was over—really, about 1 am.

Q333 Alun Michael: One of the questions that we have been probing with a number of areas where things happened—there seem to have been different circumstances in different places—is the connection between the local police who were there all the time and when police came in from outside, or have to be brought in as reinforcements. Was that an issue at all in relation to events in your area?

**Reverend Perkin:** Yes, it appeared to be. Can I just preface this answer by saying we love the police and—

**Chair:** We all love the police. We know this is not criticism.

**Reverend Perkin:** I say regularly to the 20, 25 employees on my staff that the police are our friends and we have worked with them on many projects, both overt and covert ones. But having said that, a lot of the riot police came from outside the area and they themselves were disoriented. They did not know the area. For example, it appeared to them that they were protecting Debenhams, the shop that received multiple looting. Those of us in the area know that there are six entrances into Debenhams and they were protecting two of them. In fact, on one other absurd occasion I was pointing out to them that all the looters were going in round the back and it was my saying that to them that moved them—the only time that they moved in a period of a couple of hours.

Q334 Alun Michael: Just a moment—your main concern was that it was not a question of police being brought from outside to supplement local police, but almost as a completely separate unit. Is that what you mean?

**Reverend Perkin:** I would not know the answer to that. Those that I spoke to said that they came from other parts of London—in fact, they had been in other parts of London the previous three nights.

**Jane Ellison:** If I could perhaps add to that. Of course, we had the gold group briefing on Monday and a slightly more lively briefing on the Tuesday afterwards. Certainly the Borough Commander already had—he told us on the Monday—a lot of police off borough that had been called up to north London, whatever. My understanding is that during the course of the evening he had other police, public order trained police in particular—I think exclusively public order trained police—called off down to places like Croydon. From piecing together what different people told me and from speaking to the fire brigade, much of that was to protect, to allow the fire brigade to go into the fires in other parts of London. I think our borough was losing public order trained police during the course of the evening and we only started to gain after midnight.

I last spoke to the Borough Commander at about 12.40 am on Tuesday morning and he confirmed at that stage, after many phone calls and much imploring for back-up, that he had people on the way—I think the armoured vehicles to which the Reverend Perkin refers. At one point, early mid-evening, he said that we were down to seven or eight public order trained police in the immediate area from our own borough. Then we were looking to supplement them in because we already had people off borough and then, I think, others were called off, drawn in by the need to protect fire engines and so on, elsewhere in south London.

Q335 Alun Michael: That is very clear. Can I ask just one other thing, in view of your background, Reverend Perkin, because I see from the notes that you were involved in working in Wandsworth Prison and also with the rehabilitation of offenders? We have had a lot of talk this week about the extent to which the riots in different parts of the country were or were not populated by people with, perhaps, records. Do you have any impression about the situation in your area? I know that is impressionistic and we are trying to get to the bottom of this in terms of firm figures and probably will not have those first-hand, but I would be interested in your impressions.

**Reverend Perkin:** I cannot comment on past records; there wasn’t time for that kind of conversation. But in Clapham Junction, quite differently from what I saw on the television on subsequent nights, the rioters were almost entirely teenagers, mostly boys, and I said entirely black teenagers. My son said he saw one or two white faces, but I didn’t. You can say it was overwhelmingly black teenage youth.

Q336 Michael Ellis: A couple of questions. Reverend Perkin, You spoke of the incidents around Debenhams. Did you speak to any senior officers? Were there any senior officers there? Did there appear to be any? You said you approached young officers that were stationary for a long period of time; was there any senior officer in the region?

**Reverend Perkin:** There may well have been. There were one or two who appeared to be leading but the vast majority seemed to be very young. I have reached the stage where the police look as if they are 15 years old.

Q337 Michael Ellis: As to the type of rioters, following on from Mr Michael’s question, you have
Jane Ellison: Perhaps I could answer. I think we both saw that. I have a very specific example where at 10.15 pm a large white Transit van parked opposite my house. I live very close to Clapham Junction, 500 or so yards away. Three youths were in the cab and seven or eight piled out of the back. They all just streamed—they were all wearing balaclavas or masked up, piled up to Clapham Junction, came back half an hour or so later loaded up with loot and filled the van up and drove off. I had gone out—already gone out while they were away, photographed the van, took the reg number and at 10.46 pm I called the control room—and said, “Look, I’ve got this reg number, they’ve just driven off with absolutely loads of stolen goods”, and they just said, “Look, we’re overrun, there’s absolutely no chance of anyone being able to follow that up.”

Q338 Michael Ellis: Can you say whether that has been followed up by the police subsequently?

Jane Ellison: I know they have had about 600 different pieces of information from the local community. I am assuming, because they said they were following up all registration numbers given, that they have done. I have not been advised if my particular piece of evidence has been followed up.

Q339 Michael Ellis: Congratulations on your role. Can I just ask you in respect of that, how were you first informed and when were you first informed that there was a riot or a riot pending in your area?

Jane Ellison: I got home from the police briefing, which finished about 6.16 pm, 6.20 pm, having been told there was no open season, that something was going to kick off in any one of the four possible areas, although there was a bit of evidence about one or two of the shops at Clapham Junction. It sounds like it probably already was kicking up, so I’m really struggling to square that timeline and I am very certain of that timeline, both the beginning and end of the meeting.

The next time I knew it was definitely kicking off was when I walked up to Clapham Junction Station, to the north exit, and at 8.15 pm I spoke to four British Transport police. They were the only police I met between my house and the station and they said there were two big groups of youths massing on either side of the station. “It’s all looking pretty ugly round there; it’s going to kick off”, and I said, “Is there any chance of a uniformed presence on Falcon Road?”, which is the main road leading between Clapham Junction North towards the river. They went through on their radios and said, “No chance”. I said, “Well, I’ll make myself useful” and I went and spent the next hour going to all the remaining open shops, restaurants and takeaways; one of those restaurants—I measured it this morning on my way in—is 250 yards from Clapham Junction. It was still open with people dining inside there. I said, “It’s not looking good out there” and I was particularly worried about the takeaway drivers and the delivery drivers. I went into all the takeaways and said, “You know, I really think this is not the night to send your guys to any address”.

Q340 Michael Ellis: What did they say?

Jane Ellison: Most of them were grateful, but that was the first they heard about it. Most of them were pleased to have the information.

Q341 Michael Ellis: Did they close down?

Jane Ellison: I went out again later with my partner John around 10.00 pm, by which point Sainsbury’s was just surrounded by people with armfuls of trainers and clothes. A chap went past me on a Boris bike with a telly balanced on the front. It was just surreal; I think that absolutely is the word for it. Most of the shops had got their shutters down or were closed and the restaurant was closed down and so I think most of them, not all of them, quite understood, I think, what was going on.

The interesting thing for me was that when I went round all those shops—it was 8.30 pm—Tesco’s was already shut. All the little shops were still open and all the little takeaways and restaurants. The only significant large shop in that road, just below Clapham Junction, was shut and they normally shut at 11.00 pm. Either they had taken a head office decision or they had had intelligence that the smaller shops were not privy to.

Reverend Perkin: Our understanding agrees with that. We knew it was happening from about 3.00 pm to 4.00 pm and it started around 8.00 pm to 9.00 pm. As far as your question earlier about groups coming in is concerned, it was clear that there were opportunistic but organised crime groups who were coming in vans, called on the phone to come and pick up loot. Material because it was open season for looting, over a long period of time youths were looting from the shops, taking it to the edge of the area, mainly to the gardens surrounding my church, depositing their loot there and going back for more. Some were taking multiple trips, three, four trips, bringing it back over an hour or two and meanwhile phoning for vans to come and pick them up.

Jane Ellison: Numerous residents have said exactly that. There are very residential roads immediately behind Debenhams and all of that area; it is a very residential area and they all say exactly the same—vans and cars—

Reverend Perkin: Stockpiling.

Jane Ellison: There were adults saying to kids, “Go in and get some jewellery in that house”, apparently, then coming back and saying, “Now go in and get this”. It was just—it was organised and they just had hours and hours to do it.

Q342 Lorraine Fullbrook: Thank you. I just want to go back to Ms Ellison’s statement about talking to four British Transport police at Clapham Junction. It is a major rail network station; presumably the British Transport Police had stopped any trains coming in.

Jane Ellison: No, the station was open and functioning at that time because my partner got off the train and went and bought something in the station shops and left via the station car park at 7.45 pm.
8 September 2011  Jane Ellison MP and Reverend Paul Perkin

Q343 Lorraine Fullbrook: Had Debenhams started to be looted at that time?

Jane Ellison: Not quite. I think the first brick was around the 8.00 pm, 8.30 pm mark, just as dusk was falling.

Reverend Perkin: At 7.45 pm? Not quite.

Q344 Lorraine Fullbrook: People were coming off the train?

Jane Ellison: People were massing. At that point what the British Transport police told me, because I think they had been radioed, was that Halfords in York Road, which is quite close by, had already been looted and attacked. I confirmed that when I called in to see the Halfords staff a couple of days later. There had already been violence at that stage and they said that these two large groups were massing and the police were pinned down, really, trying to manage these groups, but they basically said, “It’s just a matter of time, it’s all going to kick off.”

The station was still operating. I am not sure, I believe it closed, or one entrance closed. They reckon it closed for a brief time but I think it was open throughout because people were—unsuspecting commuters were just coming home. I met a couple who had come home from the cinema and walked into a riot in their road. They just couldn’t believe what was going on.

Q345 Lorraine Fullbrook: Just going back to the Reverend Perkin saying there were two lines of public order officers and they had been told to observe, what have either of you been told about police numbers?

Jane Ellison: I was just told that it wasn’t a question of pure numbers, but of not having public order trained police available.

Q346 Chair: This is fascinating evidence that you have given the Committee. It must have been a most extraordinary couple of nights in Clapham. How old is your son, Reverend Perkin?

Reverend Perkin: Twenty-two.

Q347 Chair: What was his impression of what was going on?

Reverend Perkin: At one level, we didn’t feel in any danger. The violence was against property and very selective too, not against people and not really against—the one fire that erupted much later was really after the main looters had left. We didn’t feel unsafe personally. Yet, on the other hand, my son, who three years ago spent a year in Zimbabwe during the most difficult time there, said he felt much safer on the streets of Harare than he did in Clapham Junction that night.

Chair: That is extraordinary.

Jane Ellison: People were very frightened. A couple of weeks after, local councillors and I went door to door in all the affected roads and the predominant words people used were they felt frightened and they felt angry and frustrated. The overwhelming sense from the many people who have written to me and the people I have spoken to, is that they just couldn’t believe that their normally peaceful, decent streets had been ceded to the criminals. They felt like the streets had been abandoned to criminals.

Q348 Chair: The overriding view from this evidence is that there should have been more police earlier, more robust policing and police officers who were trained to try and stop this disorder. There was also a surreal impression of, “Why are they just standing there?”

Jane Ellison: Chairman, my questions are all about the early part of the evening. I cannot put that timeline together of why there would seem to have been intelligence on the ground that trouble was brewing and yet I was being briefed that there was no specific intelligence about a particular place. I suppose my big question, which I very much hope comes out of your inquiry, is whether there was action that could have been taken earlier in the evening—dispersal action, that sort of thing—that would have stopped it reaching critical mass. I quite accept when it reached critical mass it was extremely difficult for the number of officers who were there, but I question, I suppose, what was happening late afternoon, early evening, to allow critical mass to build up.

Chair: Reverend Perkin, Ms Ellison, thank you for coming to give evidence to us today. I endorse the views of the Committee: you played a very important leadership role in your local community, for which you should be commended. Reverend Perkin, thank you for what you did on the night and if there is any further information you wish to give this Committee, please write to us. Thank you very much.
Thursday 15 September 2011

Members present:
Keith Vaz (Chair)
Nicola Blackwood
Michael Ellis
Lorraine Fullbrook
Dr Julian Huppert
Steve McCabe
Alun Michael
Mark Reckless
Mr David Winnick

Examination of Witnesses

Witnesses: Chief Constable Peter Fahy, Greater Manchester Police, and Assistant Chief Constable Terry Sweeney, Greater Manchester Police, gave evidence.

Q349 Chair: This is the next session in our discussion about the recent disorders that affected London and other metropolitan areas, including Manchester. We are very grateful to you, Chief Constable Fahy and Mr Sweeney, for coming here today. Could I ask are there any interests to declare by any members of the Committee?

Alun Michael: As we are on policing issues, I ought to declare that my son is the Chief Executive of the North Wales Police Authority. We are coming on later to social media issues and I am not sure it is an interest, but I chair the All-Party Group that deals with internet and IT issues. We have offered our help to the Home Secretary in relation to the way in which to deal with those issues.

Q350 Chair: Thank you, Mr Michael. Mr Fahy, if I can start with you. I do not know whether you saw the comments by Iain Duncan Smith in the papers today, who said quite clearly and quite passionately that we cannot arrest our way out of riots. Do you agree with that?

Chief Constable Fahy: I do, yes. Clearly Mr Duncan Smith made a number of comments about social issues. I think it would be wrong to just use the riots as a catalyst for that sort of debate, but clearly in Greater Manchester we deal with a very challenging area. There are very high levels of deprivation and, therefore, it is right to say that, absolutely, you have to enforce the law—absolutely we need to go after the people who were involved in this disorder—but at the same time we feel that we have had a long-term initiative working in neighbourhood policing with a whole range of different agencies and, crucially, local people and charities, to work to improve those areas. I think it is very important to stick to that long-term plan and to say that enforcement is crucially important, but actually you can only do the enforcement if you are getting the information and the support from local people through your long-term relationship and your long-term style of policing.

Assistant Chief Constable Sweeney: I very much echo the views of the Chief Constable. It is important, I think, to recognise that within Greater Manchester on the night of the disorder, the disorder was very much localised to the city centre area of Manchester and the Salford precinct area. The key work that has taken place with the communities around the whole of Manchester and the broader Greater Manchester was fundamental to limiting the extent of the disorder. The engagement by community mediators on the night, particularly in areas such as Oldham and Rochdale, reinforced that we can work with the community to minimise disorder and then deal with enforcement where we have to.

Q351 Chair: I apologise for the bells. On the night of the disorder, where were you, Mr Fahy?

Chief Constable Fahy: I was the Gold Commander from 8 in the morning through to 6 the following morning. On the night of the week on the Sunday, when we concluded with our Moss Side Carnival. On the night of the disorder itself, I was the Gold Commander from 8 in the morning through to 6 the following morning.

Q352 Chair: But you were not there on the night?

Chief Constable Fahy: I was there on the night. I returned to Manchester—

Chair: This was Monday or Tuesday night?

Chief Constable Fahy: This was the Tuesday night.

Q353 Chair: To what extent do you think gangs had a role in promoting these disorders? We will come on to some other aspects later on, but did they have a role? There is a dispute as to whether or not the organised gangs were able to get people out on the streets in order to prosecute these disorders.

Chief Constable Fahy: I think the first thing we would say is that “gangs” has become a fairly loose term. In an area like Greater Manchester we see different forms of grouping. There are street gangs concerned with territory. There are drug gangs and at the top of the tree, so to speak, there are organised crime groups that are involved in serious criminality and organised drug dealing. From the investigations that we have carried out, certainly in terms of Manchester, which was more about looting in a whole range of different shops in the city centre, we have not seen any great evidence of organising beyond people on mobile phones and using social networking on the night. I think in the Salford area there was more
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15 September 2011 Chief Constable Peter Fahy and Assistant Constable Terry Sweeney, chief constable of Greater Manchester police and assistant constable Terrance Sweeney from Salford.

Evidence of organisation in the ability to get a large number of people out on to the street in a short period of time, but it is unfair to say, I think, in both locations there was evidence of a lot of people just turning up to watch and then, in almost the hysteria of the mob, being carried along to doing things that now they bitterly regret.

Assistant Chief Constable Sweeney: Yes—again, very consistent view on that. I think it was very important to understand that where intelligence was available to us earlier in the afternoon of 9 August a number of arrests took place of individuals involved with organised crime to minimise their involvement in any future disorder. During the course of the disorder itself, a handful—literally a handful—of criminals recognised to be involved in organised crime were identified and arrested during the course of the process. I think the important part from our point of view was that the growth of the mob within the city was very much about people who initially started off as spectators and then got drawn into the disorder, rather than any concerted attacks. The fundamental plan was around preventing high-volume locations and targets being hit by the, you know, organised criminals, and in the main that was successful until the evening period.

Q355 Chair: We will come on to numbers; Mr Winnick is going to ask you about numbers. As far as the city centre is concerned, was it localised to the city centre—none of us are Manchester MPs, so you will need to help us here—or was it spread across the city centre?

Chief Constable Fahy: No. The city centre is obviously a big place with a whole range of different shops, and essentially what we saw is almost progression through the food chain in that they started with the most high-value shops with, shall we say, the designer gear. Some of those had been particularly protected by the security companies and the shopkeepers, so essentially they then moved through. That was the real challenge we faced on the night. It was not that they were there to attack us. They moved from different shops, and as we got there and tried to protect the shop that had been damaged and make sure nobody had been injured, they were then clearly moving on in a very chaotic way to all sorts of different shops and locations. As I say, that was a particular and very unusual challenge that we faced on the night.

Q355 Mr Winnick: One understands, of course, the intense pressure that existed at the time, as in other places, including my own region in the West Midlands. Hazel Blears, the Member for Salford, in speaking about the situation when the House was recalled, said, “At one stage, according to the Chief Constable, there was a mob of about 1,000 people and we did not have enough police officers to face them.” Now, I am not quite sure if she was quoting what you said or her own view. Presumably, there were not sufficient police officers that you could get to the place where such outrages were taking place.

Chief Constable Fahy: Yes. I think what we saw in Salford was a mobilisation of a large group of people intent on attacking the police and the fire service in a very short period of time. We got to the stage where, say, the fire service, very bravely, were trying to put out a fire in a supermarket. Our officers were protecting them and came under a very fierce attack of bricks, breezeblocks, scaffolding clips, things being thrown from tower blocks. They were able to protect the fire service, but at that point we needed to withdraw and regroup and then very quickly retook the situation.

Q356 Mr Winnick: Taking the sequence of events, what happened in London came first. How far were you surprised that it quickly caught on in your part of the world?

Chief Constable Fahy: Surprised would be the wrong word. I think clearly what happened was these events happened in London. It took a long time, for various reasons, for the situation to be controlled in London, and the day before we sent officers to help the Metropolitan Police as part of national mutual aid. I think clearly what happened is then we had certain elements in Manchester and Salford who saw the opportunity that the authorities appeared to be on the back foot, to see if they could then challenge us. As Mr Sweeney said, across most of Greater Manchester absolutely we held the line, but in those particular areas it was really the size of the mob that quickly escalated and the way that they mobilised, which meant that it took us a bit more time to gain control.

But we did gain control very quickly and that disorder was, as you know, just on that one particular night.

Assistant Chief Constable Sweeney: Could I just add that while the Chief Constable describes the mob that was in place in Salford, within Manchester we saw a different kind of dynamic in terms of the public order situation? It was not a single mob in any one number. It was a number of groups between, I would say, 50 to 100 in strength with up to eight to 12 groups at any one time engaging in disorder, which made any kind of containment or dispersal particularly problematic. I think it is important to recognise within the Greater Manchester context we had a different operation taking place in some respects in the city centre environment than we had in Salford, which was very much targeted at the police officers.

Q357 Mr Winnick: Obviously, people who were so adversely affected desperately wanted police protection against the mob. With hindsight—and as everyone says hindsight is a wonderful thing to reflect on—could you have increased the number of police officers to deal with the outrages that were occurring?

Chief Constable Fahy: We had already put all our officers on 12-hour shifts and taken a number of other measures to put more officers on the streets and mobilise. I think the important thing is clearly Greater Manchester is a very complex area. We had had a number of tensions the week previously, for instance in Oldham. We have various areas that already have gang tensions, so essentially we had to make sure that we were looking after the whole of Greater Manchester and that we had not moved all our officers to one location. Clearly, when the disorder happened, we then concentrated our efforts in that particular
area. But I think absolutely, with the benefit of hindsight, I can’t see there was much more that we could do. When you have a mob that mobilises so quickly, it is just inevitable it will take you a short period of time, or possibly even longer, to regain control.

Q358 Mr Winnick: That was in the situation, if I understood you correctly, before the mob outbreak and the looting and the rioting, some officers had gone to the Met?

Chief Constable Fahy: That is right.

Q359 Mr Winnick: How many? Could you give us—

Chief Constable Fahy: It was around about, I think, 100 who went to the Metropolitan Police as part of the mutual aid.

Q360 Mr Winnick: Which you really desperately needed, of course, at the time?

Chief Constable Fahy: Obviously, they went the night before and as soon as our problem occurred then—

Mr Winnick: That is what I meant.

Chief Constable Fahy: But in the context of 8,000 police officers in Greater Manchester, sending those 100 would not have made a huge difference. It was really crucial that London was stabilised. I think if London had not been stabilised we would have had far greater problems.

Q361 Lorraine Fullbrook: Chief Constable and Assistant Chief Constable, I understand from the timeline that about 5 pm on 9 August was when the Arndale Centre was attacked and about 5.30 pm was when the violence started in Salford. Did you have any intelligence earlier on in the day, or even the previous day, that this was going to take place in Manchester city centre and in Salford? If so, what preparations did you make for the violence breaking out at 5 pm and 5.30 pm?

Assistant Chief Constable Sweeney: The actual timeline is slightly earlier than that. The initial contact in Salford was before 4 pm in the afternoon. Going to the intelligence issue, we had a number of single strands or individual pieces of intelligence, and equally had a number of confusing reports on social networking sites, that identified some locations across the whole of Greater Manchester. As the Chief Constable said, that included the wider Greater Manchester conurbation. Some sites you referred to—for example, the Piccadilly Gardens site, which is a key hub for the city itself—and of course we deployed resources into those areas. A number of those reports proved to be inaccurate and false. Prior to the actual disorder taking place, there were three key points referred to and in each of those locations we deployed officers.

Q362 Lorraine Fullbrook: You had preparations for the intelligence that you had at that time?

Assistant Chief Constable Sweeney: Absolutely. By lunchtime that day we deployed eight additional police support units as well as the doubling up of shifts.

Q363 Lorraine Fullbrook: Where did you deploy those people to? As the day moved on the intelligence obviously changed.

Assistant Chief Constable Sweeney: They were deployed in three groups, fundamentally: one group covering the City of Manchester itself, one group covering the Salford area, and a third group covering the wider Greater Manchester area, which is another eight local authority areas.

Q364 Chair: There was a view, of course, that you should have predicted this was going to happen. Bearing in mind what happened in London, in Tottenham, on the Saturday night and what was happening on the Sunday and Monday, provincial forces—even big metropolitan forces like Manchester—ought to have known, and on the Monday you should have deployed the numbers of officers required to deal with this disorder, as Mr Winnick has asked in his questions. You did not do this until Tuesday. There was going to be a copycat riot, wasn’t there? It was not just going to be London. Surely what you ought to have done was to have got your forces out.

Chief Constable Fahy: Number one, I think there is an element of hindsight in terms of how long it took for London to be stabilised, but clearly we did have serious concerns that we were going to see disorder. That is why we put officers on 12-hour shifts. There was a huge amount of local work going on with our neighbourhood officers and community support officers in terms of gathering intelligence, finding out what was going on and, as I say, across most of Greater Manchester absolutely that worked. We did have the officers on duty and we were able to—

Q365 Chair: On the Tuesday?

Chief Constable Fahy: On the Tuesday, but, as I say, because of the size of the mob and the tactics they employed, it then took us some time to regain order in those two places.

Q366 Michael Ellis: Chief Constable, we know from Ministry of Justice figures recently released that, apparently, some quarter or 25% of the riot suspects that have been charged have had at least 10 previous convictions. Clearly, you were dealing with a number of criminals on the loose and rioting and committing other criminal offences, as other cities were also on that occasion. What techniques were you looking at to deal with the disturbances when they were in progress, and to quell them? Where do you think you could have perhaps used different techniques, perhaps more robust techniques?

Chief Constable Fahy: The first thing I would say is that clearly Greater Manchester Police is very experienced in dealing with all sorts of big events—football matches, party conferences, demonstrations, English Defence League—so we have some very highly skilled and experienced commanders. They basically used the whole range of tactics, but particularly in Manchester, clearly the first duty is to
protect property and protect life. We started off being drawn into just chasing groups around the city, leaving shops unprotected. The decision was taken, number one, to absolutely make sure we left officers to protect shops that had been damaged and also then to start clearing areas, starting off particularly with Piccadilly Gardens. Piccadilly Gardens is a good example. We needed 14 vansloads of officers to create a long enough cordon to start clearing Piccadilly Gardens but they were then faced with people could still run round the back. It was a whole range of different tactics we employed, but it was principally making sure that once a shop was damaged that we were able to then protect it, to make arrests if possible. But again, particularly in Salford, when the officers who were trying to protect the fire service were faced with a mob using those sorts of missiles, almost the very last thing you do is try and make arrests because you are literally—

**Q367 Michael Ellis:** Were there other techniques that you could have used but chose not to use? For example, the use of police horses—were they deployed?

**Chief Constable Fahy:** Yes, we had police horses, we had police dogs, but particularly in Manchester city centre what we faced, and I do not think we had faced this before, was just groups of youths running from one shop to another. The officers would get to the shop; they would chase them off; they would then starburst down different alleyways and just make for another shop.

**Q368 Michael Ellis:** There were no direct episodes of attack so much on your officers?

**Chief Constable Fahy:** No.

**Q369 Michael Ellis:** What do you say about suggestions from some quarters about deploying or making available the use of things like water cannon and baton charges and things of that sort? Do you have a view on that?

**Chief Constable Fahy:** I think, again, in that situation that would have been very, very difficult. It was a very fluid situation, fast moving situation. Water cannon have a very short period of time that they can be used, but the fact is the mob would have just run away from them and also, particularly in an area like Salford where they know the ground very well, they would undoubtedly have drawn us into cul-de-sacs. They were doing things, for instance, like setting wheelie bins on fire so that you then had a big patch of burnt plastic in the road that then would have prevented the police vans from moving up the road. They had thought through some of the tactics very carefully. Things like water cannon, I think they would have been probably captured or certainly attacked themselves. Rubber bullets, again the whole thing was too fast moving. They will work if you have a group that are just attacking police officers, but, apart from a short period of time in Salford when they were attacking us when we were protecting the fire service, that is not what we had seen.

**Q370 Lorraine Fullbrook:** As well as the shops being damaged, you said the shop would be attacked, the officers would move in, protect the shop and then the rioters would move on. The shops were being looted at the same time?

**Chief Constable Fahy:** Yes.

**Q371 Lorraine Fullbrook:** It is really protecting the shop after the horse has bolted. Can I ask, given the same circumstances again, would you change the techniques that you used to handle the criminality and the riots that were going on?

**Chief Constable Fahy:** We have thought about this in great, great detail and we have looked at all the CCTV. Certainly a tactic we have looked at is using snatch squads to arrest certain people. But again, the size of the mob that we faced, I am not sure what impact that would have. We did protect a lot of shops, and a lot of shops as soon as they were attacked we were able to protect and undoubtedly prevented a lot of goods being stolen. But as I say, it comes back to this issue that when you have hundreds, literally hundreds, of shops in a place like Manchester city centre, they were just moving from one to another. As I say, they started off with shops like Diesel and the designer shops and at the end were attacking newsgagents and Sainsbury’s, without in any way denigrating those shops. The trouble was, as I say, they were very fluid in the way that they moved and, therefore, it was difficult for us.

**Q372 Lorraine Fullbrook:** You will have to review the techniques that should this happen again. Are you doing that?

**Chief Constable Fahy:** Yes, absolutely. We have our own huge review going on. As I say, we have some very experienced commanders. Having looked at that, when you are faced with this sort of very fast moving, fluid situation it is difficult to see what other tactics would have worked apart from the worst thing to do is just keep on chasing the mob round and leaving shops that have been attacked unprotected. I think we have looked at that very carefully. As I say, snatch squads might be an idea. The thing you have to do is to keep yourself very flexible, your ability to move officers around quickly, to bring more officers in, all those sorts of issues, but I think what it tells us is that you can’t stick to one particular tactic. You have to have commanders using the CCTV, knowing what is going on, because the trouble with the mobile phones and everything else is that as we are employing one tactic the mob themselves are discussing that and finding their way around it.

**Q373 Lorraine Fullbrook:** Can I just, Chairman, a final one? Did you also use social media?

**Chief Constable Fahy:** Yes, we are very, very active as a force in social media, but again I think sometimes the media and the way it has been portrayed, we were getting literally hundreds and thousands of messages and we were getting loads of members of the public saying things like, “My daughter has just seen this on Facebook. I think you ought to know.”

**Q374 Lorraine Fullbrook:** But were you putting stuff out?
**Chief Constable Fahy:** Yes, we were. We were very, very actively putting huge amounts of stuff out on Twitter and Facebook.

**Assistant Chief Constable Sweeney:** We also arrested proactively individuals who put material on Twitter and on Facebook to say they were going to organise disorder, so they were also targeted before any disorder took place to try and mitigate the threat.

**Q375 Chair:** You had 100,000 followers on Twitter—is that right?

**Chief Constable Fahy:** Indeed.

**Q376 Chair:** Were you surprised when you saw the evidence of Tim Godwin to this Committee that the Met were considering—they did not decide they were going to do this, but were considering—closing down the social media?

**Chief Constable Fahy:** Yes. Not surprised; I think everybody has considered it.

**Q377 Chair:** Did you consider that?

**Chief Constable Fahy:** It obviously crossed our mind, shall we say, but on the other hand I think we know the whole mechanics of doing that, the size of social media, and just as well the fact that we have been using it very proactively for a period of time now. Therefore, while it has its dangers, at the same time it is a huge help to policing in the way that we were able to get information out so rapidly.

**Assistant Chief Constable Sweeney:** If I could, it was also particularly important in mobilising the support of the community behind the police response. Subsequent days from the disorder, we saw a huge turnout of the public engaging in clean-up operations, giving visible signs of response, such as youth organisations working with us, so it was a particularly helpful tool in terms of both the response but also the intelligence.

**Chief Constable Fahy:** I also think social networking is overplayed. A lot of what we can see on our CCTV is people just using mobile phones, texting one another.

**Q378 Chair:** Are you employing, as the Met are doing, a private company to look through the Facebook/Twitter traffic and the CCTV images or are you doing this within your resources?

**Assistant Chief Constable Sweeney:** We are doing that stuff within our own resources.

**Q379 Chair:** You do not have a private company helping you?

**Assistant Chief Constable Sweeney:** No.

**Q380 Steve McCabe:** You have just said to Mrs Fulbrook that you are reviewing what happened and how you performed. We are just over a month from those events and I guess we can hopefully all look at them in a slightly calmer atmosphere. At this stage in your view, is there any impression that was conveyed at the time that you think now is probably wrong or is out of proportion to what really happened?

**Chief Constable Fahy:** I certainly think the impact of social media can be overplayed. I suppose it is that issue about, was this some great cataclysmic event that was some reaction to something wider in society or was this just an unfortunate coincidence of various events that came together, which led to a group of people in our area deciding they would try and exploit that? In my own personal view, I think it is really important to stick to the long-term view. I think we have to look at Greater Manchester and say in all but one of our neighbourhoods we held the ground, in some very difficult neighbourhoods, and they made a very conscious decision not to get involved in this. Our feeling about this is we have to stick to what we know has worked long term. We can’t return to high-aven policing. Neighbourhood policing has worked for us. There are lots of other ideas we have about how that can develop further, but there is just no alternative to long-term intelligence gathering, long-term enforcement, but also long-term problem solving to work with other agencies and local people to try and improve long term in these areas.

**Q381 Steve McCabe:** There would be particular lessons possibly to be learned, but the general feeling is that there is not a need for a sudden change of direction? That is the point?

**Chief Constable Fahy:** Absolutely. The only change of direction is to continue to develop what we are already doing and to reinforce that commitment to local people and that long-term problem solving form of policing, but all the time working in terms of enforcement and using the intelligence and support of local people to root out those who still want to be involved in criminality.

**Q382 Steve McCabe:** Other witnesses we have heard from maybe were not talking specifically about Greater Manchester, to be fair, but they have said that they felt that the police let them down. I think one witness in particular who had her home burnt out said they did it because they were allowed to do it. Do you have any sense that, whatever pressure you were under and your officers were under, you did let people down, at least in some of the phases of this event?

**Chief Constable Fahy:** I think when you have had businesses destroyed and people’s lives affected, and we know there were people who were absolutely terrified about what was going on, obviously as a police officer and as a senior police officer you feel very, very bad about that. There is a sense, absolutely, where we feel we failed, because that is just inevitable. But when you stand back in the cold light of day and look at the absolute bravery of the officers involved and what they faced, and the absolute savagery from some parts, and you look at the tactics and say, “Was there anything else we could have done?” I think you have to say no. Obviously, there are lessons to be learnt, but at the end of the day our officers showed immense bravery. I think what we have seen in the subsequent stage is enormous support from local people in Greater Manchester, who recognise that.
Q383 Alun Michael: Can you say something about the response that you had from the local community, particularly in relation to trying to immediately respond and also bringing people to justice? Was that response consistent or similar, or were there variations between Manchester, Salford, different parts of the city?

Chief Constable Fahy: No, I have to be honest, the reaction I have seen I have never seen it before in my police service of 30 years. The feeling of public support has been enormous in all sorts of practical ways, the way people have mobilised, but just officers being given gifts, people inviting them in for tea and coffee, some very generous gifts to police charities, but also just the way the whole community has mobilised, the huge amount of information we have had. When the police is given gifts, the support of the local media, local politicians, has been hugely uplifting. That is why I think, overall, while this has been obviously an awful event, there are a number of real factors that give you cause for hope because the vast, vast majority of people—and it is really important, the vast, vast majority of young people—said, “We do not want this.” I think when you talk about tactics, the best tactics is really the response that we have had, is the fact that the courts and the Crown Prosecution Service and the police have worked so closely together to give a very strong signal that the system will treat this very, very seriously. But then local people and local media and local politicians and local opinion formers and sportspersons and celebrities have all come out and said, “This is totally unacceptable. Whatever might be the reasons, underlying causes, this is unacceptable.”

Q384 Alun Michael: Can you say a bit more about the way in which that might play out? What is the longer-term impact? What will you as a force try to do in terms of trying to mobilise that energy that you have just described?

Chief Constable Fahy: Again, it comes back to what we are trying to do in neighbourhood policing, so it is continuing the work with young people through sports charities, through the schools. It is a lot of ideas we have about how you can develop neighbourhood policing, that is things like community justice panels, using restorative justice, volunteering. Tonight I am going to be swearing in about 30 new special constables. It is about a huge interest in police volunteering. There is a range of issues there that we can use to get greater support. The big issue is with young people. I know there are a lot of very angry young people out there in Greater Manchester who feel that they have been very badly portrayed and that a small group have given young people a very bad name. Again, I think we need to use that and work with it very closely to give them a stronger voice.

Assistant Chief Constable Sweeney: I think it is also quite important to add that, particularly on the night and in subsequent days, we had a number of mothers and fathers bringing their children forward to police stations to bring them to justice themselves in some respects. Interestingly, when you are talking about some of our more deprived neighbourhoods and some of the challenging wards around the Manchester City area, we had people challenging young people on the street, “Where did you get those trainers from? Show me the receipt for those.” That restoration of community values following the disorder is a particularly heartening sight, really.

Q385 Alun Michael: Just on the issue of arrests then, can you tell us how many arrests you have made so far? Perhaps can you tell us a little bit about the profile of those that have been arrested? One of the things that has been most variable figures about is the numbers who have been in the criminal justice system before. There are figures being quoted right, left and centre, and we have already discovered some of them are not dependable.

Assistant Chief Constable Sweeney: If I could, at the present count we are looking at 336 arrests that have been made. 220 of those have been brought to justice either through charge or through caution. I would like to really set out what happened on the night, though, more importantly in some respects, because at the end of that night of disorder we had 117 arrests. The majority, by which I mean over 80%, of those were for offences of theft and burglary in premises. Those were processed very quickly through the criminal justice process. Indeed, the following day we had courts sitting until after 10 pm at night. Some of the sentences that have been given out, the most significant in terms of offences of burglary is an over four-year sentence, but for incidents of violent disorder, particularly those offenders from Salford, it typically ranges between 16 and 24 months. Again, going back to the community impact, the sentences discharged by the courts have significantly helped understand and put balance in place about the consequence of the actions of those individuals.

Q386 Steve McCabe: I wanted to ask one last question about this issue of the community fighting back, if you like, and particularly about parents bringing their children to the police. That is a classic demonstration of parental responsibility.

Chief Constable Fahy: Yes.

Steve McCabe: Should that be taken into account by the courts? Presumably, a parent who does that is not seeking to give their child a record that will damage their life chances and a sentence that is out of all proportion to the offence.

Assistant Chief Constable Sweeney: Certainly, there are a couple of really good examples, both from Salford and Manchester. I think it is important that the courts did take account of it, but equally as importantly both the city councils recognised that the parents had mobilised that response themselves and so were not likely to jeopardise in terms of eviction. I think there was a wide recognition that these young people had committed offences on the night. They have now been brought to justice. At some point they have to be rehabilitated back into that community, and it is about the community responding to the threat and then supporting the youngster when they come back. I think both the court system and the wider agencies recognised the support and commitment by those parents to do the right thing.
Q387 Lorraine Fullbrook: I would like to ask, what is the estimate of the cost to your force of policing these disturbances? Specifically, what are the costs that are involved?

Assistant Chief Constable Sweeney: The costs from a policing perspective are just over £3.2 million in terms of the organisation.

Q388 Lorraine Fullbrook: To Greater Manchester Police?

Assistant Chief Constable Sweeney: The force. In terms of the potential liability around damages to the wider Greater Manchester area, it is currently around £6 million, so in total approximately £10 million.

Q389 Lorraine Fullbrook: That is under the Riot (Damages) Act claims for compensation?

Assistant Chief Constable Sweeney: Yes. There are about 126 claims currently submitted.

Q390 Lorraine Fullbrook: The £3.2 million, what are the main costs?

Chief Constable Fahy: That is clearly the additional officer overtime. We had a lot of officers, obviously, on overtime, rest days cancelled, issues such as that. Some of it is damage to vans and equipment and having to replace equipment, food—those sorts of thing—but the vast majority of it is in the officer overtime.

Q391 Lorraine Fullbrook: You do not consider force deployment as a cost specifically, do you?

Chief Constable Fahy: No, because clearly those officers would have been out; officers on normal duty would be out there anyway. It is the additional costs that we have incurred—as I say, things like overtime and rest-day working.

Q392 Chair: Mr Fahy, you seem to paint a picture of people being delighted at the action of the police, offering gifts and all kinds of other things to the police. There seems to be no responsibility here. There were disorders in the middle of Manchester, one of the great cities of Europe, which you did not predict even after what had happened in London, and the issue of copycat riots is something that we have had in this country in the past. There were not enough officers, as Mr Winnick has said in his questions. They were then deployed. You basically lost control of the streets of Manchester. Is there no responsibility for what happened?

Chief Constable Fahy: Yes, absolutely. I think it is a bit unfair. I made it very clear that we treat this very seriously and we were horrified on the night. A lot of officers, including myself, were pretty despondent on the night because it felt that a lot of long-term work that we had done had been damaged. We take very, very seriously the reputation of Greater Manchester and Manchester City as a place. I know officers were hugely despondent about this. With hindsight we have said we need to learn lessons, but looking at the intelligence we had, looking that we had to look after the whole of Greater Manchester, the practicalities of tactics and what officers did, I think that the public recognised that our officers did a great job in very, very difficult circumstances.

Q393 Chair: The Prime Minister did not recognise that to this extent. He said that there should have been more officers on the streets and better tactics. Mr Duncan Smith tells us this morning that this is going to happen again and in a sense it is the fault of politicians. It is those who have been ghettoised who are calling on the middle classes. This is something that is going to happen again, isn’t it?

Chief Constable Fahy: Well, as I say, we are out there every single day. We know the areas of Greater Manchester, we know the challenges of very deprived areas, and we certainly do not see it as inevitable. It is us continuing to work. The Prime Minister did visit Greater Manchester and was very complimentary about what the force had done, and particularly the bravery of the officers and the fire service, who did an amazing job. Absolutely, we take this very, very seriously, and the reputation of Greater Manchester. As I say, we are absolutely committed to learning lessons, but I also think we have to be practical about what a police force can achieve in such extreme circumstances.

Q394 Chair: Thank you very much. We may write to you again and, in fact, the Committee will probably come and visit Manchester during the next few weeks.

Chief Constable Fahy: You are very welcome.

Chair: We are most grateful to you for coming. Pass on our thanks to all those officers who worked on those very difficult days. Thank you very much.
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Yes, and we began, as I say. Maybe the question we should be. Well, I dispute that evidence of police watching.

Q396 Mr Winnick: How surprised were you, Chief Constable, by what happened when the outrages occurred?

Chief Constable Sims: If I can, Chair, first say that West Midlands Police published a very comprehensive report to its police authority last week, and that includes all the data around officer numbers, the build-up and our treatment of particular issues. What I am going to say to the Committee we have already given in written form in the copying of that report.

The chronology for us was perhaps slightly different in other places. Sunday, so the day after the disturbances in Tottenham, was the day of Handsworth Carnival, which is one of the biggest days on our calendar. By Sunday, we, in effect, had opened up our control room. We had extra resources, extra officers, as a reserve for the carnival events. As events moved on in London on the Sunday night, I appointed Sharon Rowe as Gold Commander and we began planning a response on Monday morning, albeit we had absolutely no intelligence about any issues taking place within the West Midlands.

Q397 Mr Winnick: But the position was, Chief Constable, that the disturbances had already taken place in London.

Chief Constable Sims: Two nights.

Q398 Mr Winnick: Two nights, and publicised, as obviously they would be, throughout the country. Did you not consider with your senior colleagues that there would be copycat action?

Chief Constable Sims: Yes, and we began, as I say. We considered that on the Sunday, but actually this was one of the most peaceful carnivals on record. We continued the build-up on the Monday, absolutely taking into account what you describe, but in the complete absence of any intelligence about issues in the West Midlands.

Q399 Mr Winnick: You were obviously taken by surprise by what happened—the fact that the carnival was peaceful, there was no intelligence?

Chief Constable Sims: Indeed. We were taken by surprise with the speed and the intensity. We already had in place by 5 pm on the Monday evening, so the first evening of troubles in West Midlands, a command structure, the event suite, our control room open, 10 PSUs kitted up ready in Birmingham city centre, and an agreement with surrounding forces to provide extra.

Q400 Mr Winnick: You heard the evidence of your colleague, the Chief Constable of Manchester. The same applied in the West Midlands certainly—not in my particular borough in Walsall, but in Wolverhampton, the neighbouring area, where disturbances were taking place; there seemed to be a total absence of the rule of law. The obvious question is, where were the police officers? Do you feel with hindsight more could have been done to get more police officers on the ground?

Chief Constable Sims: I can provide you the data on how many police officers were on the ground. From the start, it is very easy, Chair, to focus on the areas where disorder took place, but I think the heroic policing activity was in places like Coventry, in Dudley, in your own constituency in Walsall, where, by putting out lots and lots of uniformed officers on to the streets in normal clothing and working with community groups, we prevented, I believe, disorder in other parts. That did not prove possible in what were our three hotspots, which were the centre of Birmingham and then spilling out into Handsworth, in West Bromwich and in Wolverhampton. An awful lot was done and one looks at this now with the benefit of hindsight and looks at places like Coventry, looks at our big out-of-town shopping areas in Solihull and in Dudley, and realises, I think, some of the work done there by uniformed officers and by our partners to prevent that disorder happening.

Q401 Mr Winnick: One final question. With hindsight, could things have been done differently?

Chief Constable Sims: I don’t answer questions in hindsight. The question you should be asking me, I believe, is given the information that I knew, did I do the right things, did I act proportionately, and I believe I did.

Q402 Chair: Maybe the question we should be asking you is something quite different, which is why didn’t you do more, as the Prime Minister and the Home Secretary have said? You really ought to have predicted that this was going to happen. You are a very experienced police chief. You have heard about copycat riots, I was phoned about my own constituency on the Sunday night. You really ought to have known by the Monday. We have had evidence from people from Birmingham giving evidence to us last week to say that there weren’t any police officers around. Vigilante groups were being formed on Soho Road because the West Midlands Police were somewhere else. This is a bit of a failure, isn’t it, to reclaim the streets?

Chief Constable Sims: No, it is not. The evidence that you heard before I have to say puzzles me, because we were present in that same meeting and gained a slightly different interpretation of what was said at that meeting, but perhaps that is for a different occasion. I have already said, I think, that we began building up police resources from Sunday. We were talking to each other on Sunday morning immediately after Tottenham, building up police resources, but I do think you have professionally to react not only to events elsewhere but to what is known on the ground.

Chair: But, Chief Constable, people died in Birmingham. There were individuals who went to protect their own shops because the police were not there, and the evidence we received was the police were watching what was happening.

Chief Constable Sims: Well, I dispute that evidence of police watching.
Chair: But you do not dispute the fact that people—

Chief Constable Sims: Excuse me. By the end of the first evening, we had arrested 130 people. By the end of the second evening that had more than doubled. Those arrests don’t happen by police officers watching.

Q404 Michael Ellis: Chief Constable, let us look at some of the tactics and techniques used, if we may, as you are linking that. As far as the techniques are concerned, are you satisfied in retrospect that you or officers under your command used the appropriate tactics and techniques? Do you think in retrospect that other tactics could have been used? Could you expand on what tactics were used?

Chief Constable Sims: Sure. I think the first thing to say is we were not dealing with a single incident type. The iconic images of those two nights were very much about looting of shops, but from the start we were looking at four or five different tactical issues to deal with. We were looking at the looting, as we have discussed. We were dealing with, if you like, conventional public order of barricades, missiles and street disturbance. At one point on the Tuesday we faced an armed crowd and had to deal with that, and we were dealing with individual acts of criminality. I think our tactics were right for the conventional disorder. We have a particular tactic that we have dealt with before for armed disturbance. We dealt with effectively, I think, the criminality. The issue is the novel problem that we faced, which was the mass looting. I say in this report, and I am happy to say again, that I think for the first hour or so on the Monday evening, as we came to terms with something that was completely new to us, we were probably still trying to apply a kind of conventional public order response. So, disperse the crowd, regain the territory, control the streets.

Q405 Michael Ellis: How was the crowd being dispersed? Did you deploy police horses?

Chief Constable Sims: We don’t have police horses, but I would not have deployed horses in that situation.

Q406 Michael Ellis: Do you wish you had police horses?

Chief Constable Sims: No.

Q407 Michael Ellis: You are happy without police horses. What about police dogs?

Chief Constable Sims: Dogs were a really important part of the work. One of the novel tactics that evolved very quickly was mixed deployment of dogs and public order officers in a very mobile way.

Q408 Michael Ellis: They are quite effective, police dogs, aren’t they, with crowds? They tend to have quite a salutary effect on people involved in public disorder, don’t they?

Chief Constable Sims: Indeed. You have obviously some experience of that.

Michael Ellis: Yes.
Chief Constable Sims: I don’t consider that police are getting the blame and certainly local politicians and local community don’t see police to blame.

Q415 Chair: No, but who should be getting the blame for this?
Chief Constable Sims: Well, it seems to me it is a rather too complex event simply to point fingers at a particular group or individual.

Q416 Michael Ellis: Could I just very briefly ask, you just mentioned arrests? Was anybody actually charged with riot, section 1 of the Public Order Act?
Chief Constable Sims: Charged with section 2, I think, rather than section 1, yes.

Q417 Michael Ellis: Section 2, violent disorder, but no one was actually charged with riot?
Chief Constable Sims: Not so far. We do have a lot of people on bail still and obviously lots of cases pending.

Q418 Steve McCabe: Assistant Chief Constable Rowe, you were the Gold Commander. I want to ask you about something that the Federation of Small Businesses said in written evidence. They are very complimentary generally about the West Midlands Business Crime Forum and I think there is quite a good—they want to stress that. But they do say that it was clear that for more than one night the police were overwhelmed by events in the centre of Birmingham. Do you think that is a fair observation?
Assistant Chief Constable Rowe: I think it is fair that the whole city felt overwhelmed by what had happened, especially in the city centre over the two nights. What I would say is that I had members of the Traders Association present at my multi-agency Gold groups, so every day they were given an update on what we were doing and what our plans were in place for that evening and gave some of the traders an opportunity to influence the policing plan for that night. I think what you saw on that night, traders may have seen police officers, as we said, holding lines. What we were trying to do was contain some areas to move in and make significant numbers of arrests. As GMP have just stated, you then had to backfill with officers to protect property. But we had our Traders Association giving us intelligence and updating us on what they were hearing and even on the rumours that went round on the Monday afternoon we were keeping them updated and informed on what our police response was going to be.

Q419 Steve McCabe: You certainly made some arrests. I think you said you were making an arrest a minute at the height of it. Can I ask about the arrests that were made subsequently, the arrests that were based on forensics? Was that mostly DNA? CCTV obviously, but in terms of forensics was there a role for DNA as well?
Chief Constable Sims: Yes, a huge role, well over 100 arrest packages developed, around 50:50 fingerprint and DNA. Of course, the imagery. The scale of the investigation needs to be stressed. We are still looking at new imagery three or four weeks on, because if you imagine that every shop has cameras, the city has fantastic camera coverage, and there will be many, many more arrests as the investigation goes forward.

Q420 Steve McCabe: Obviously, closed circuit television and DNA are in the Government’s sights in terms of changes and reforms at the moment. How central are they to the arrests that you are making and the charges you are going to be able to bring?
Chief Constable Sims: Well, as I said, there are 100 arrests that flow from forensic evidence. We have arrested 622 people so far, many more to come. I would say that the majority of the others rely wholly or partly on camera evidence, so very central.

Q421 Steve McCabe: Can I ask one question about the killings? I am aware that there is an ongoing investigation. There will be a trial so I want to be careful about how I put this. It was a tragic and terribly significant event and you have spoken yourself about how it could have changed things and how the response of the community was important. At this stage, are you able to say whether or not those killings were exclusively connected to the disturbances or do they have any additional history?
Chief Constable Sims: I think that is very difficult for me to say. If I say this, rather, that five people have been arrested and charged with three murder counts. A further person has been arrested for an offence—

Q422 Chair: Are these the murders on Soho Road?
Chief Constable Sims: Dudley Road. A further person was arrested and charged with a related offence. Four other people are on bail as part of the investigation. I think, Chair, may I say that it is probably not appropriate to answer that question in the way you have phrased it?
Steve McCabe: I think that maybe I should leave it there, Chair.

Q423 Alun Michael: Before I go on to the community side, can I ask you to pick up one point? You said that you do not believe that officers stood back or stood waiting.
Chief Constable Sims: Yes.
Alun Michael: We had very specific evidence to the Committee on that point, and there is detail in the transcript. It would probably take too long to do now, but can I suggest that it would be useful for you to respond in writing on that specific evidence to the Committee, because I think it is a point that inevitably would need to be picked up in the report?
Chief Constable Sims: Thank you, Chair, yes.

Q424 Alun Michael: With some time having elapsed now, can you outline the response generally through the community or communities that were involved?
Chief Constable Sims: I would characterise it as a cycle. I think absolutely, immediately after the event communities were in shock. They were, I think, disgusted by what had happened. It felt as though it had been visited on our communities from outside almost. Then I think we saw that mood begin to alter and certainly my officers and personally I felt a growing sense of support for the police service. As
Peter Fahy said earlier, I have never in all my 30 years had so many people physically stop me and say thank you. We have had outpourings of all sorts of gifts and things for officers. It has been absolutely humbling. I think that is communities in the West Midlands wanting to come together, wanting to coalesce over making sure that this was a singular event rather than something that was continuing.

**Assistant Chief Constable Rowe:** Could I make a further point, going back to the tragic murder in the Dudley Road? I came back on at 7 am that morning and there was already a community meeting in place that had started at 6.30 am. A very senior officer had gone down to speak to the community and it was a very emotionally charged meeting, you can imagine. But because of the relationships that we have built up with the very significant number of officers through local policing, we were able to call on people, contacts, community leaders, community reference groups to help us get through these really difficult periods. Therefore, it is not only about the praise and the recognition we had from the public; it is about the help, the advice that we had from the public to help us through these very challenging periods. That is because neighbourhood policing is totally embedded in everything that we do.

**Chief Constable Sims:** Culminating, of course, with the peace rally on the Sunday following the event.

**Q426 Steve McCabe:** I just want to go back to this community meeting for a second. I don’t want to pose the West Midlands force against the Met, but you say that was a very positive response from the police who had very good relations with the community. It has been alleged that one of the sources of the riot was the very poor response to the killing of Mark Duggan, both from the Met Police and from the Independent Police Complaints body. We heard in evidence that the family found out about the death on the media and then the initial demonstration took place outside the police station because the family could not get details. Do you think there are any lessons to be learned about that when you compare it to your own experience?

**Chief Constable Sims:** Yes. It is very early to have completed that process, but we estimate the costs to be between £10 million and £12 million. Contained in that is principally the cost of extra officers, both from within the West Midlands and the officers that we have drawn in. Some of the—

**Q427 Lorraine Fullbrook:** I would like to ask both the Chief Constable and the Assistant Chief Constable the same questions I asked of the Greater Manchester force. Can you tell me the estimated costs of policing these riots to your force?

**Chief Constable Sims:** Yes. It is very early to have completed that process, but we estimate the costs to be between £10 million and £12 million. Contained in that is principally the cost of extra officers, both from within the West Midlands and the officers that we have drawn in. Some of the—

**Q428 Lorraine Fullbrook:** There is a mutual aid cost involved?

**Chief Constable Sims:** There is some mutual aid cost as well, or at least the additional costs associated with mutual aid, because we don’t pay for the core mutual aid. Then we had damage to vehicles. We had damage to a police building. We haven’t completed yet all of the costing associated with that. That £10 million to £12 million excludes the potential cost to the police authority through riot damages.

**Q429 Lorraine Fullbrook:** As in compensation claims?

**Chief Constable Sims:** Yes, through the Riot (Damages) Act.

**Q430 Lorraine Fullbrook:** I ask the same question again. You don’t include the cost of police or force deployment in your costings, do you?

**Chief Constable Sims:** No. There is not an opportunity cost of what the officers might have been doing instead.

**Q431 Chair:** You would expect those costs to be met by the Government in view of what the Prime Minister and the Home Secretary have said?

**Chief Constable Sims:** The riot damages cost is being co-ordinated by Government and I think we still await clarity about where the final bill will be.

**Q432 Chair:** On riot damages or the other costs?

**Chief Constable Sims:** I think on riot damages as well, yes.

**Q433 Chair:** The total costs, well, riot damages, the Prime Minister has made a statement. He extended the period of claim and the Government is going to pay for that. As far as the other costs are concerned, which the Met put at, for them, £72 million, what is your global figure for the West Midlands?

**Chief Constable Sims:** Can I just clarify? I believe we are still awaiting a second letter from Government about, specifically, that Riot (Damages) Act. Certainly, the words were very—
Chair: What did the first letter say?

Chief Constable Sims: It was very much about uninsured claims and I think we just await—

Chair: You need more clarification on riot damages and more clarification about the other costs?

Chief Constable Sims: Well, the other costs, there are mechanisms around special grant and I am sure that as we settle and we understand the full costs that will be a dialogue between us and the Home Office.

Chair: Can you meet them out of your contingency fund?

Chief Constable Sims: If we needed to meet them out of contingency fund, the police authority could, but I would say, Chair, that much of that contingency fund is committed in terms of our change programme and the process of—

Chair: You want the Government to meet those additional costs?

Chief Constable Sims: Please, yes.

Chair: Well, I am not the Government yet. This Home Affairs Select Committee does not control the Government, but we can certainly put that forward.

Chief Constable Sims: Thank you.

Steve McCabe: Just on that, I just wanted to ask what kind of time scale are we talking about, then? Obviously you are well into the change programme and there is quite a lot of money committed. How long can the police authority afford to wait before this is resolved without it having an impact either on policing or the change programme?

Chief Constable Sims: I think months. This is not a cash-flow issue. This is just to get an understanding.

Steve McCabe: Is months six months? I am just trying to get an idea of how much urgency is there.

Chief Constable Sims: I think the urgency is that we would all like to clarify and be able to move on. I don’t think it is—

Chair: You would like it as soon as possible. One question on social media. We have Twitter, Facebook and BlackBerry coming in at the end of this session.

Chief Constable Sims: Excellent.

Chair: Were they a force for good or a problem for you?

Chief Constable Sims: They were a mixed force. I think it is fair to say. Certainly, in the build-up and during the incidents we were monitoring all of the social media very, very carefully. It is part of our control room. There was an awful lot of unhelpful rumour, gossip. Every building in Birmingham was on fire and every shopping centre had been stormed if you read the narrative according to Twitter. There were periods when it was unhelpful and we were working really hard with our own social media and partner social media to counter. But as I think Greater Manchester said, there were also periods where social media was incredibly positive, helping us, providing imagery—

Chair: You did not consider closing it down?

Chief Constable Sims: Absolutely not.

Chair: Can you clarify the comments you made—these were reported in The Sun, so you may want to clarify them—at a meeting of the city council where you said, “We should show a bit of compassion to those who were rioting”?

Chief Constable Sims: Yes, I can. I firmly believe that in the full text of that comment it was right that the criminal justice system created that deterrence that we have talked about, but unless it backs it up with positive interventions around the people that have faced the wrath of the courts then those people will be our customers again and again and again. We have to balance that response. I think the report in The Times today indicates the balance that—

Chair: You mean the article written by Mr Duncan Smith?

Chief Constable Sims: Yes.

Chair: There is a wider issue you think needs to be addressed, rather than just the criminality?

Chief Constable Sims: But at the moment, Chair, the criminality in the early stages was really important because we needed to reassure the public and make people face the consequences of what they had done.

Assistant Chief Constable Rowe: Could I just also make a point on the social media? I do think there is a challenge for policing nationally going forward on how we take information that is being passed over the internet, whether it be BlackBerry’s, and we are able to evaluate that information to turn it into intelligence. We are into a totally new game now and a new world of fast dynamics where we have to put a policing operation in very quick time in place. We have that challenge of being able to evaluate what is true and what is rumour. When we look back to the student riots in 2010, a comment was made by Sir Paul Stephenson around being able to estimate the number of people who were going to protest and the use of social media on that day and how he had to adapt his policing operation. What we had was a whole new context, which was it happened within hours. We had a scenario that we had to respond to. I think we have to ask some questions around how are we to turn that intelligence around quicker.

Chair: Sure, but in terms of sentences, since you were commenting on sentences, I think, four years for putting on Facebook the fact that, “Turn up to this riot.” Was that a harsh sentence? Was that okay?

Chief Constable Sims: I would never, ever, Chair, comment on the sentencing of a court because the court has the full facts that I don’t have. But I think that there has to be allied to sentencing the sort of interventions behind it that will prevent people reoffending in the future.

Chair: Of course. We have two quick supplementarys, then we will have Nottinghamshire.
Q447 Steve McCabe: There has been a lot of focus on social media, but what struck me at home in Birmingham on the night that it was happening was what I was watching on the television. I vividly recall a local BBC reporter, where there were pictures of things being attacked and damaged in Birmingham, saying and giving her interpretation that what she was witnessing was widespread damage and looting and that the police were standing by. Do you think there is any argument for saying that that level of interpretation, which is conveyed as fact, is problematic in the midst of an incident like that?

Chief Constable Hodson: Well, I don’t think it is for us to prevent journalistic activity. I do think the one comment I would make on the 24/7 news world is that the constant looping of images of burning buildings—if I saw the Croydon furniture shop on fire once I saw it a million times—provides a kind of context for people of uncertainty, fear and disorder so that in a sense we are left trying to deal with some of the consequences of that.

Q448 Lorraine Fullbrook: Chief Constable Sims, I would just like to pick up on the comment you made about the criminal justice system and the interventions that are required. You are almost deciding what were the causes of these riots by saying that. We have heard many witnesses from across the areas that suffered saying and giving her interpretation that what she was witnessing and that might be happening was what we were seeing on the television. I vividly recall a local BBC reporter, where there were pictures of things being attacked and damaged in Birmingham, saying and giving her interpretation that what she was witnessing was widespread damage and looting and that the police were standing by. Do you think there is any argument for saying that that level of interpretation, which is conveyed as fact, is problematic in the midst of an incident like that?

Chief Constable Sims: Well, I said on the first morning that this was more about greed than anger, and I stick by that and I think it is right. But having decided that the criminal justice system will punish, as it should do, then we can’t simply, I think, collectively leave it as punishment. We need to find ways of actually bettering the people that we punish.

Q449 Chair: But is that right, do you agree with Ms Fullbrook?

Chief Constable Sims: Well, I said on the first morning that this was more about greed than anger, and I stick by that and I think it is right. But having decided that the criminal justice system will punish, as it should do, then we can’t simply, I think, collectively leave it as punishment. We need to find ways of actually bettering the people that we punish.

Q450 Lorraine Fullbrook: But don’t you think we can only do that when we know the causes of this?

Chief Constable Sims: I think that every criminal justice intervention ought to have a forward look to it about future behaviour. It can’t be enough to simply punish. Prisons are not just about punishment; they are about rehabilitation.

Chair: Chief Constable, Assistant Chief Constable, thank you very much indeed. It would be very helpful, as Mr Michael suggested, if you would let us have a copy of that report so we can read it into the evidence. Thank you.

Chief Constable Sims: Thank you very much.

Examination of Witnesses

Witnesses: Chief Constable Julia Hodson, Nottinghamshire Police, and Assistant Chief Constable Paul Broadbent, Nottinghamshire Police, gave evidence.

Q451 Chair: Chief Constable, Mr Broadbent, thank you for coming. I am going to start your questioning with a local East Midlands MP—not quite Nottinghamshire, but Northamptonshire. It is on the way to Nottinghamshire. Mr Ellis.

Q452 Michael Ellis: Just down the road a way. Chief Constable, welcome to the Committee this morning. Can I ask you first how you dealt in the disturbances in your police force area with the riots, how you deployed techniques and what techniques you feel in retrospect you might have deployed differently, if any?

Chief Constable Hodson: Thank you, Chair. It is a long question and may I start by challenging the notion that we had a riot in Nottinghamshire. Our view is that we had violent disturbance, and that might come up again when we talk about the Riot (Damages) Act later in your questioning.

Michael Ellis: Yes. I appreciate the distinction, yes.

Chief Constable Hodson: Thank you. I think that one of the strengths and the success of the way that Nottinghamshire officers and staff responded to those violent disorder challenges was taking a holistic approach and using as many tactics that were available to us to make sure that we dealt with it in the round. Colleagues from other forces have already talked about the strength of a solid foundation of neighbourhood policing and the relationships that that creates, a strong Gold strategy—Mr Broadbent was one of the Gold Commanders on our 24/7 coverage—with a policing tactic that was about preventing, following the intelligence, engaging with those that we believed wanted to be involved in violent disorder, and then enforcing within the rules and the powers that are available to us.

Q453 Michael Ellis: Do you have police horses in Nottinghamshire?

Chief Constable Hodson: We do, indeed.

Q454 Michael Ellis: Did you deploy those horses for crowd control?

Chief Constable Hodson: We did, indeed.

Q455 Michael Ellis: Police dogs?

Chief Constable Hodson: Not necessarily for crowd control, as it happens, but rather to create a defensive line to protect property.

Q456 Michael Ellis: In order to police the disorder that was occasioning you deployed horses and dogs?

Chief Constable Hodson: Yes. The dogs were a really useful tactic. I know a colleague has already mentioned that, but particularly in the housing estate
of St Ann's the mobility and flexibility of the dog officers was really very, very helpful indeed.

Q457 Michael Ellis: Criminals do not want to be bitten by police dogs?
Chief Constable Hodson: Indeed.

Q458 Michael Ellis: Do you wish that you had other techniques and tactics available to you? For example, would you like your force to have the use of water cannon? Would you like to have the use of baton rounds should that be permissible?
Assistant Chief Constable Broadbent: It was specifically officers allocated for any potential riot in Nottingham. On the Monday, Chair, Yes. My professional policing experience, once I saw the Sky news coverage from abroad, created a level of anxiety in me.

Q459 Michael Ellis: Can I just ask one other supplementary, which is this? You have made the distinction between disorder and riot, which is not necessarily a distinction that is made in the media. Reference has been made to riots, but actually very few people, it seems to me, have been charged with the offence of riot, which is under section 1 of the Public Order Act 1986. What do you find that others in your force area have been charged with so far?
Chief Constable Hodson: Criminal damage, arson, burglary, disorder.

Q460 Michael Ellis: Violent disorder, for example, under section 2?
Chief Constable Hodson: That is right.

Q461 Michael Ellis: But no use of the section 1 offence?
Chief Constable Hodson: No.
Assistant Chief Constable Broadbent: No use of section 1 at all, no. Arson with intent to endanger life was a key charge for us given the fact that some police stations came under fire by petrol bombs.

Q462 Chair: Chief Constable, you seem to be downplaying the extent of the disorders in Nottinghamshire. You don’t like the word “riot”. You prefer the word “disorder”. How many people were arrested?
Chief Constable Hodson: I am trying to be accurate, Chairman.
Chair: Of course, which is what we would expect.
Chief Constable Hodson: Yes. My professional experience from a number of other metropolitan force areas where I have worked is that the terminology and the descriptive “riot” can be damaging reputationally for many years as you seek to recover the confidence of the community and the confidence—

Q463 Chair: So it is a presentation issue? They can riot in Manchester and Birmingham, but they don’t riot in Nottingham?
Chief Constable Hodson: No, no, it is about accuracy and making sure that we are proportionate in how we describe things and that we ascribe proportionality.

Q464 Chair: Okay, so there was no riot. How many people were arrested?
Chief Constable Hodson: Over 125 to date.
Chair: So 130 to 150, or 130 to 130 and 150? Assistant Chief Constable Broadbent: To 130 and 150.

Chair: So 280, just give us total figures.
Assistant Chief Constable Broadbent: Yes.

Chair: The Tuesday?
Assistant Chief Constable Broadbent: There was an additional 100 on top of that.

Chair: So 380, and the Wednesday?
Assistant Chief Constable Broadbent: The Wednesday was the same and then it started to tail off as the week went on and there was no intelligence to suggest after the Wednesday there was anything.

Chair: The deployment of more officers brought the disorders under control?
Assistant Chief Constable Broadbent: Potentially yes, but there was some proportionate deployment of those officers. They were not all out on the street at any point in time. We kept some in reserve in different kinds of kit, but the policing tone and style was engage to disperse and then if any criminal acts were committed they would be arrested. So for the first phase officers were in normal police uniform with big helmets and they had the kit available to deploy as police support units. If I could just rewind slightly from the Friday, we were all watching—I think UK policing was watching—what was going on. On the Sunday, I made an assessment of what intelligence was there, what was our requirement. Our intelligence requirement was to find out if any of what we were seeing on the TV could or indeed was going to happen in Nottingham and there was absolutely no indication whatsoever.

Chair: But the Prime Minister and the Home Secretary and Ministers who flew back from their holidays, like others, felt that the tactics were wrong and there were too few officers on the streets. That is what the Prime Minister said to the House on 11 August. Do you agree with that?
Assistant Chief Constable Broadbent: I think that we had a proportionate response and I think you can tell—

Chair: So you disagree?
Assistant Chief Constable Broadbent: Yes.
Chair: You disagree with the Prime Minister on this? You think you had enough officers and the tactics were fine?
Assistant Chief Constable Broadbent: I do, yes.
Chief Constable Hodson: We are speaking locally there.
Assistant Chief Constable Broadbent: Absolutely. Sorry, locally, yes.
Chair: You are not yet the Prime Minister.
Assistant Chief Constable Broadbent: No, thank goodness. What I would say is on the Tuesday night we had enough officers, just. We were at a tipping point, but from the Monday morning it was not just a policing intelligence requirement; we had partners engaged. We were sitting round a table exhausting every single source of intelligence to see what the picture was in Nottinghamshire.

Mark Reckless: I understand the presentation on a reputational issue, but could you clarify for us what turns violent disorder into a riot and is your point just that Nottingham didn’t have a riot or there were no riots at all? What is the definition of riot versus violent disorder?
Chief Constable Hodson: I don’t seek to make a judgement about what happened anywhere else. That is a matter for individual forces, but the legislation is quite clear about what constitutes a riot and what constitutes disorder, and the definitions are available to us, and applying that test. I think in the first instance we applied the test when we were thinking about the Riot (Damages) Act, but that is my understanding.

Mark Reckless: I am happy to refer back to the legislation—I am sure the Committee could do that—but could you in your own words perhaps say what would have had to happen further in Nottingham for it to be a riot rather than violent disorder as you state?
Chief Constable Hodson: Essentially, it is about the number of people that are involved with a common purpose to commit violent acts.

Mark Reckless: But was this not a common purpose of looting by quite a large number of people?
Chief Constable Hodson: There was no looting in Nottinghamshire.

Mark Reckless: No looting?

Chair: There was no looting at all? There were no shops broken into, nothing stolen?
Assistant Chief Constable Broadbent: There were two shops broken into and property was stolen.

Chair: So there was looting?
Assistant Chief Constable Broadbent: Well, there were two burglaries and people have been charged with burglary. I think it is important to note the difference in Nottinghamshire with, potentially, other parts of the country. There were a small number of people in little pockets around the city centre, in inner-city suburbs, causing problems. There was no large mass of people throwing stones or confronting police.
Chair: As there was in London or Birmingham.
Assistant Chief Constable Broadbent: There were no barricades. There was nothing of that nature. You have got a number of inner-city suburbs, primarily young people within those suburbs coming together. We have been through all the evidence and at no point could we substantiate that there were 12 or more people together for a common purpose with intent to commit the act of rioting.

Chair: So what did you do that was different from other forces that made sure that there were not the kind of disorders we saw elsewhere?
Assistant Chief Constable Broadbent: I think by nature our disorder was different so we could deploy some different tactics. We had small pockets of people so we could disperse more easily and keep those people on the back foot, quite simply. There was a specific decision not to allow people, where possible—potential people who would cause disorder—into the city centre and then employ their own copycat tactics.

Q484 Dr Huppert: Can I ask a bit about your infrastructure and preparedness? Firstly, how many officers do you have altogether?

Chief Constable Hodson: Year on year about 2,500. We are making a number redundant at the present time.

Q485 Dr Huppert: How many of those are trained in public order duties so that they could operate within a PSU?

Assistant Chief Constable Broadbent: That is 500—500 trained in police support unit duties.

Q486 Dr Huppert: Do you think that is enough?

Assistant Chief Constable Broadbent: It is enough. However, you have people on annual leave, you have some off sick, you have some on training courses, so the amount you are able to mobilise is less than that.

Q487 Dr Huppert: How many is a realistic number that you can mobilise? How does that compare to what you would actually need? Also, are you typical of similar forces, do you think?

Assistant Chief Constable Broadbent: Yes, I do think we are typical of similar forces and we were able to mobilise on the Monday night 150 officers out of 500 trained, which is pretty good going.

Chief Constable Hodson: If I may add, the force does have quite a considerable experience of policing disorder in a number of different forms, which range from the normal policing arrangements for a football match to policing EDL marches, climate change marches. So, not only do we have trained officers, we have very experienced officers who are used to responding proportionately to a number of different scenarios.

Q488 Steve McCabe: I wonder if I can return for a moment to what was different about the Nottingham experience. You have just said that there was no looting and I think it is probably fair to say that what you witnessed was characterised by attacks on motor vehicles, petrol bombs, arson and attacks on the police. I think I read somewhere that your colleague, Assistant Chief Constable Scarrott, said it was a kind of copycat activity by a mindless minority. Is that a fair way to understand the Nottingham experience?

Assistant Chief Constable Broadbent: From my perspective as one of the Gold Commanders, yes it is.

Q489 Steve McCabe: I also noticed that you are described as having taken pre-emptive action. I wonder if you could tell us what it is you did. I guess what I am interested to know is, was there the potential in Nottingham for you to experience exactly or more or less what happened in Birmingham, Manchester and London, and was it something different about your tactics, or was it that you were just dealing with a different order of events?

Assistant Chief Constable Broadbent: I think what was different, primarily, was the scale of disorder that Nottinghamshire saw compared with other major cities and the style of that disorder. We did not have hundreds of people at the end of a road wishing to vent their anger on police officers, which dictates a different kind of policing tactic. We had small numbers of people—generally around about 10 or a few more—on street corners who we felt were prepared to commit violent acts if we didn’t go and engage with them in the first place. We moved forward to engage in a quite relaxed policing style and they ran off. What we are not going to do is chase them all round the city, but we have resources deployed. But because there was no large mass, we were able to keep those people who were intent on disturbances primarily on the back foot.

Q490 Steve McCabe: Elsewhere in the country forces were facing sometimes maybe crowds of 100 or more, and at different times sporadic episodes with maybe groups of 20 to 40. In essence, you were never dealing with numbers anything like that, so I guess what you were dealing with would not have been massively different—obviously the petrol bombs and the arson was—from what you might experience at a football event or something like that.

Assistant Chief Constable Broadbent: I suppose in years gone by the disturbances we saw would have been similar to some kind of football violence with the added aspect of some petrol bombs.

Q491 Alun Michael: Can you say a little bit about the responses that you had from the local community, both at the time in terms of helping you to catch some of those who were involved in the activities and subsequently?

Chief Constable Hodson: One of the things that struck me was that during the incidents on the Monday and Tuesday evening the public were very supportive in that they were making contact with the police to identify people who had been involved. One of the police stations that was attacked by a group of about 10-plus was videored on somebody’s mobile phone and simultaneously called into the control room, which was extremely helpful indeed. So we did have that level of support during the events. Then afterwards, echoing the comments of my colleagues, the response from the public—in the gratitude, the tributes that they paid to the officers either by telephone, in writing, through gifts, stopping officers on the street—was very moving indeed and really matched the enthusiasm that my officers and staff had to respond to the incidents and the challenges that they were presented with.

Q492 Alun Michael: On the issue of the follow-up, can you tell us how many people have been arrested to date? Are you still, for instance, viewing video evidence and that sort of thing, and do you have an
idea of the proportion that have been involved with criminal activity previously?

Chief Constable Hodson: The figures, as described before: 125 arrested so far and 71% of those have been involved with criminal activity previously. Again, one of the tactics that was perhaps a little different in Nottingham, because we had a slightly different scenario, was that we did not need to put any of the criminal faces on to our webpage for identification by the public and hopefully that helped to create a sense of confidence in the police because we knew through local intelligence who the people were that we needed to arrest. So I think 99 were arrested on the night and then other arrests followed.

Q493 Mark Reckless: So you are saying that not asking the public for help inspires confidence in the police?

Chief Constable Hodson: In relation to putting a groundswell of support was massive and still is.

Mark Reckless: Yes.

Chief Constable Hodson: That is an interesting scenario for us because we are paying for some that came in and then charging back for some that went outside of the force after the disorder concluded. So there is quite a lot of administrative bureaucracy that now supports that.

Q494 Mark Reckless: How are you hoping to offset the costs of dealing with these disturbances and are you able to tell us what that cost was, both direct staffing and the opportunity cost?

Chief Constable Hodson: The cost is at the moment £1.2 million, and 50% of that cost is officer and staff overtime costs; the others are incidental costs. The cost of damages for members of the public whose property was damaged through the process, we understand is at about £10,000, so significantly different to the picture elsewhere. How are we going to meet that cost? You have already had a conversation about where that funding might come from. I think the police authority chairman, and I would hope that there is some support from central Government to help us meet that cost. The force is extremely challenged in terms of meeting the budget reductions and could not absorb £1.2 million additional cost.

Q495 Mark Reckless: You seem to have, you say, about the right numbers of PSUs trained, about 500 you said. One of the issues I think the Government faces is, following these disturbances or riots, depending perhaps where it was, what should the strategic policing requirement say to different forces and how many people they need to have trained, or do we already have sufficient mechanisms to motivate forces to have the right number of trained people and deploy them to other forces where necessary, in particular the Hertfordshire Agreement? Is that about right, or is there an argument it is too generous and how much it compensates the force giving the officers to elsewhere?

Chief Constable Hodson: The strategic policing requirement will, of course, be informed by the national threat, risk and harm assessment, which no doubt will be rewritten in the light of the disorders and the riots that have been experienced in this country. I think one of the challenges for PNICC —and I think you have heard from others about those particular challenges—was that as an individual force like Nottinghamshire seeks to draw in mutual aid from other forces then we find ourselves in the situation that other forces have greater challenges than we do. We were able to call in, I think, five PSUs on the night to assist us. It is a really difficult calculation but, of course, you always start with, what do we need locally, what do we need regionally and then what do we need to do to support the national effort?

Chief Constable Hodson: The cost is at the moment £1.2 million, and 50% of that cost is officer and staff overtime costs; the others are incidental costs. The cost of damages for members of the public whose property was damaged through the process, we understand is at about £10,000, so significantly different to the picture elsewhere. How are we going to meet that cost? You have already had a conversation about where that funding might come from. I think the police authority chairman, and I would hope that there is some support from central Government to help us meet that cost. The force is extremely challenged in terms of meeting the budget reductions and could not absorb £1.2 million additional cost.

Q496 Mark Reckless: Are the current financial arrangements—I think the Hertfordshire Agreement—appropriate?

Chief Constable Hodson: This is where we cross-charge for the PSUs?

Mark Reckless: Yes.

Chief Constable Hodson: That is an interesting scenario for us because we are paying for some that came in and then charging back for some that went outside of the force after the disorder concluded. So there is quite a lot of administrative bureaucracy that now supports that.

Chair: Our next witnesses are from the social media. What role did they have—not the witnesses, but the social media—in the disturbances in Nottingham? We have had a lot of evidence from Birmingham and London and Manchester, which have used social networking as a force for good, but during the disorders, of course—or riots in London, disorders in Nottingham—we heard that Tim Godwin was looking at closing them down. Is it a force for good? Do you all use it? Should it have been closed down?

Chief Constable Hodson: It was a force for good for us in, I think, three different ways. The first way is that we were able to use it as an intelligence tool. The second way was that we were able to reassure our public. We had a communications strategy that said Nottinghamshire Police will become the voice of truth and accuracy using Twitter, Facebook and internet sites, and it quickly became the case that Nottinghamshire Police was the trusted voice on the networks. The third one escapes me for the moment. Oh, it was a way of making sure that the press and the media were kept up to speed, because they relied on the same source data.

Steve McCabe: I hope you will not interpret this as a criticism of Nottinghamshire Police—that is not my purpose—but I am struck by the fact that the public response to your officers in terms of assistance and expressions of gratitude was almost identical to
that experienced by officers in other parts of the country, yet you had a relatively minor event involving known criminals that you were able to contain without too much difficulty. Does that suggest that the public were possibly influenced by what they were seeing elsewhere more than they were influenced by what they were experiencing from your own officers and on their own streets?

**Assistant Chief Constable Broadbent:** Yes, I think very much the feedback we have got through social media was specific to Nottingham and Nottinghamshire, so people might have been seeing things unfolding elsewhere in the country, but primarily people locally are concerned with what happens locally. The feedback we got continued to be tremendous right through, and other stories that you have heard this morning about people coming in and giving presents and the like were replicated in Nottingham and Nottinghamshire.

**Chair:** In conclusion, you are telling us that even though there were disorders—riots—in other parts of the country, you managed to contain this very well in Nottinghamshire and you feel that you did everything you possibly could in order to ensure that people’s lives were kept safe and that property was not damaged. You are telling us that only two properties were damaged during this set of disorders. Is that right?

**Chief Constable Hodson:** There were two properties that were burgled, Chairman. Actually five police stations were attacked, but only minor damage and quickly put right. I am not aware of any other. Oh, there were some disorders in parts of the country, which enabled us to cap it off a lot quicker.

**Chair:** Indeed. In the past, Nottinghamshire has not been top of the list of the best performing police authorities in the country, but you have recently been commended for turning that authority round, so congratulations from all of us.

**Chief Constable Hodson:** We are grateful, Chairman.

**Assistant Chief Constable Broadbent:** If I could add one quick thing, Chair. Just to repeat again, the nature of the violence and the disorder we were presented with was fundamentally different than in other parts of the country, which enabled us to cap it off a lot quicker.

**Chair:** Yes. We do understand that. We understand that Nottingham is not London. Thank you very much.

**Chief Constable Hodson:** Chairman, but could I just add to your comments there? I think the important thing is not just that Nottinghamshire Police feel that we did the best job that we could, but our public feel that and our partners feel that.

**Chair:** That would be wonderful, Chairman.

**Chief Constable Hodson:** Thank you.

**Chair:** You are going to meet the other Chief Constables outside.

**Chief Constable Hodson:** They are bigger than I am, Chairman.

**Chair:** Thank you, Chief Constable and Mr Broadbent.

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**Examination of Witnesses**

**Witnesses:** Stephen Bates, Managing Director UK and Ireland, Research in Motion, BlackBerry, Richard Allan, Director of Policy, Facebook, and Alexander Macgillivray, General Counsel, responsible for public policy, Twitter, gave evidence.

**Chair:** You may find yourself in demand at seminars as to how to control these disorders.

**Chief Constable Hodson:** That would be wonderful, Chairman.

**Chair:** Sorry, Chairman, what we are trying to say is we don’t say anything about what has happened in other forces.

**Chair:** No, we understand that perfectly.

**Chief Constable Hodson:** Thank you.

**Chair:** You are going to meet the other Chief Constables outside.

**Chief Constable Hodson:** They are bigger than I am, Chairman.

**Chair:** Thank you, Chief Constable and Mr Broadbent.

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**Chair:** Yes, we will come on to response in a minute, but what about responsibility? Do you accept part of the responsibility for what has happened?

**Stephen Bates:** Of course from our perspective we feel for the communities affected by these riots and myself, as a citizen of this country, watched this map out and we thought it was very important that we were very quick about how we responded to the authorities with respect to our obligations under the framework we work to for privacy and lawful access. So we responded very quickly. We thought that was extremely important.

**Chair:** Those of us on Facebook—I am not—and those of us on Twitter—Dr Huppert is—so I should declare all that in advance. Yes, Mr Bates, sorry.

**Stephen Bates:** Certainly from our perspective we feel the important thing is not just that we said something about what has happened.

**Chair:** Sorry, I should say we all declare our interest, those of us who have BlackBerry, as I have.

**Stephen Bates:** I don’t have mine with me. I was not sure whether it would be a—
million people that use BlackBerry in the UK. We have a wide demographic of users and on the whole we would say the vast majority of people abide by the law and use social media systems like our instant messaging, BBM and other social media as a force for good. We saw many instances while the riots were happening where social media was used for a force for good to check that people were safe, they had got to places where they wanted to, and we all saw the aftermath of how social media was used to help. So we say it is a balance and we certainly say that our response to that was—

Q502 Chair: We will come on to the response. You have told us all the good things about BlackBerry, but you must have known what was happening, and we are all customers so you do not have to sell us any. The issue is it was used, was it not, by those who wished to get other people on the streets in order to participate in these riots? It is a matter of fact, isn’t it?

Stephen Bates: There is no dispute that social media was used for malicious purposes. The interesting thing around BlackBerry is our demographic ranges from FTSE 100 companies right down to 37% of 20-year-olds and below. So what that means is the mobile phone of choice is a BlackBerry for youth.

Q503 Chair: We understand that. Richard Allan, what about Facebook? Is there any responsibility here? We have seen one individual who used Facebook who has now gone to jail for four years, which some people think is a very heavy sentence; others think this is the right sentence. What about Facebook’s role in all this?

Richard Allan: I think, Chair, we have a very clear responsibility to ensure that the uses of our service are legal, and that is very clearly expressed in our terms and conditions, which we describe as—it could have come from the last Government—a statement of rights and responsibilities. That is very deliberate language that we have chosen to say that if you are going to use our service, you have a right to the use of that service, rights on privacy and so on, but you also have a responsibility to use the service in ways that are legal. We will talk about response, I know, in a minute, but essentially we have created a framework to support that statement. In terms of why I think we are attracting so much attention, there clearly is a novelty factor and I think a policing issue about catch-up where, for example, when cars first started to come into common usage, clearly the ability to catch burglars who were using cars was quite different from the ability to catch burglars who were running away on foot. The police took some time to catch up and figure out how to deal with the motorised villain and now they need to develop mechanisms for dealing with the social media villain.

Q504 Chair: Do you think people, therefore, have just latched on to it because it was new, as they did in the Arab Spring? People had Facebook and all these things and that was a force for good. But do you accept that it was misused and, therefore, people used Facebook to get other people to come out on to the streets and be involved in malicious and criminal activity?

Richard Allan: We have looked at a lot of what took place on our platform and, frankly, if we had found widespread evidence about that I would say so, but we have not, and we think there are a number of reasons for that.

Chair: But one of your customers has gone to jail for four years for it.

Richard Allan: And I would say there are a handful of cases that we found, and the handful I assume most have been prosecuted, which explains why our platform is not a good platform for that kind of activity. It is too visible.

Q505 Chair: So a very small percentage you are saying?

Richard Allan: Tiny, literally a handful of cases where we found that people were doing things that were serious organisation as opposed to the good stuff or what you might call joke activity.

Q506 Chair: Indeed. What about Twitter?

Alexander Macgillivray: We are slightly different than the other two networks here—and of course I thank the Chair for the opportunity to speak to this Committee, it is wonderful—but I guess what I would say is, similar to Facebook and BlackBerry, we do clearly have our users. Their use of the service is subject to using it in accordance with the law, but we have not found, because our service is such a public service, that it is a particularly good tool for organising illegal activity. We have not found in this particular case examples—I don’t have any to share with the Committee—of the service being used for the organisation of illegal activity.

Q507 Chair: But it is clear that people have used Twitter in order to encourage people to go out.

Alexander Macgillivray: We haven’t seen that, at least I have not seen it yet in this particular case. There are a bunch of different organisations looking at the public tweets. One of the advantages of our network is that, of course, it is public so people can look and examine and tell us more than we would know about what is going on.

Q508 Chair: So as of today nobody has said to you that customers of Twitter used Twitter in order to encourage other people to go out and perform criminal acts, even though Chief Constables and others have come before this Committee and told us that that was in fact the case?

Alexander Macgillivray: I haven’t seen the Constables saying that there are particular instances of Twitter usage being responsible for rioting.

Chair: Just the general social network?

Alexander Macgillivray: It is not abnormal for us to be lumped in with other media out there. We think of ourselves as quite distinct, in part because people come to Twitter to say things publicly, which means that there is just a different type of usage pattern that we see.
Q509 Chair: You have 100 million users; is that right?

Alexander Macgillivray: Yes, we have 100 million active users.

Q510 Chair: Just remind me, Richard Allan, how many do you have on Facebook?

Richard Allan: 750 million, of which 30 million are in the United Kingdom.

Q511 Chair: Do you know how many of your 100 million are in the United Kingdom?

Alexander Macgillivray: I don’t.

Q512 Chair: And Stephen Bates, just remind us of the figures again in the United Kingdom?

Stephen Bates: In the United Kingdom we have round about 7 million BlackBerry users.

Q513 Chair: And worldwide?

Stephen Bates: Roughly around about 67 million, as of our last quarter.

Q514 Dr Huppert: Thank you all for coming. I am fairly familiar with Facebook and Twitter; I use them both quite extensively. In fact, I think of all the current MPs I was the first one on Twitter by about a week. But I have to say my personal experience with BlackBerry was less good. I had presumably an early model and it has improved. So I am not so familiar with how the BlackBerry Messenger service works. There has been a lot of comment about bits of it being very public, bits of it being private, bits of it being heavily encrypted. Mr Bates, could you say a little bit more about exactly how that works? How much of it is private, how much is encrypted to a level where you could not access it even if you wanted to?

Chair: And, Mr Bates, we don’t need a sales pitch.

Stephen Bates: I will keep my numbers under control for you. I think we are very aware of BlackBerry’s position here in the UK. BlackBerry Messenger is a form of instant messaging in that, like most and many other instant messaging systems such as Microsoft Messenger, Yahoo! Messenger, Google Talk and even Skype, it is based around the concept of consent. So, you have to consent to be connected to people to enable you to communicate, be it a one-on-one individual or be it a group of up to 30 individuals. Once you have made that consent happen, you are then freely able to communicate within that environment. From our perspective, we enable that, like many other instant messaging services, and that enables us to protect the privacy of users while we, as a business, maintain our position around complying with the law. We work fully within the framework of the lawful access requirements as defined under RIPA.

Q515 Dr Huppert: So there could be an interception order where there is nothing that you could not in principle intercept if the appropriate legal framework was set up?

Stephen Bates: One of our founding principles in terms of the way we deal with privacy and lawful access is we comply with the laws of the land in which we operate. The laws of the land in the UK, we comply with the regulations of RIPA, and the mechanisms around that we are fully compliant with. Certainly when this incident happened we engaged with the authorities, as we were expected to do, and met the obligations we have to under that framework.

Q516 Dr Huppert: As you know there are two issues. One is about the data, about what the connection is, and one is about the actual content. Just to be very clear, you can provide communications data retrospectively and you can provide content that is happening after an order has been passed in the UK. Is that correct?

Stephen Bates: The way we do this is we have an instant messaging system that is consent based around you as an individual and you are obliged to operate within that. We, as a business, manage our operation under the framework that we have complied with in the UK.

Q517 Dr Huppert: You are very carefully not saying yes. Why is that?

Stephen Bates: As you are aware, under the framework of the legislation around RIPA we are not able to expose details, or explain details should I say, around the actual execution. So I am very happy, for instance, if the Chair would allow it, to write to provide a private update as to what we do and we don’t do.

Chair: Yes, of course.

Q518 Mr Winnick: My colleague Mr Reckless will be asking you in a moment about a possible suspension of these matters during disturbances. I will leave that to my colleague, but can I ask you at this stage how far you are working with the police to try and help the police to bring in those who were alleged to have been involved in the disturbances? Are you working in close co-operation with the police?

Alexander Macgillivray: We certainly have open communication with the police, but there is nothing that is currently ongoing in terms of them asking us for information regarding individuals.

Richard Allan: We have a dedicated law enforcement team that has a European unit based in our European headquarters in Dublin and they are in very regular contact with the UK police’s SPOC network, which has nothing to do with Star Trek but is the Single Point of Contact. Our view is that the UK police relationship with internet companies like ours is a model globally. That network is very mature, works very well, and we have interlocutors in the police who understand our service, understand what they can and can’t ask for. That channel is used for RIPA requests. Again, I think you understand that we don’t talk about the detail of individual requests, but we can say generally people in the police SPOC network ask our network or submit valid RIPA requests through that network and those are responded to in the appropriate way.

Q519 Mr Winnick: Mr Bates, co-operation with the police in this matter?

Stephen Bates: Fundamentally the industry here in the UK complies with a consistent method of operation
Q520 Mr Winnick: Just a very easy question, yes or no, do each of you on behalf of your companies accept that you have a commitment to the rule of law, and therefore co-operation with the authorities, in the situations that occurred in August that is essential?
Alexander Macgillivray: Yes.
Richard Allan: Yes.
Stephen Bates: Of course.
Chair: Those are the briefest answers we have had from witnesses ever.
Mr Winnick: Perhaps the briefest question.
Chair: And the briefest question from Mr Winnick.

Q521 Mark Reckless: One or two of my colleagues have suggested that social media should be shut down during periods of large-scale disorder. What is your response to that?
Alexander Macgillivray: I think the Constables who have testified before the Committee made plain that they are using it very concretely for good during moments of crisis, so we think it would be an absolutely horrible idea to suspend service during those important times.
Richard Allan: Similarly, when you have 30 million people in the United Kingdom using the tools to tell family and friends that they are safe, to turn it off at that stage we think would not serve the public interest.
We are extremely pleased that the Home Secretary has now indicated that there is no intention to seek additional powers and we hope that that position is sustained and supported by your Committee.
Stephen Bates: From our perspective, we take a view that communications generally and social media are a force for good and in the whole we think that is consistent in terms of my colleagues in the industry that we don’t see that being a good way forward. We do see, however, within the Communications Act 2003 the Government does have legislative powers to suspend communication networks. That power already exists so the mechanisms are in place to execute that should it be deemed necessary by the authorities.

Q522 Mark Reckless: Where Governments, perhaps overseas—Egypt was suggested as an example—do shut down the social networks for a period what is the response of your organisations? Do you start up and it is business as usual or will you seek not to operate in those types of market?
Richard Allan: Speaking for ourselves, we have a global service so in theory anyone who connects to the internet can connect to our service as long as their Government is not blocking them. So, in a sense, there are limited things that we can do. We continue to make our service available. So in countries like Egypt, Tunisia and, currently, Syria, where Governments will put in whole or selective blocks, our service is still available if they can get through their local internet service providers.

Q523 Mark Reckless: Would that be the same for Twitter?
Alexander Macgillivray: Yes, we work very hard to try to make sure that our service is available to people around the world and we obviously don’t think it is a good idea for Governments to shut down the internet the way that has happened in some of the revolutions.

Q524 Mark Reckless: For BlackBerry is there more of a national jurisdiction approach?
Stephen Bates: No, it is very consistent. We have a global framework that we approach around lawful access and we comply with the laws of the land. In the case of Egypt, the Government instructed the mobile network operators to shut down and therefore by default that shuts down the BlackBerry service as we are a mobile service. So that was that. So we comply with the law.

Q525 Chair: Why shouldn’t the Government, if necessary, use powers to close down these networks? If there is mass disorder going on and mass criminality and this is the only way to stop it happening why shouldn’t they use those powers? We accept that it may be a force for good. As Mr Bates has told us is already in legislation, you must understand that in certain circumstances the Government may have to do this. Certainly the Commissioner told this Committee that he considered doing this, which was a surprise to the Committee, but decided not to because obviously the police were tracking the information. But do you understand that there may be circumstances in a situation to do with terrorism or high criminality where they may have to do this? Mr Bates?
Stephen Bates: We have a strong view around the fact that communication and social media are a force for good. Within the UK the legislation does exist. Whether or not that decision is taken is a matter for police, the authorities, emergency services and the Secretary of State. Our position is very clear. If that was to be enacted we would meet our obligations, as we have committed to under the law, to help assist that through the execution of that duty.

Q526 Chair: So you would understand if it was done if it was a particularly—I am talking about an emergency situation. You would understand why that would happen?
Stephen Bates: From our perspective we comply with the law and if the instruction, according to the Communications Act, would be to close down the mobile networks, which is the method by which that would be enacted, we would then comply; we would then work with those mobile operators to help them meet the obligations as defined by that Act.

Q527 Chair: Did this happen in the immediate aftermath of 7/7?
Stephen Bates: I can’t remember. I can’t comment. I am happy to—
Q528 Chair: I can’t remember either. If you would write to us, Richard Allan, you have been a Member of this House. Certain circumstances, terrorist attack, violence, terrible disorder, the Commissioner says to the Home Secretary, “This is the only way to stop this happening,” you would understand in those exceptional circumstances it just may have to happen? Richard Allan: As a service provider, you never would advocate for your service to be made unavailable. You might be understanding were that to happen and you can take a view on what a good public policy framework for making those decisions is, and I think the United Kingdom has one in the Civil Contingencies Act. The kind of tests you would be looking for are a very high threshold in terms of necessity, proportionality, a number of checks and balances procedurally in place; and a framework for accountability after the decision. I think our experience in a lot of other countries is that none of that exists. You look at the North Africa situation: it was the whim of the Executive with no system, no thresholds, no system of checks and balances in place. So I think where countries have those frameworks in place the decision will be much more understandable and acceptable to a service provider.

Alexander Macgillivray: I think it is a very difficult, hypothetical question to answer, but in practical terms what we have seen in all of the instances where this has been considered or suggested you have even the police forces saying that it is not a good idea. So, is there a hypothetical case somewhere where that might be a good idea? I don’t know, but we certainly haven’t seen any practical case and in the cases where we have had societies or individual organisations shut down access to one or more of their communications networks, it has not proven to be a good idea.

Q529 Chair: But do you accept that your users, for example, who broke the super injunction concerning Ryan Giggs—75,000 people went on Twitter and announced his name—that social media is being used as a way round the law? Alexander Macgillivray: I can’t really comment on the super injunction because we don’t have a good example there again of a place where we were informed of a particular injunction and users went ahead and did something over and above that injunction. But there certainly will be people—

Q530 Chair: You didn’t know about it, or you knew about it but you couldn’t do anything about it? Alexander Macgillivray: We certainly read about it in the papers, but we weren’t ever served with any injunction or anything like that. I don’t want to try to not answer your question, so the one thing I would certainly make clear is it is clear from any communications device ever invented that some people will use it to break the law, and we are not denying that.

Q531 Steve McCabe: I wonder if I could put it to Richard Allan, the criticism that I hear of Facebook, which I think is quite widespread, is not so much in the context of these events we have witnessed, but it is suggested that there is a malign element to Facebook in the way that it is used for bullying, which in some circumstances may indeed have resulted in suicides. Do you think that is a valid criticism and is there anything more that you are able to do to address that downside of your product? Richard Allan: When you bring together a community as large as 30 million people there will be people within that community who behave inappropriately and in some cases that can be extremely harmful to other individuals. Our responsibility, as I have described through our statement of rights and responsibilities, is to minimise that behaviour, to exclude those people from our system wherever we can, and what we spend a lot of our time and energy doing is precisely developing those tools. So, tools for people to report bad behaviour, tools for people to block people who are carrying out bad behaviour and, indeed, to develop the relationships with law enforcement so that when the behaviour passes from the merely offensive, if you like, into the criminal that those individuals can be prosecuted. We have seen cases where people are prosecuted for their behaviour, and so they should be.
Q534 Steve McCabe: Who monitors your site to ensure that when very offensive and threatening comments do appear—comments that may well lead to suicides, although I am not suggesting it is direct, but the implication is that it adds to the pressure—that is spotted and some action is taken?
Richard Allan: What we find is our users, the people who use our service, are the ones who do that. We effectively have a community of—

Q535 Steve McCabe: So it is self-policing?
Richard Allan: To a degree. So it is 33 million Neighbourhood Watch people on our service, and they act as a Neighbourhood Watch, and they really do. We found during the riots that people were even reporting pages that were, if you like, positive pages about the riots because they were reporting anything to do with the riots. They felt that sense of responsibility.

Q536 Chair: How many people are in your reporting centre? It is all very well having 32 million people reporting things, but what is the infrastructure to deal with it?
Richard Allan: We have a global infrastructure with centres now in India, Dublin and two in the United States. We have several hundred people now working through that system and they use a combination of automated and manual review in order to stop people doing things. Some of the technology is amazing and we have a very powerful security team who can do things—for example, like detecting if somebody is sending harassing friend requests, thousands of friend requests, that person will be picked up and dealt with, down to dealing with an individual message between users that is very personal to them and is causing harassment and distress.

Q537 Chair: But in answer to Mr McCabe’s and Mr Reckless’s questions, if you then discovered somebody was sending a message to somebody else about a terrorist atrocity that they wanted to commit in a city in the world, what would your reporting team then do?
Richard Allan: We have an escalation procedure precisely for those circumstances, so we recognise that there are things we can deal with by warning or removing the user and we absolutely recognise there are things that need to be escalated to law enforcement.

Q538 Steve McCabe: I should just say in passing that there was a case in my own constituency of a young man who did commit suicide and his parents say that he was a victim of Facebook bullying. Is the onus on an individual to say, “This is unacceptable,” and therefore, although technically it is your platform, it is your product, you don’t have any direct responsibility for monitoring what goes on there unless someone objects and says it is distasteful or unacceptable?
Richard Allan: That is correct, yes. This is common to platforms described as user-generated content platforms, of which we represent a number. The model essentially is that individuals post content to each other and that the service provider intervenes when people report that content as problematic. That is a very common model. We think it gets the right balance between freedom to speak on the platform and security.

Q539 Steve McCabe: Can I put this to everyone, just as a final point then? I guess the point here is that the allegation during the riots was that it was used for a criminal and a very malign purpose. Do you think it is acceptable that the social media could be used as a vehicle for all sorts of abuse—racism, advocating crime, terrorism—and that the people who are making money out of it don’t have any responsibility for controlling or monitoring the content?
Alexander Macgillivray: I think the way the question is framed obviously is particularly pointed, but what I would say is that we—
Steve McCabe: Well, that is what people say to me.
Alexander Macgillivray: Exactly. We all feel like we have a responsibility and our users have a responsibility to use the service in a positive way, and that is primarily what we are seeing on these services. We do, I think each of us, have teams that go in and deal with problems on the service and very much seek to fix those problems.
Richard Allan: The characterisation I think is extreme in terms of what actually happens. The experience of the vast majority of people who use all our services is entirely positive. People do understand the rules; they do stick to the rules. The rules clearly state that content like racist content is unacceptable and people are incredibly powerful at kind of self-healing that community and protecting that community. Where individuals step outside of that, again we absolutely understand and undertake that we have a responsibility to act, and I think we do.
Stephen Bates: We are relatively consistent in this as well in that we abide by the law; it is one of our fundamental principles that we abide by the law and we expect people to abide by the law. Generally around the use of social media, we do quite a lot of outreach to try and enable people to understand the use of social media in terms of its positive force, so we think that is the fundamental part of this.
Chair: Thank you very much. Sorry to hurry you along, because other members have questions.

Q540 Alun Michael: It is my impression the companies have been very open about their operation. In my case, RIM was almost as quick as the South Wales Police to provide a briefing, and I don’t think that would have been the case a few years ago. The other aspect is that change is ever more rapid. We keep thinking that change can’t accelerate and then it does at another rate of speed. Just a few years ago, at the time of the London bombings, the big issue was maintaining communications; completely different environment now, different technology. I wonder if each of you could give us a few words on what you see as the likely change in challenges going forward, obviously in the context of law and order and major public movements of mood?
Alexander Macgillivray: I will start. We are a younger company, so just a couple of years ago we were 45 people in the entire company, mostly trying
to keep the service up and available, so it is a big change for us. We are now getting to the point where we are able to engage in a much more direct way, both abroad and in the United States. But I would say the challenges for us in the next few years are both understanding how the service grows in scale and becomes more a part of the conversation and then understanding how Governments—I’m talking not about the Government of the United Kingdom, but Governments around the world who might be tempted to restrict freedom of expression—are going to deal with the explosion of it online.

Q541 Alun Michael: But you would accept, would you, that it is not just about providing an environment and letting it get on? There is a need to engage with the way in which it is used and the sort of discussion that is taking place in this Committee today.

Alexander Macgillivray: Yes, and we have seen just tremendous uptake from—the Constables in the room are great examples. We have seen police accounts being used, as the Constable said, to spread correct information, to help people out directly, to respond to inquiries that are made online, to understand when there is a public report of a disturbance online that that is a useful report they can go and examine. It has been amazing, the uptake from Governments and from police forces, in using these media in new and innovative ways that are very helpful to their citizens.

Richard Allan: Any significant evolution in technology and tools presents a challenge for professionals who have a particular way of working that is well established, but if that change is permanent and ongoing—and I think the change towards a permanently connected society communicating through networks like ours we should assume is going to be the reality henceforth—as a group of professionals, whether you are MPs or police or whoever you are, you need in some way to be able to work in that new environment. If there is something positive that has come out of the exchange that is happening right now, it is that in a sense it is a moment where the policing community in the United Kingdom is very much waking up to the fact that we need to engage around social media, both from an intelligence point of view, understanding how to get intelligence out of it, and from a communication point of view.

Stephen Bates: First of all, I would like to thank you for the comment around the responsiveness of RIM over this incident. I think that is a good reflection of how seriously we take this subject. We think this is an extremely important point. We have now for some time been very active in engaging the community and we have welcomed the interaction we have had with the authorities. We welcomed the opportunity we had last month to meet the Home Secretary and we await with interest the output from this Committee. We have been very active, particularly in the police force, around trying to educate and articulate the benefits and the usability of social media as a power for good. We are going to keep doing that. We think it is essential for us as a society to understand it and to use it and not be scared of it and embrace it.

Q542 Dr Huppert: I have to say I am quite pleased now that things have calmed down a bit, so the knee-jerkery that we saw at the time of the riots has faded, and I think that is very much to be welcomed. But while I have the three of you here, can I ask you for some help and advice?

Chair: Brief advice.

Dr Huppert: Indeed. One issue with social media is how quickly anonymous or poorly identified comments can spread around. That has real implications for defamation and so forth. There is currently a draft Defamation Bill being looked at. How can we deal with anonymous comments that have real effects on people’s reputations while keeping freedom of expression going? How can we do that?

Alexander Macgillivray: I think I would point in this situation to the things that get corrected and re-tweeted most, which come from authoritative sources and are ways to dispel the rumours. Some of the most re-tweeted tweets we found were police departments saying, “There is a rumour that there is rioting happening right now in Southampton. We want to say that there is no such thing going on and nothing is happening,” and those tweets get a lot more engagement than the rumours. You saw the same thing in the United States when people were trying to understand what the President was going to be talking about when he came on television to talk about Osama Bin Laden having been killed. People were very quick to figure out the accurate information and to spread that information. So we see it as a real way of correcting some of the false information that is online.

Richard Allan: We took a deliberate design decision with our service to make sure that it is based on real identities, so we are probably in a different place and we understand other services have other rules. Our rules are clear: that you must identify yourself and your real identity to be a member of the service, and therefore you are accountable for the things that you comment on, and we see that as the strongest form of control and accountability. We recognise that is the decision we took for Facebook and other people have taken different decisions for their services.

Stephen Bates: BlackBerry enables you to have access to multiple social media capabilities such as Facebook and Twitter. Certainly from the BlackBerry Messenger perspective, as I mentioned earlier, it is a form of instant messaging that is consent based. Therefore, by default you have consented to be part of a group so you know the individuals in that group. We tend to see that not as a direct issue with the BlackBerry Messenger community, but certainly BlackBerry as a mobile smart phone that can enable you to have access to social networking, we are aware of it, we are connected to it, we are very happy to continue the dialogue.

Q543 Mark Reckless: Overall do you believe that the use of social media increased or decreased the amount of disorder?

Chair: Mr Bates, a quick answer, on balance?

Stephen Bates: I don’t think we have any data to comment on that other than my sense of this is that social media is now among us, it is part of us, it is
part of our society, so it is part of the way we as individuals communicate with our family, friends and work colleagues. So it has become an everyday part of our lives.

Q544 Chair: So, you don’t know the answer?
Stephen Bates: I think it would be very hard to tell.
Richard Allan: I have to agree on the disorder; I think it is hard to tell. I think the bit where we would nail our colours to the mast is I believe that we have increased the feeling of well-being of a lot of people in the United Kingdom. We have found every time there is a major disaster, whether that is a hurricane, whether that is some of the school shootings in the United States or whether that is incidents like this, the ability with one click to update the 150 people who are your closest family and friends and say you are okay is a significant, positive development that we now have as a result.

Q545 Chair: Mr Macgillivray, increased or decreased?
Alexander Macgillivray: I don’t think any of us knows, and I think we would also say it is very different in the different types of communication that were used. The thing I would point to is in the clean-up efforts: anything from a single account riot clean-up that was started right after the riots in a couple of days had 75,000 followers. You have a very quick way now of mobilising people for clean-up efforts and for the good stuff.

Q546 Chair: Just going back to the questions of fact, co-operation with the police. Mr Macgillivray, you are not at the moment providing the police with any information from Twitter feed about what happened during the disorders. You are providing some information to The Guardian, I understand?
Alexander Macgillivray: The police and everyone else, it is a public thing so they can just go get it from the website. There is nothing in particular—

Q547 Chair: So you are not as a company supporting them in particular. They just go to get it themselves?
Alexander Macgillivray: There is nothing that they need from us in order to get it.

Q548 Chair: Nor would any newspaper?
Alexander Macgillivray: Yes, exactly.

Q549 Chair: Richard Allan, have you been asked to co-operate? Are you providing any information of any kind to the police?
Richard Allan: Where the police come to us with a valid RIPA request then we will respond to that, whether it is—

Q550 Chair: Have they done so yet?
Richard Allan: Generally they have, yes. There have been requests associated with—

Q551 Chair: Over the disorders?
Richard Allan: Yes.
Stephen Bates: Certainly, as I said, we work within the framework of RIPA, so whenever there is a legitimate request from the police we respond to it.

Q552 Chair: Have they made requests about the disorders?
Stephen Bates: They have made requests, as they do from time to time.

Q553 Chair: You accept, finally, that there are exceptional circumstances. Mr Bates has told us the powers exist where the Government may want to use these powers. Obviously you don’t want them to, but if they do you would co-operate fully with them. Is that right?
Alexander Macgillivray: As I said in answer to the question before, I don’t know the hypothetical situation in which this is a good idea, but presumably there might be one out there.
Richard Allan: We fulfil our legal responsibilities.
Stephen Bates: Absolutely. We fulfil our legal obligations.
Chair: Thank you very much for coming here, especially Mr Macgillivray. One thing, as a parent, how do I stop my daughter going on Facebook rather than doing her homework? This is the real point of this session. Mr Allan, you will have to write to me on that. Thank you very much.
Tuesday 11 October 2011

Members present:
Keith Vaz (Chair)
Mr James Clappison
Michael Ellis
Lorraine Fullbrook
Dr Julian Huppert
Steve McCabe
Alun Michael
Mr David Winnick

Examination of Witness

Witness: Bill Bratton, former Chief of Police, Los Angeles Police Department, gave evidence.

Q554 Chair: Mr Bratton, thank you very much for coming to give evidence to the Committee. I apologise for keeping you waiting. Part of that was due to the fact that the Commissioner was praising you about the work that you have done. I have had a look at your programme. You are going to see the Prime Minister. You have a reception at No. 10 and an international conference on gangs. You are seeing the Home Secretary. You are seeing the Policing Minister. It is quite a visit, almost a visit of a head of state.

Bill Bratton: You are getting your money’s worth out of me considering what you are paying me, which is nothing.

Q555 Chair: Are you disappointed that you did not become the Commissioner of Police in London?

Bill Bratton: I think you benefited from the selection process you just went through and I think you have just had the opportunity to hear from him, as I did this morning in a private meeting in his office. I think you are very well served with your new leadership at the Met. In terms of my interest or lack of interest, it is kind of a moot question in some respects; it is water under the bridge. The focus is very appropriately on the new individual there and his plans for the organisation moving forward.

Q556 Chair: Can you tell us a bit about the role that the Prime Minister has appointed you to? He announced that you were to advise him specifically on gangs. You are seeing the Home Secretary. You are seeing the Policing Minister. It is quite a visit, almost a visit of a head of state.

Bill Bratton: Let me clarify that, because I think most of the understanding or lack of understanding of that assignment has been formulated by the media. Very specifically I, along with several dozen others, have been invited to attend a conference to be held Thursday here, sponsored by the Home Office, to consult and talk about the issue of gangs and gang violence in our respective countries. I understand there are representatives, criminologists, academics, police officials from half a dozen countries. My successor in the Los Angeles Police Department, Charlie Beck, is coming over. This week I have been asked, prior to the conference, to visit a number of cities. I was in Manchester yesterday looking at their Excalibur initiative. This afternoon I am spending the afternoon over at New Scotland Yard being briefed on the initiatives they are engaged in, such as Trident, and also Hackney where they have very significant efforts under way. Tomorrow I am travelling to Birmingham to spend time there being briefed on their issues.

Q557 Chair: Sorry to interrupt, and we will come to all these points because they are very relevant. Specifically to the Prime Minister’s remit, you are not therefore a gang tsar for the Prime Minister or an advisor, because when he came before the House and he spoke about your role, and indeed when you were raised as a possible Commissioner, it was viewed that you would have a specific role at No. 10, but actually it is quite a general advisory role along with other people.

Bill Bratton: The role is the same as that shared by the other attendees at the conference, to impart information about our own experiences. So I have no, if you will, portfolio with the Prime Minister. The Home Office is the entity hosting the conference, so I certainly don’t think of myself as a special advisor. I have been asked to provide consulting services at that conference and am happy to do it.

Q558 Chair: That is very helpful and it certainly has cleared up a lot of misunderstandings that some of us had about your role. You did say in August that you have a reception at No. 10 and an international conference on gangs. You are seeing the Home Secretary. You are seeing the Policing Minister. It is quite a visit, almost a visit of a head of state.

Bill Bratton: Let me clarify that, because I think most of the understanding or lack of understanding of that assignment has been formulated by the media. Very specifically I, along with several dozen others, have been invited to attend a conference to be held Thursday here, sponsored by the Home Office, to consult and talk about the issue of gangs and gang violence in our respective countries. I understand there are representatives, criminologists, academics, police officials from half a dozen countries. My successor in the Los Angeles Police Department, Charlie Beck, is coming over. This week I have been asked, prior to the conference, to visit a number of cities. I was in Manchester yesterday looking at their Excalibur initiative. This afternoon I am spending the afternoon over at New Scotland Yard being briefed on
You cannot arrest your way out of the problem. Police are not the solution to the gang issue. We are, I would argue, the most significant component of it but it is the partnerships that police are able to form, in the case of what I heard yesterday up in Manchester, with the probation department, with the children’s services department, national agencies willing to work with that local constabulary. The partnerships they have formed have resulted in significant reductions in gun violence, where that is such a significant problem there.

So the term “Hook ‘em and book ‘em” to give you a sense of the turnaround in the approach of the LAPD—

Chair: We will come on to that in one second. I think Mr Michael has a question about American examples.

Q559 Alun Michael: Yes. That partnership message came out very clearly when I met Charlie Beck and others during a visit to Los Angeles recently. I am keen to get to the heart of what we can learn from the American experience, not just in Los Angeles but elsewhere. Could you boil down to two or three key elements what lessons you think we should learn from the experience in America, including what you have already referred to?

Bill Bratton: Again, you are well under way in what is a nascent problem at the moment, as I would describe your experience. It is only 15 to 20 years you have been dealing with a problem that in America we have been dealing with for almost four generations with our Latino-Mexican gangs and for three generations with our black gangs. So our experience is one of much more significant violence, although it has similar elements to it, but with the gun violence in our country, the death toll and the injuries are much more than you are experiencing.

The good news for you is the idea that there is much to be learned and that you are dealing with a much smaller problem, but as I have referenced it is not a police problem alone, because it involves deterioration in the quality of home life for many of these young people. Where there isn’t a home life there is deterioration in the control that schools and society might normally have on young people and the desire to belong to something, and unfortunately gangs are there. The approach to gangs is the idea that they will always be in existence. You are not going to do away with gangs. That is the reality. They are part of social life in the United States and they are part of yours, I would dare say. What you can do is control their behaviour and you can also seek to prevent their expansion with the recruitment of new members by providing alternative services. That is where the partnerships with other government agencies and community agencies come in.

Q560 Alun Michael: Would you agree with the proposition then that the recruitment is of those who have no better alternative in life, and that the provision of better alternatives is key to combating the expansion of gangs?

Bill Bratton: A significant element of my experience in policing is if you focus on prevention that you in fact can then prevent. The issue that you have, where gangs are a relatively new phenomenon, part of the effort in terms of dealing with the existing violence is certainly one element of the necessary strategy. Another key element is the idea of finding ways to deter young people from being either recruited or coerced into joining gangs because of their fear of if they are not in the gang they are going to be harmed or the idea of belonging to something in which they feel that they are cared for.

Q561 Alun Michael: Just one final question. Are there any lessons that you would advise us not to learn or approaches that you advise us not to import from the American experience?

Bill Bratton: Again, not to repeat the mistake of the Los Angeles Police Department where for most of its modern history, dealing with both the Latino and African-American gangs, the approach was pretty much to do it on their own not in partnership with other government law enforcement, criminal justice or societal agencies. A significant turning of the corner— and Chief Beck can be credited with this, my successor in the LAPD—was the use of interventionists, for example former gang members who could help stop a lot of the retaliatory crime that is such a significant part of gang life. If you can stop the retaliation you effectively stop 50% of the crime right there without the tit for tat that goes on constantly among the gang members.

Q562 Michael Ellis: Mr Bratton, you have been asked a bit about gangs. I want to ask you a little about riots now if I may. We had some riots, as you are well aware, in August this year, which were described by the Association of Chief Police Officers as unprecedented. I am just wondering if there are any lessons that you think can be gleaned from large-scale disturbances that have taken place in the United States?

Bill Bratton: I can speak to the situation in the United States where certainly the community that I just came from, Los Angeles, and then the community that I was Police Commissioner for in the 1990s, New York, both of those had very large-scale disturbances. New York in the earlier 1990s, the Crown Heights riot that went on for three to four days, for the first two days unchecked by the police, and in Los Angeles certainly the horrendous riot they experienced, over 50 people killed during that disturbance, millions of dollars of damage, where in a similar fashion police were not present for the first day or two in appropriate numbers and appropriately located. Indeed, the Los Angeles riot’s quick escalation was a combination of the media reporting clearly showing that the police were driven from a certain neighbourhood in which there was a great deal of violence occurring, the first time in the history of the Los Angeles Police Department that they gave up a piece of the city property. In doing that that emboldened the crowd and through the media—

Q563 Michael Ellis: Do you think something similar happened here?

Bill Bratton: That ultimately will be for you to determine as you look at what occurred there, but the experience in America has been usually disturbances
of the nature of what you just experienced. Oftentimes it is as a direct result of a police action. That has been the history of our riots in the United States. It seems to have been at least part of—the causal impact was, if I understand, a shooting death at the hands of police of a suspect. I can see that happening in the community where that occurred, but the widespread rioting almost across your nation that occurred, it will be interesting when you look at it as to whether they were copycat disturbances. Was that as a result of the first incident or was it just this idea of, through the social media and other forms of coverage that it spread, having nothing at all to do with the initial event?

Q564 Michael Ellis: Do you feel, though, that as it applied in the United States, in Los Angeles for example, it was the absence of policing and that being viewed on the media by others that caused the riots to propagate?

Bill Bratton: That is my belief. As you appreciate, going in as the new Chief of Police shortly after the horrific events of the riots of the earlier 1990s there was always a great concern of a repetition of that. So, in addition to dealing with gang violence and other violence, I had to be very concerned with the issues of a repeat of that. A lot of our focus was on the idea to not repeat the mistakes from that event and one of those mistakes was to cede territory and to not have sufficient forces on hand.

In the case of Los Angeles this also goes to the partnership that the LAPD was always an agency that wanted to go its own way and so did not link up with the Sheriff’s Department and other agencies such as the California Highway Patrol. Something that your police forces benefit from is that you have the ability to move large numbers of police very quickly across the country. They train similarly and you also have a national radio communication system so that every officer’s rover or walkie-talkie works off the same system. We in the United States are still in the dark ages when it comes to that essential element, the ability to communicate, so that when we do bring outside agencies into our city we effectively have to loan them walkie-talkies so that we can talk with each other.

Q565 Michael Ellis: Can I just ask you about the broken windows approach to policing, which advocates tackling minor crimes in order to avoid more serious crimes, I think it is true to say? Do you think that approach has a part to play in preventing the sort of large-scale disorder that we have seen in the United Kingdom recently?

Bill Bratton: It can either mitigate it or it can instigate it. Let me speak briefly about “broken windows”. It is a strategy that I have employed in every city I have worked in and every subway system I have worked in; the importance of taking care of things and being able to deal with them more effectively when they are small before they get big. Weeding a garden; if you don’t take the weeds out when they are small they are going to kill the oak tree in the garden; similarly, street conditions. So much of what creates fear in a community is what they see every day and which in your country and my country in the 1970s and 1980s police paid very little attention to the so-called broken window of street prostitution, drug dealing, disorderly behaviour, drinking in public, graffiti, abandoned automobiles. That was what was creating fear every day. As for the overall crime situation, the majority of citizens fortunately are not the victims of serious crime. They may be aware of it but it is what they see every day that police and government are not paying attention to.

When we began to pay attention to it in the subways of New York in the 1990s, the streets of New York in 1994, 20 years later New York can comfortably claim itself to be the safest large city in America as it relates to crime.

Q566 Chair: Thank you. What was interesting in evidence we have received as part of our riots inquiry is the different tactics used by different police forces. The Met seems to have waited a day before putting out a lot of police officers, whereas in Liverpool as soon as they knew there were disorders there was a huge influx of officers on the streets. What is the right tactic to use in circumstances like that?

Bill Bratton: The idea in many respects is to plan for the worst, hope for the best, and at the same time be very capable of spontaneity, in the sense of, as you saw clearly, each city had a similar set of circumstances but had different circumstances to be taken into account. So a lot of it has to be the ability—and again speaking of the American experience—of having a lot of planning beforehand, constant training exercises, but understanding that no demonstrations are going to go according to plan so you have to be prepared to deal with that which may spontaneously erupt. So again, that experience that you have related, I am just not intimate enough with the differences in the various disturbances in your different cities and the different responses that were directed at them to really comment in any informed way.

Q567 Lorraine Fullbrook: Mr Bratton, Waltham Forest in the north-east of London is one of several local councils who are piloting a new approach to tackling gang-related crime and gangs in particular. It involves offering gang members a chance to end their involvement with gangs and if they agree they are given help to do so. If they refuse they are charged with low-level crime, which may go on to high-level crime. Presumably this is something that you would agree with, this way of tackling it?

Bill Bratton: What you are referencing sounds very similar to the programme that was first developed in my country in the city of Boston where I was Police Commissioner, called Cease Fire; developed by David Kennedy and Paul Evans the former Police Commissioner. It was the idea of bringing in gang members who tended in that city at that time to be very young because the gang movement was just beginning. The gangs were very small. The idea in some respects was to scare them straight with the idea that they were called in and they were exposed to judges, federal agencies, local agencies, all of the array of forces that could be aligned against them, and pretty much informed, “If you don’t change your
behaviour this is what is going to happen to you”. Effectively the idea was to scare them straight. It was felt the programme was very effective in the city of Boston. It is currently being tried in about 75 different American cities.

I opted to try it in Los Angeles where the gangs are much more mature, they tend to be much older and much larger, much more entrenched and much more sophisticated. So I don’t know if that scared straight approach will work as effectively with that seasoned criminal gang member, if you could even get them to come in voluntarily to meet you. So that is what we are trying in the United States. Again, with beginning of a gang problem—in Manchester yesterday they indicated the gangs have been around for about 15 years now. That was about the age of the Boston experience when they began their initiative.

**Q568 Lorraine Fullbrook:** Just in comparison to the Boston experience, these local councils, not the police, the local councils, are giving help to gang members who want to disconnect from their gang. Is that something you did in Boston? Rather than scare them straight, did you actually help them as well?

**Bill Bratton:** I think that is where the partnership with the other societal agencies, both government as well as community and volunteer groups, comes in to offer an alternative to what the gangs provide, which is this idea of connectivity, this idea of buying into something. Going back to the first comment about the prevention focus of this, the idea of providing alternatives, it is not just about enforcement or threat of enforcement, it is about alternative pathways.

**Q569 Steve McCabe:** Mr Bratton, there seems to have been a lot of speculation about the role of social media here, both during the disturbances and in terms of the work of gangs. I wonder from your experience have you anything to contribute on the way you know social media is used to either extend the activity of disturbances or promote the work of gangs?

**Bill Bratton:** I think that is where the partnership with the other societal agencies, both government as well as community and volunteer groups, comes in to offer an alternative to what the gangs provide, which is this idea of connectivity, this idea of buying into something. Going back to the first comment about the prevention focus of this, the idea of providing alternatives, it is not just about enforcement or threat of enforcement, it is about alternative pathways.

**Q570 Chair:** Do you think that if during a disorder it should be shut down it ought to be shut down?

**Bill Bratton:** I am sorry?

**Chair:** Twitter and Facebook, during disorders do you think that if it needs to be shut down it ought to be shut down?

**Bill Bratton:** I can’t profess an intimacy with a lot of the technology, particularly for the two years I have been with the new tech. But if I understand it is it not a selective shutdown if you shut down. For example, in law enforcement in LA a principal means of communication is the BlackBerry among command staff. So if you shut down the BlackBerry system in Los Angeles you also lose that very valuable tool for the police. So I don’t know if there is a capability—it may develop over time—where you can selectively shut down private users versus, in our case, police and emergency departments. I am sure that will eventually evolve over time but right now I think my understanding of the technology is that you would shut everybody down. There is also the implication of good people wanting to find out where their children are. We are so dependent now on that everybody is carrying those devices that you have the potential to throw the whole community into even more critical shock by shutting everything down and then, similarly to what happened in New York City on 9/11—I can remember 9/11, my wife is sitting behind me—when we could not communicate with each other and so the fear in that city was, where are they? Was she down there? Was I down there? It wasn’t until hours later that we were able to finally connect, and that is when the system was shut down because of that terrorist act rather than anything voluntarily—

**Q571 Chair:** So you would be against the mass shutting down of social media because of the difficulties it would pose to people not associated with the disorders who wish to communicate with each other?

**Bill Bratton:** Exactly. There is also a way of getting information out through social media from the law enforcement community advising people that, “There are disturbances in this area. Stay out of this area while police deal with bringing it under control”, much the same as you would if there was a major fire, and so on. There is a good and a bad element to it. Again I am just not sufficiently sophisticated in terms
of the technology and its current capabilities to respond other than giving an opinion.

Q572 Chair: Finally, Mr Bratton, when you were last before the Committee last year you talked about police and crime commissioners. Are you able to enlighten us any further with your views as to whether they are a positive development or not?

Bill Bratton: I think if I understand where you are, last year it was still being discussed and debated, the concept, and I tried to clear up for your Committee and the public the confusion of its comparison with the American system where we have such a hodgepodge that you could compare it with any one of 17,000 systems we have. If I understand it correctly, next November you will have elections. It has been determined that this is to go forward and so, to use the American term of advise and consent, the time to advise, whether it be by police or the public, is now coming to an end and the time to consent that this is going to happen, to get with it, to start planning for it, to start showing leadership. This is going to be critical to public safety in Great Britain and to lean into it instead of leaning away from it.

Q573 Chair: Are you expecting a call from the Prime Minister to suggest that you might be standing in one of these counties?

Bill Bratton: I think not. In the sense of again you have a very interesting experiment under way. You have a country that is united in many ways but you also have a very diverse country, and so the 43 constabularies that you have I think you are going to have 43 very active experiments under way for a couple of years.

Q574 Steve McCabe: I wonder, because you have so much experience of this, what proportion of the electorate need to take part before a commissioner has got legitimacy?

Bill Bratton: What proportion of the—

Steve McCabe: What proportion of people who can vote in the electorate need to participate. I mean with something like a 10% vote, does that commissioner have legitimacy to police?

Bill Bratton: I am going to apologise, I don’t understand the question.

Q575 Chair: I think Mr McCabe wants to know about the turnout. What kind of turnout of the electorate would show that the Commissioner is credible?

Bill Bratton: I cannot even begin to comment on that. I don’t know what your British election experience is as far as turnout. I know in my country unfortunately it is abysmally low. I think it will come to the idea of how aggressive the campaigning is for the positions, how much they are publicised and then certainly, because it is going to be something that is so significant, the issue of public safety, the first obligation of government and the first thing that the public expects of government, that I would hope that the turnout would be very large to basically determine who was going to be guiding public safety in any one of your communities.

Q576 Steve McCabe: Would you have been happy if 10% of people had turned out to vote for you?

Bill Bratton: I am not going to profess an opinion on the number. I really don’t know. Not being a politician, I don’t pay attention to those things.

Chair: You are well versed at dealing with questions from politicians I am sure. Mr Bratton, as usual, when I rang you and asked you to give evidence today you readily agreed to do so. It is a great pleasure to have you here. Thank you very much for coming.

Bill Bratton: I was delighted to come again. Thank you.

Chair: Good luck with the rest of your programme. Thank you, and of course Mrs Bratton.

Examination of Witnesses

Witnesses: Professor Tim Newburn, London School of Economics, and Paul Lewis, Guardian journalist, Reading the Riots project, gave evidence.

Q577 Chair: Thank you very much for coming to give evidence today. My apologies for keeping you waiting. As you can see, we have had some heavy sessions before you, but we are very keen to hear what you have to say. If I could start with a question to both of you. What are the aims of the study that you are currently undertaking and what are the initial findings? Mr Lewis?

Paul Lewis: I think the best way to begin would be to say that the genesis of this was the realisation that we have seen some quite shocking disturbances across the country, arguably one of the most serious bouts of civil unrest in a generation, and yet a reluctance on the part of many to conduct serious empirical research into what was happening. Many of the obvious organisations, Government Departments, that might have been keen to open some kind of an inquiry, did not. I think this Committee is a notable exception. So we felt that it was necessary and proper to have a proper and serious empirical statement.

To answer the question about objectives, we hope that by the end of this first phase in December, having interviewed a number of the people involved in the disturbances, having undertaken some rigorous analysis of a database of 2.5 million tweets that we have, that we will have a more advanced understanding of, first of all, the possible causes of the riots, but also the consequences as well.

Chair: Professor Newburn?

Professor Newburn: I think Paul summarised it. A couple of things to add, possibly.

Q578 Chair: Maybe you can take us to some of your initial conclusions. I know it is early days.

Professor Newburn: Possibly. Let me just add a sentence on the aims of the study, or two further
things. There is also for us a real set of important questions around moving away from thinking about the riots as a single set of events and at least asking the question fairly broadly and openly whether or not the things that we saw in different parts of the capital and in different cities across England were the same or different in their origins, whether the people involved were similar or different, and how we might explain those things. I think it is important for us to think about the riots in fairly broad terms. The second thing, and this may sound slightly self-serving, is one of the objectives of the work is to show that it is possible to do rigorous social research quickly. Obviously, it is an unusual partnership, between a national newspaper and a leading research university, but the aim is to say that it is possible, in the absence of public inquiries, judicial inquiries, whatever it may be, that there are other means of collecting rigorous empirical evidence quickly.

I am going to demur somewhat on what are the early findings. I have said we have moved very quickly. It is a couple of months since the riots. We have been in this conversation maybe for six weeks about doing research and running up and running through interviewees who have been recruited from the local communities in many cases affected by those riots, who are out now interviewing in various parts of London, Manchester, Birmingham, Nottingham, and Liverpool, people who were involved in the riots. That in itself, I think, is quite an achievement. It will be a few weeks yet, but only weeks, before I think we can talk with any certainty about what the emerging findings are.

Q579 Mr Winnick: The interest many people are bound to have over what occurred is the nature or the reason why those who are normally law abiding engage in criminality. I have, as we all have in this Committee, statistics from the Ministry of Justice. One of the things that I find interesting, and perhaps you will comment, is that 27% of those brought before the court for their role in the disorder had no previous cautions or convictions. So far in your inquiry, does that tie up with the evidence that you have had?

Paul Lewis: I think what we are doing, which will be an interesting aspect of the study, is one of the objectives of the work is to show that it is possible to do rigorous social research quickly. Indeed, and I think it goes to the heart of the study. Plausibly, one could argue that that is in some ways the most interesting group, which one reasonably imagines is far more than 27% of the people who were out on the streets that night involved in the disturbances in whatever way. There are all sorts of good reasons to imagine that the people who have ended up in court are not necessarily representative of the social groups more generally who were involved, whatever that may mean, in rioting. But the big questions there that you raise are, what was it that drew people out on to the streets? Who were those people? What were they thinking and in different cities across England were the same or different? I think this is quite an achievement. It will be a few weeks yet, but only weeks, before I think we can talk with any certainty about what the emerging findings are.

Q580 Mr Winnick: Thank you, Professor Newburn, it would be understandable that, as the statistics show, if they are correct, and no reason to believe otherwise, that 73% of those who have so far appeared before the court for disorder had a previous caution and conviction. What I think many people will be interested in, and I am wondering from your academic point of view on this, is why a good number of 27%—who live apparently a law-abiding life, as a result of what occurred were encouraged to engage in criminality.

Do you think it will be an interesting aspect of the findings why they decided to do so, which otherwise they may have never have appeared in the court in their lives?

Professor Newburn: Indeed, and I think it goes to the heart of the study. Plausibly, one could argue that that is in some ways the most interesting group, which one reasonably imagines is far more than 27% of the people who were out on the streets that night involved in the disturbances in whatever way. There are all sorts of good reasons to imagine that the people who have ended up in court are not necessarily representative of the social groups more generally who were involved, whatever that may mean, in rioting. But the big questions there that you raise are, what was it that drew people out on to the streets? Who were those people? What were they thinking about when they made a decision to do whatever it was they did, go and watch, get involved, throw bricks, shout at the police, steal goods, attack somebody, whatever it may be? But I imagine, without wanting to sound too much like an academic making things terribly complicated, that the explanations for those things are of themselves quite varied. The danger, I think, in many of the things that we certainly heard in the immediate aftermath of the riots was a kind of search, a grasp for simple answers to what are inevitably very complex problems.

Q581 Steve McCabe: I accept what you say about this being complex, but I wondered if you have picked up any indication from those you have spoken to so far that the TV news media played a role, however inadvertently, in promoting the activity, given that it was so widespread?

Paul Lewis: Again, with the caveat that we have many more people to speak to and to just pause quickly, I want to say about the mechanics of the study. These are hour-long interviews. They adhere to
what you would expect for an academic piece of social research, qualitative interviews, but also structured, survey-style, attitudinal questions, so we do get a lot out of them. It is early to say, but I don’t think television, from what I have read so far, seems to feature significantly in the interviews. Social media has been brought up repeatedly, and there seems to be a conflation—

**Chair:** We will come on to that.

**Paul Lewis:** Sure, no problem. But just in response to your question, I would say that is more likely to be a more significant factor than TV news.

**Q582 Chair:** Would you describe these as copycat riots, which is a term being used before? No? Rioting in London; the next day rioting in Birmingham; the next day rioting in Leicester?

**Paul Lewis:** There was inevitably an element of contagion in all of this and I think that one of the reasons it is so fascinating and we want to find out more is because the nature of these riots does not fit the model of historical riots. The fact that it was spreading from place to place, and the fact that there was such sustained looting in some areas was something this country has never seen before. So, copycat, contagion, I am sure these were all aspects of what was going on, but why some areas and not others? That is a very tricky question but one we need to get to the bottom of.

**Q583 Lorraine Fullbrook:** Can I ask, were you on the streets on the nights of the riots? You were?

**Paul Lewis:** Yes.

**Q584 Lorraine Fullbrook:** The evidence that the Committee has taken from the people who were on the streets, particularly in London—Battersea, Clapham, Croydon, Enfield—they did all comment, in terms of why were they there, it was because they could get away with it. That is why they were there. They could do it and nothing was going to happen to them. That was said by all of those in London, that they heard that on the streets. You must have heard that as well when you were out there. Why were they doing it? They were doing it because they could.

**Paul Lewis:** I think that would probably be a valid explanation for why some people were there. I was in London, in Tottenham on the first night and then Edmonton, Enfield, throughout London for several nights. Also, I witnessed what was happening in Birmingham and Gloucester, and it was different in each place. But I don’t think it is the case that there was any single explanation for everybody being there. Many people were just curious. There were large sections of the crowd that were there because they were interested to see what was going on. What I think is really interesting is there were people there who went for that reason and later found themselves committing criminal acts.

**Lorraine Fullbrook:** Absolutely, I agree. Thank you.

**Q585 Alun Michael:** Just on that point of contagion, you said that we had never seen such a series of events in the UK before. In the sense that this seems to have been violent and acquisitive crime that is probably true, but we did have the riots in the 1980s and so on where contagion was the case, although there does seem to have been a common trigger in different cities then. How would you see the similarities and differences?

**Professor Newburn:** Perhaps I can start on that one. I think you are right to say that there are some quite strong parallels with some of the things that happened in 1981 and 1985. I don’t know whether contagion is the right word but the spread perhaps from the Brixton riots initially and then disturbances in Handsworth, Toxteth, Leicester even, I remember, in the 1980s, and rather more substantial was the case here, that seems to be something we have experienced before on several occasions, in fact, an outbreak of violence, disturbance, whatever it is, in one place followed on subsequent nights in some other cities. What is different, or at least what appears to be different, on this occasion is exactly what you point to, Mr Michael. I was not there on the evenings but watching what unfolded through the news media, it was, for want of a better description, widespread looting without a particular focus. Going back to those 1980s riots, even in some of the other cities that were the subsequent ones, the contagion bits if you like, there did appear to be a history of, among other things, very poor police-community relations in many of the neighbourhoods in which the rioting took place. It is not entirely obvious that that was always the case in relation to these ones.

**Q586 Alun Michael:** I wonder about the need for your research, given that John Humphrys already knows what happened this summer. I think the way he put it to you this morning was that the police lost control and people knew they could get away with it, as simple as that. Why do we need social research to look into the causes? Or is he oversimplifying?

**Professor Newburn:** A radical view would be that he is oversimplifying here, I think. I think on this occasion most people would think so. I think the vast majority of the British public would think that he was oversimplifying. It cannot be reduced, I think, to policing or gangs or social media or sheer criminality or being a member of the feral underclass, or any number of possible other explanations one might reach for. All of those may have some part to play, I think, in our explanation—and possibly in different ways in different places—for the things that we witnessed in August. But I think, as you will know even better than I, these were very complicated events, which have much more complex roots than John Humphrys suggests.

**Q587 Alun Michael:** You commented earlier that this research of yours has been conducted in the absence of a formal public inquiry. A formal public inquiry can take even longer than social research, and produce even less clear outcomes. On the other hand, the Scarman inquiry was quite quick and came out with very insightful—do you wish that your research was going to feed into that sort of in-depth inquiry?

**Paul Lewis:** If there were an in-depth inquiry, we would absolutely want our research to be part of that. We will be very keen to share and disseminate our
findings as widely as we can to Government stakeholders, but of course everyone else who cares. It does not necessarily need to be a fully-fledged Scarmanesque public inquiry, but a desire to find out what happened. If you look at the Oldham riots, and Bradford too, Toxteth, even if they were not full-blown Scarman-like inquiries, there were always attempts to find out what had happened. I think we did find that concerning. You mentioned John Humphrys, but look at anybody, any political figure who is trying to interpret the riots and give an explanation, and it is often through their own political lens. That is why I hope, with a degree of objectivity, we can come to this from a new angle.

Q588 Chair: You used a number of phrases, the feral underclass, the broken society, and so on, which politicians used immediately after the riots. Do you think there was too much of a rush to judgment?
Professor Newburn: It is easy to condemn, I think. Politicians are in an extremely difficult position. When something like that occurs, there is a public desire to have political leaders make statements and so it would be understandable, I think, to blame politicians for being politicians.
Mr Winnick: That is nice to know, Professor.
Professor Newburn: Not me. I have already lost a friend on Radio 4, so I will stop there. But beyond that, yes, I do think that there was a rush to final judgement, as it were. I think there is a difference between commentary, perfectly reasonable to comment and interpret and seek to offer views, but my fear was that what was happening in August, at least some of the time, was people drawing conclusions, which I think is a different matter. Reaching conclusions requires investigation of the sort that you are doing and that we are doing.

Q589 Chair: Mr Lewis, rush to judgment? Do you think people should have calmed down a little?
Paul Lewis: You heard from Bill Bratton that he has a big conference that the Home Office has organised for this Thursday on gangs, and it feels very much like—

Q590 Chair: Yes. Were you invited to the conference?
Paul Lewis: We are not. If we were I am sure we would be there.
Chair: No, neither are we.
Paul Lewis: But it does feel that the upshot, in terms of what the political establishment have taken from this, was that gangs were absolutely central and pivotal to what was happening, as were social media. I am yet to see the evidence on that, and I think that will be one of the intriguing questions we will be asking of our researches and of our data is to what extent is it the case that gangs were influential in orchestrating what was happening. If they are not, why are we spending all these resources on a gang-focused policy?

Q591 Alun Michael: Just quickly to understand the way you are undertaking the research, are you also doing any work in cities where riots did not take place, like Liverpool and Cardiff for example? Also, are you trying to interview people who were there and took part, but have not been arrested and charged?
Paul Lewis: Yes. To take the first part of your question first, we are funded by the Joseph Rowntree Foundation and Open Society Foundations, and the funding that we have enables us to first and foremost interview people who were directly involved in the riots. But we hope as a second phase to look at those cities where it did not happen, and we think that that is essential. Sorry, the second part of your question was—

Q592 Alun Michael: Interviewing people who were there and took part but—
Paul Lewis: Yes, of course, who were not arrested. That is absolutely crucial for us. We have our own database of 1,100 people who were arrested, prosecuted, appeared in court. We have contacted all of those, and many of those have come forward and they are willing to take part in the research. But beyond that, we have been quite successful already in getting through to people who were not arrested but were definitely involved, and involved sometimes in some quite serious criminality. They are speaking to us and I think it is going to be better for the research that they do.

Q593 Lorraine Fullbrook: A quick supplementary to Mr Newburn. Respectfully, I would like to disagree with your suggestion that after the riots politicians were quick to judge, because local MPs and the Home Secretary and the Prime Minister only described it as criminality. They did not give any “feral underclass” tone. They said it was very complicated, which is why the Prime Minister announced the inquiry. So I beg to differ with your analysis of what politicians said, because local MPs and the Home Secretary and the Prime Minister did just call it criminality.
Professor Newburn: I am happy to accept the correction. My sense was, and I don’t think I am alone, that there were a lot of fairly final conclusions being drawn, it seemed to me. If I am wrong I am wrong, but certainly my feeling was that what we were not necessarily likely to see was a fairly broad and deep inquiry into both the causes and the consequences of the riots. That is why we are doing what we are doing.

Q594 Michael Ellis: It is not just politicians who made comments about it. I seem to recall an academic being interviewed who was an expert on riots, who said that the closest parallel that he could think of was the Gordon riots of 1780. Perhaps you might want to have a look into that. I do not know, as part of your study. Are you interviewing any victims at all?
Professor Newburn: Rather in parallel with the answer that Paul gave a moment ago, our current focus is upon those communities in which the disturbances took place and people who were directly involved in the riots. We are doing that primarily because our sense is, on the one hand, that is the most obvious missing voice thus far in a lot of the work that has been done, but also it is very difficult work
to do and therefore we need to get on with it fairly quickly. Then there are a number of broader things that, if we can, we would very much wish to do. One is to look at those communities where you might imagine those were places where there might have been riots but there weren’t, but also to talk to people in the riot-affected communities more broadly than those who were involved, so shopkeepers, local citizens and so on, about their involvement and their experience of the riots. There are several phases of the work, potentially, still to do.

Q595 Michael Ellis: Can I move on to the social media aspect of things? I understand that you are undertaking an advanced analysis of over 2.5 million Twitter messages that are said to be riot-related. Is that right?

Paul Lewis: That is right, yes.

Q596 Michael Ellis: Can you tell us what this advanced analysis entails?

Paul Lewis: It is an emerging discipline, and we are pleased that we have on board some experts from Manchester University and University College London who have already analysed large corpuses of Twitter data.

Q597 Michael Ellis: Can I just stop you there? Is it just Twitter? What about Facebook and other social media like that and other forms of messaging?

Paul Lewis: One of the key ways in which we are going to find out the role of social media will be speaking to the writers themselves, so that is kind of apart, but we do have an analysis of, to a degree, BBM messages that we got hold of during our reporting. Beyond that, we are in a very privileged position with this database of Twitter messages. There may be a whole range of things that we can do, such as sentiment analysis and, at the moment, we are thinking of hand coding several thousand, tens of thousands of the messages.

Q598 Michael Ellis: What does that mean, hand coding?

Paul Lewis: That means going through individually perhaps as many as 30,000 messages and seeing from that sample what they tell us about the broader 2.5 million.

Q599 Michael Ellis: Are you looking for the causes and responses to the disturbances or are you looking specifically for the role that Twitter and other organisations may have played in these disturbances?

Paul Lewis: Both, but I would say more the latter. We want to find out how Twitter was used, not just by people involved in the disturbances, if at all. I think the evidence that Twitter was used by people who were rioting is extremely slim at the moment, despite what many people say. But more how it was used; how it was used by police, how it was used by local communities, how it was used, indeed, by journalists like myself. That is one of the most exciting dimensions, I think, of the research study because it is extremely rare to get hold of a database of that size, and I think the—

Q600 Michael Ellis: Yes. Do the police have hold of that database, do you know? Do they have access to that information?

Paul Lewis: No. These were publicly broadcast tweets, but Twitter, the company, was very helpful in coming forward and helping us get hold of those messages in order that we subject them to rigorous empirical interrogation to see what it tells us about how Twitter was used during the riots.

Q601 Chair: You don’t subscribe to the view that Twitter should be closed down in circumstances such as this?

Paul Lewis: Here I have to declare an interest, that being that I was a journalist reporting from the riots, and Twitter is now a medium like radio, television and newspapers; in fact better than all three insofar as immediate reporting goes. It was absolutely crucial for the way we reported the riots and if it had been impeded in any way whatsoever, that would have been tantamount to impeding the press from doing its work. From a personal perspective, absolutely not, but beyond that I think that one of the dangers when you have these moments of crisis is if people stop talking and there is an absence of communication and flow of information. People need to find out what is going on and Twitter, as we all know, is one of the obvious ways in which they do that.

Q602 Lorraine Fullbrook: I am interested to know why you are looking at Twitter. Are you looking at only Twitter?

Paul Lewis: No. As I said, we are also looking at BBM messages. We will be taking into account the extent to which people were using Facebook as well, but one of the principal reasons we are looking at Twitter is because it was instrumental in the way the riots were reported. There is a huge amount of information there. That database is an encyclopaedic record of what was going on across the country in some ways. But also because Westminster was very keen on the Twitter question, on the social media question, and I think we have a responsibility to respond to that political debate.

Q603 Lorraine Fullbrook: The reason I ask is BB Messenger was used in all of the riots across the country, mainly because it is free and it can’t be seen by anybody else. You need to be somehow speaking to people who have been using BB Messenger.

Professor Newburn: As Paul said earlier, the core bit of this phase of the research is interviews with, for want of a better description, rioters. A core element of those interviews with what will most likely be several hundred people is asking them about their means of communication.

Q604 Lorraine Fullbrook: Which was mainly BB Messenger.

Professor Newburn: Well, with respect, that is a research question, I think, isn’t it? It is asking them what they were using. If they say BB Messenger then, yes, it was BB Messenger. If they say, “No, it was Facebook”, then maybe we would need to rethink that. That goes to the heart of why to do research on this.
Chair: Mr Lewis, Professor Newburn, can I, on behalf of the Committee, thank you for coming here, but also commend the work that you are doing on this research? We are very interested. Obviously, we are doing our own inquiry. If you come across any difficulties that you want to draw to our attention and if we can assist in any way, that would be very helpful. Of course, we look forward to looking at your work, because it is not a duplication, it is complementary to the work that is being done by this Committee. You can reach parts, in a sense, that we can’t reach, because some people prefer to talk to people like yourselves rather than Members of Parliament. I think that what you are doing is absolutely excellent and please carry on the good work. Thank you very much.
Tuesday 25 October 2011

Members present:
Keith Vaz (Chair)
Mr James Clappison
Michael Ellis
Dr Julian Huppert

Examination of Witnesses

Witnesses: Councillor Chris Robbins, Leader of Waltham Forest Council, and Gary Broadhurst, Tottenham Hotspur Foundation’s Community Development Manager, Kickz Project, gave evidence.

Q605 Chair: This is the fifth session of the Committee looking at the recent disorders that occurred in London and in other cities. Could I ask if any Members have any interest to declare over and above what is in the Register of Members’ Interests? Good.

I welcome Councillor Robbins, the Leader of Waltham Forest, and Mr Broadhurst, thank you very much for coming. I don’t know whether you have been following the sessions so far. This particular session is focused on the issue of gangs, although obviously you can raise with us any other issues that are relevant to the work that you do.

If I could start with you, Councillor Robbins, can you just outline the level of disturbance there was in Waltham Forest during the disorders?

Chris Robbins: Thank you, Chair. Good morning, ladies and gentlemen. By the way, Chair, we have produced this booklet that gives some detail on the gang strategy, which the Committee may find useful.

Geographically, I think it is worth mentioning that we border Haringey, Enfield and Hackney, so we were physically right at the centre of what was a very difficult week. The effect on our borough, however, was far more limited. We had approximately 70 businesses that were affected over a wide range, from a brick through a window to substantial looting in BHS and in Tesco.

Q606 Chair: So if you were putting a value on it, what was the value of the damage in Waltham Forest?

Chris Robbins: To try and get the businesses back in it has cost £85,000, but in terms of the looting which took place, in Tesco for example, it was upwards of £100,000 that was taken. For some of the smaller shops it was simply a question of boarding up the shop and replacing the windows.

Q607 Chair: So in terms of the overall disturbances, this was a minor disturbance?

Chris Robbins: Well, we did not call it a minor disturbance at the time, obviously—

Chair: No, but in terms what happened in other parts of London.

Chris Robbins:—and that is why we thought it was of immense interest to everybody that, as we were physically right in the centre of huge disturbances taking place, almost within walking distance in Hackney of our borough, and also across the way in Haringey, that we escaped the worst of what happened.

Q608 Chair: What are the reasons people suggest why you escaped the worst of the disturbances? Is it because of your anti-gang strategy, which is what we would like to question you about today? It is called “The Better Way” and it has been running since January. Very briefly, can you outline—thank you very much for this booklet, it is very helpful—why you think that this strategy contributed to the disturbances being slightly of a lesser order in Waltham Forest than, for example, in nearby Tottenham or Hackney?

Chris Robbins: Fine. Chair, we don’t want to overplay our hand, because these are early days. It just seemed to us interesting that, during the course of what was an immensely difficult week for London, we were able to escape some of the severe problems. There were two things that we considered had an effect, and I should not underestimate the first, which was our relationship with our local police, which has been excellent over recent years and was superb during the course of August. The second one is the strategy itself. The Better Way, by the way, is the title for the voluntary sector part of this. “Enough is Enough” is the strategy.

We want to see how much time goes by before we say this was the answer to the gang problem, but we do feel that it played a powerful part in ensuring that our community was calmer.

Q609 Chair: Practically, what does it mean? What did it mean?

Chris Robbins: It meant that we had very good intelligence, immediate intelligence. In fact, I was telephoned by a young member of the community in Waltham Forest at 12.00 on the Sunday to inform me that messages were going around through BBM, and to inform me that Walthamstow, in the middle of the borough, was probably going to be attacked that evening. I rang our Borough Commander, he responded by saying, “That adds to the intelligence we have already received from members of the community,” and that is a direct consequence of the relationships we have set up through the ‘Enough is Enough’ project, which in itself, I have to emphasise, is a young project. It came into operation early in 2011, so it does need to mature, but it did exist before the riots took place, so we felt that it must have provided some substance to why we escaped the worst of the riots.

Q610 Chair: And this means engaging with members of gangs over a period of time?
Chris Robbins: Absolutely. We prepared an audit of all of the most difficult families in the borough and then we isolated that to 28 in particular, and it was that relationship we had with the 28 families that enabled us to go deep into that family and to provide the offer of an alternative way of life. If the family rejected that, clearly that is still an ongoing issue, but a number of families responded positively to our approaches to them, which was to offer a range: first of all, if need be we would move them out of the borough or relocate them as individuals, or we would find work for the individuals, or education. It is a slow process, a very expensive process, and there are limited numbers of people that it hit, but they are significant people.

Q611 Chair: I am sure my colleagues want to go into greater detail. One final question from me on police numbers: were you satisfied with the number of police officers who were on the streets of Waltham Forest on the Sunday and on the Monday of 7 and 8 August? In the inquiry so far, we have had a number of local people from different areas criticising the police for not being out. Were you satisfied with the numbers?

Chris Robbins: We were. I cannot overestimate how important that was. We had plenty of police on the ground. The Borough Commander and I, from the Sunday evening, did a walkabout almost every other hour through the borough, and we had sufficient police for the issues that we had to deal with. Their response in Waltham Forest was magnificent.

Q612 Mr Winnick: I am sure the police will appreciate the comments that you have just made, Councillor Robbins. Would we be right as a Committee to conclude that basically your area, the borough as a whole, is working class, lower middle class, with quite a lot of social deprivation?

Chris Robbins: Certainly within the south of the borough, in Leyton, in the Leyton area, Leytonstone, that is exactly right, and in Walthamstow as well. There would be a mixed group within Chingford in the north, for obvious reasons, but I am sure the majority of our residents would be proud to say they are from a working class area, yes.

Q613 Mr Winnick: The initiative that you took about gangs, which certainly we are all most interested in, that is a recent event, is it not? It does not go back in years as far as I see from this, as the Chair said, excellent pamphlet you produced. It seems to relate to 2010?

Chris Robbins: Well, we have recognised that there is a major gang problem in Waltham Forest for a number of years. We have engaged with a number of academics and with the police to identify the extent of the problem. So it is something that has grown over the years. This is the culmination of probably a five-year period of identifying that gangs are a problem.

Q614 Mr Winnick: Going back five-years?

Chris Robbins: Yes, a growing problem within Waltham Forest, so it didn’t just happen, but this was launched in February this year as a new feature, a new extension of our financial commitment, first of all, from the borough, and our greater relationship with the police—which has improved over the past two years—and the third aspect was that it became a major priority for us. Instead of just assuming that it is something that you live with, we felt that as an Olympic borough leading towards 2012 this problem with gangs will simply get out of control if we don’t hit it hard. That is where Enough is Enough came from. It didn’t just come out of one meeting, one idea; it grew organically over a four- or five-year period, and will continue to grow, by the way.

Q615 Mr Winnick: I know that, with due modesty, Councillor Robbins, you would not want to tell other local authorities in London, or indeed elsewhere, what they should or should not do, but having said that, do you think it has been an experience in your borough that other local authorities, if they have not already done so, should look at relating to gangs?

Chris Robbins: Yes, you are right; we would not profess to know all the answers—it is a growing exercise. We will build upon this, because when this came in nobody had any idea the riots would occur, so we will learn from the riots and we will build that into the Enough is Enough programme, and it will start to evolve even further. I am sure that other boroughs have their own schemes, and I am sure that they had problems that we did not have that caused greater effect of the riots during that week, so I would not presume, as you say, to teach other people how to do their job, but it is an interesting exercise, it is worth looking at, it is worth analysing. It cannot just be a coincidence that we have reduced our violent crime figures; that we came out of the riot relatively unscathed. It can’t just be a coincidence, there has to be a reason. We are searching for that in our programme and we would encourage others to do the same as us.

Chair: Mr Broadhurst, don’t worry, we will be coming to you shortly.

Q616 Dr Huppert: Before we do, Mr Broadhurst, can I press you slightly further, Councillor Robbins? I am trying to understand what role you think the gang work particularly played because your evidence to us said the major explanatory factor is the successful working partnership between the police, the council and the local community. As you know, there is a lot of controversy about the extent to which gangs were particularly involved in the rioting. We went to Croydon and Feltham Young Offenders’ Institution yesterday as a committee and the stories we heard there were not focused on gangs, so that is part of the evidence. I am still trying to understand whether you think it is more about a good working relationship with the police, or it is specifically about the gang prevention programme, because those are two very different things?

Chris Robbins: Yes, but they do live together. They do sit together. The relationship with the police and the local authority is absolutely paramount, if only for one reason—financial reasons. Our borough has put in the £3.5 million to pay for this particular programme. We pay for all the police officers that are involved in the process. Now, if only for that crude reason, it is
important that you have a good relationship with the local police because we synchronise our priorities.

**Q617 Dr Huppert:** I don’t think anybody is suggesting that we would like to see you not working well with your local police, but the question is, are the benefits from this specific programme or from working well with the police, which could be a whole range of different programmes, like neighbourhood activities—there is a long list of what you could do? Do you think it is the close working or is it just about the gang stuff?

**Chris Robbins:** It is not just working with the police, obviously it is working the local community as well. It is ensuring that within the council itself we join up our Housing Department, with our Social Services Department, with our Community Safety Department, so there is, a corny phrase, a holistic approach to how we deal with gang problems. I don’t think I am answering your questions properly.

**Q618 Dr Huppert:** My question is, the whole council works with the police and the community, that is great, you presumably do that over more than just gang issues?

**Chris Robbins:** Yes.

**Q619 Dr Huppert:** Do you think the fact that Waltham Forest came off relatively well is because of the close working in general or specifically because of the gang issues?

**Chris Robbins:** No, I think it is both. I really think it is both. I think our working relationship with the police ensured that we had enough police on the streets during that week. That was a very practical thing which had nothing to do with the gangs. That was us working with the police, sharing intelligence about where they go. With regard to the gangs, in the work that had been done prior, we had taken out, albeit a few, significant numbers of people within the gang hierarchy, to ensure that they were not able to react—that is what we believe happened—as effectively, looking at it from the gang’s point of view, as they did in other boroughs. But for us to be able to do our job with the gangs, we need that police support as well, because obviously you are not only offering a way out, you are saying to some of these people, “Well, if you don’t take that path, then we will enforce,” and that is where we need the police to do their job properly, and it is our community, so the police have to work with us to ensure that does not damage community relationships as well.

**Q620 Mark Reckless:** Mr Broadhurst, could you tell us how the Kickz scheme operates to reduce crime and anti-social behaviour and particularly any evidence you can present to show it is effective in doing that?

**Gary Broadhurst:** Sure, just to give you a bit of a brief background as to how the programme was developed, it has been running for five-years now, and originally it was a concept derived by the Premier League to tackle youth-associated crime and anti-social behaviour. There were three London clubs, Tottenham Hotspur, Brentford, Fulham, and also Manchester City, piloted the programme. The model itself is quite a flexible model but it worked around a framework. It is three nights a week of provision, and the key to the success, in my opinion, is around the fact that we are actually taking the programme to targeted areas that have been identified by the police. So we work very closely with the Safer Neighbourhood Teams in each of our respective boroughs and we deliver nine hours of contact. Again, that sustained contact with young people is something that we feel is absolutely crucial. Historically, youth engagement programmes tend to be kind of piecemeal, an hour a night, maybe two nights a week tops, but that nine hours’ contact really allows our coaches—and I like to refer to them as informal educators—to do some key work with some young people in their own environment, where they feel safe, to allow them to develop their own potential.

**Q621 Mark Reckless:** And your funding, could you tell us where that comes from and prospects for that in the future?

**Gary Broadhurst:** Sure. At the moment there is current funding in place until 2013. The Premier League have put £6 million towards the programme, the Metropolitan Police have themselves put £3 million to the programme and V, the youth volunteering charity, has put together £500,000 to support the programme. That money allows the football club community schemes or foundations, as we are, to go out and drive match funding opportunities as well. So that money acts as a bit of a catalyst to draw down up to £7.7 million worth of additional funding.

**Q622 Mark Reckless:** You speak of match funding opportunities but have the Tottenham Hotspur Foundation or related bodies work with a lever in more taxpayers’ money, for instance, with this judicial review that you had of the Olympic Stadium? Has there been any trade-off in that area?

**Gary Broadhurst:** No, the money that we draw down for Kickz in particular comes from—I will give you some examples. We work very closely with local housing associations and with the local authorities, we may work in partnership with the youth offending teams, or with the children in care virtual schools, and so on. Other police forces nationally will bring money to the table as well, and other Government funds as well. The Home Office Communities against Guns and Knives initiative has supported some programmes in London and externally as well. Also there are other private trusts. We operate as a registered charity, as do many football-based community schemes at the moment, so the majority of the money that we access is public funding.

**Q623 Mark Reckless:** But it has been widely reported that Tottenham Hotspur has been using the lever of this judicial review over the Olympic Stadium award to West Ham to agree a financial package with the Mayor of London, including for Tottenham-led community initiatives. Are you denying that?

**Gary Broadhurst:** I am not denying that. To be fair, that is something you would have to ask my chairman.
As a representative of the Tottenham Hotspur Foundation, we operate in a standalone capacity. We are, yes, the corporate social responsibility under the football club, however we are an independent charity and self-financing, so I cannot comment on that.

Q624 Chair: What surprised me is the fact that the football ground is in the middle of the area of the worst rioting in Tottenham, which I visited with the local MP David Lammy. Are you concerned that, despite having all this funding and working with all these young people, this didn’t really seem to have any effect on the disorders that occurred?

Gary Broadhurst: I think we can always do more. At the moment I think one of the things to state is that we have a duty of responsibility for our community but we can’t be the saviour of our community. We can certainly help to contribute to certain local issues, and young people is an area that we have a high focus on, and have done for many years. Through initiatives like Kickz, some statistics that I can relate to you show that when the projects are running there is a serious reduction in youth-associated crime and anti-social behaviour. What is interesting to see is, on the evening of the riots in Tottenham, we were actually advised by the police not to run our programmes, for safety reasons to our staff, because obviously there were rumblings that there may be something in the making. Up until that point nobody could really foresee what was going to happen that weekend, but the work that we have done to date has been effective, and we are constantly striving to do more.

Q625 Chair: Were some of your young people involved in these disturbances?

Gary Broadhurst: No.

Chair: Because the football club is right in the middle of the worst affected area, some of them must have been involved; they couldn’t not have been involved.

Gary Broadhurst: Nothing that has been brought to my attention to date. I know there are ongoing arrests currently around some of the young people, but none of the young people that are registered on our Kickz programmes, and other youth engagement programmes, have been involved to my knowledge. We have a very close working relationship with the police and nothing has been raised on that front.

Q626 Alun Michael: Before I come on to my question, I wonder if you could tell us a little bit about the nature of gangs in your area. The term can be used to describe anything from a loose group of friends, the Famous Five or whatever, right through to extremely violent, highly criminal and well organised gangs that I have seen something about in Los Angeles and heard about in some places in London, where there are regular shootings as result of that activity. Where in that range of things, or what range within that range, was your experience before you started the gang programme? It is a question to both of you.

Chris Robbins: Most of the gangs—and we have quite a number of gangs in Waltham Forest, right the way through from the north to the south—have a very narrow territory. They are very often estate based. That is not always the case with gangs outside the borough. We did a study about five-years ago which identified—relatively crude figures—250 hardcore gang members, but their activity is pretty wide and pretty dangerous. They carry guns, they carry knives, they are involved in drugs.

Q627 Alun Michael: So these are quite organised and quite structured groups?

Chris Robbins: Yes, but they are very local.

Q628 Alun Michael: You are not talking about a group of people who associate just because they are on a certain estate?

Chris Robbins: No, there will always be groups of people in gangs in the old-fashioned sense, but these are very dangerous and very—

Q629 Alun Michael: That is the point I wanted to clarify, so thank you very much for that. Now, in dealing with that sort of gang, what are the partner bodies that need to be involved? You have already referred to working with a variety of other bodies. Who essentially are your partners and who is it essential to have within that partnership?

Chris Robbins: We have our residents’ groups obviously on the various estates that we work with, and the group that we are working with—a Better Way group—are a committee of local people who come together and work with us to ensure that the priority is that we share intelligence basically about where the gangs operate, whether there is any intelligence about the geography starting to widen—because that is a very dangerous stage of the development of gangs, and if it started to broaden and there was a positive link between Waltham Forest and Hackney gangs, then that would be a very dangerous step, and that does sometimes happen.

So the Better Way group is our main focus of attention, and it is important that we ensure that there is that relationship with the police, with the community and with us. It goes around in a triangle. It is not us and the police with the local community, it is all enmeshed together. We try to ensure that we have regular meetings with them at all levels. When the police take the enforcement side and there are raids, the police involve us and members of the group I have just mentioned as well. So it is a clear understanding about who the police are going for, and why they are going for them, because it is so important to ensure that community relations are maintained during these crisis periods, such as a raid in a particular street.

Q630 Alun Michael: There has been a reference to Kickz but what about other initiatives in relation to youth employment, training, youth activities, particularly related to work I suppose?

Chris Robbins: Yes, there are two other pillars, obviously, of this approach. One is to find what we generally refer to as diversionary activities for young people. I think it is worth mentioning that in Waltham Forest we opened 34 schools during the summer—coincidentally, it wasn’t prepared for the riots obviously, but we had 34 schools open. The previous year we had 12, so we have begun to increase that.
We feel that is an offer that is worth making to our young people. It was extremely successful. There were hundreds of young people from 11 up to 19 who attended various things, everything from football to—

Q631 Alun Michael: So this would be staff and volunteers running this?
Chris Robbins: Yes, the staff, we would pay for that, we invested in that, and it ran side by side with what we refer to as our summer university, which concentrates more on academic attainment. It was extremely successful, and we intend to increase the schools to 50 next year. That also must have had an effect during the course of the riots, because it took people away from possibly getting involved in some of the activities. That is still being analysed, but it was a broad range of young people.

On the jobs front, we feel that we are looking for answers but that is a terrible problem for us. Unemployment in East London is not coming down, it is going up; we try to take advantage of the Olympics, and that has been successful in many areas, but the overall increase in unemployment is a serious issue for East London and a very dangerous one as well. You cannot have thousands of young people unemployed and expect that they will just simply wait years for a job. You need to provide them with something.

As part of the Olympic programme we were fortunate that we set up a construction college in Leytonstone that currently takes 1,000 students a year, not necessarily young people, mature people as well, that is something that we had introduced and in which we feed people back into the jobs market. It is very effective.

We felt that opening the schools, finding activity during the summer, helped. We do what we can to provide jobs and encourage businesses but that is one of the pillars that is very difficult for us to deal with.

Q632 Mr Clappison: Can I take Mr Broadhurst back to the evidence he gave moments ago when he was saying that none of the people on the scheme have been involved in any sort of trouble as far as you know.
Gary Broadhurst: Not in the recent disturbances, no.

Q633 Mr Clappison: The young people who come and take part in your scheme are from a wide variety of backgrounds, including people who might otherwise be expected to?
Gary Broadhurst: Absolutely. I mentioned earlier that the beauty of the programme is that is actually self-referred. We do work with a small amount of formally referred young people through youth offending teams and so on, but we find because it is a self-referred programme it doesn’t get stigmatised as a programme for young people to be sent to. Because of that organic approach we find, and police statistics have shown, that quite a high percentage of the young people that do attend are known to them in one way, shape or form. But because of that regular contact what we do is we create a safe environment, and it also allows us to do some early intervention work with siblings of active gang members, or friends or relatives, and try and steer them away from potential involvement going forward.

Q634 Mr Clappison: You are probably going to agree with this, but I would like to get it on the record from you, it is sport that is the ingredient, as far as these people are concerned, to get them on the right way?
Gary Broadhurst: Sport, and primarily football, is the initial engagement tool. As I mentioned earlier, we are the biggest identity in our area, and we do attract—we have that kind of niche hook for young people that they want to be involved in Tottenham Hotspur and the Tottenham Hotspur Foundation. Albeit that football is a primary hook, we do deliver a range of other sports—basketball, boxing, cricket and so on. I think one of the key elements of the programme, as I mentioned earlier, was three nights a week, one of those nights is referred to as a flexible evening, and that is when we deliver a range of workshops that address issues that are currently affecting young people, such as the dangers of drugs and alcohol; the dangers of involvement in gangs, guns and knives; and so on. We don’t go out and preach to young people, because we have identified that they tend to be reluctant to listen to a formal setting workshop, so we drop these key messages in through our mentors and coaches. We find that we start to organically spread those messages and educate the young people as to why they should not be involved in those sorts of things.

Q635 Mark Reckless: Have you any academic evidence on the effectiveness of the programme, i.e. comparing results and behaviour for people involved in the programme with a control group of similar people not involved in the programme?
Gary Broadhurst: I can speak from a Tottenham Hotspur Foundation perspective. A colleague of mine uses a phrase, and I think it is a very effective phrase, “Kickz is a bit of a portal for lots of other things.” We act as a conduit or a portal. One of the things we have developed within the Tottenham Hotspur Foundation is a pathway into further education for our young people that are involved in Kickz. We have linked in with Waltham Forest College, Southgate College and St Thomas More School in our surrounding boroughs, to get people back into education. A large proportion of the young people that come through our doors on the Kickz project aren’t involved in training, education or employment, so we signpost them back into education through that way.

Q636 Mark Reckless: But if you are spending all this money on these interventions, would it not be sensible to test it by monitoring the people who are in the programme compared to a control group who aren’t, so you can see if the spending is effective?
Gary Broadhurst: In terms of education?
Mark Reckless: Well, in terms of education and other results, involvement in crime, be what it may. You are spending all this money and telling us that it does all these good things, but why don’t you see if you can generate some evidence of that by comparing people who are in the programme against people who aren’t?
Gary Broadhurst: That is something that I would have to speak to the Active Communities Network and the board around. The current model does allow us to give some statistics around crime reduction, education, training and employment, but there is no comparable at this moment with people that are not involved in the programme. I am sure that is something we can write to you about in the future.

Q637 Chair: Is it a disappointment that there are so few football clubs involved? You mentioned the three clubs, but presumably you would like to see many, many more.

Gary Broadhurst: At the pilot stage there were three London clubs, currently there is a total of 43 professional football clubs nationwide delivering Kickz, so that is 113 separate schemes, and that is working obviously with the Metropolitan Police in London and also 19 other police forces nationally.

Q638 Chair: So with 43 involved, is it possible to get the kind of statistics that Mr Reckless has just asked for?

Gary Broadhurst: I am sure that would be something that we could look into providing for you, but I think it is important to remember as well—and I use the phrase “flexible model”—the needs of north London are very different to the needs of north Liverpool, for example. So some of those statistics and comparables would be something we need to look into in a bit more detail.

Q639 Chair: One final question on knife crime. We have the Lord Chancellor coming in in half an hour, as far as knife crime is concerned, would you support Councillor Robbins, the banning of knives, the automatic imprisonment of anyone under the age of 18 caught carrying a knife? At the moment the proposal is it should be 18-plus.

Chris Robbins: Yes, I would, totally. We have had in our borough knife arches in schools for quite some time. They are not fixed in schools, they go around the schools, because they are very expensive and it is difficult to have them in. We have found them to be extremely effective, not in terms of finding knives but in terms of creating an atmosphere of a no go zone for knives and also making pupils in the schools feel safe, at least for that day.

May I just add a point, very quickly? In terms of the 28 families that we have worked with, we have one individual that has gone back to university and two that have gone back into college. But we will be commissioning somebody to evaluate our work and that will come back by the end of next year, which will maybe answer some of the questions that the Member asked.

Q640 Chair: None of them have decided to stand for Parliament yet?

Chris Robbins: Not yet, but you never know.

Q641 Chair: Mr Broadhurst, on knife crime.

Gary Broadhurst: Currently with Kickz we do a lot of work around knife and gun crime as I mentioned.

Q642 Chair: What about the mandatory sentence?

Gary Broadhurst: My personal opinion, yes, I think it should be enforced.

Chair: Excellent. Councillor Robbins, Mr Broadhurst, thank you very much for coming today. We may write to you again with further information. Thank you.

Examination of Witnesses

Witnesses: Ginny Lunn, Director of Policy and Strategy, Prince’s Trust, and Nathan Chin and Arnold Sebutinde, young people formerly involved in gangs, gave evidence.

Q643 Chair: Thank you very much for coming. You have heard a bit of the previous session, I know, and of course the reason why we have you here is to talk to you about the recent disturbances and also the good work that the Prince’s Trust is doing.

On 11 August the Prime Minister said, “At the heart of all the violence sits the issue of street gangs. In the past few days there is some evidence that they have been behind the co-ordination of the attacks on the police and looting that has followed.” In the work that you will have done in the Prince’s Trust, is there evidence to support the view that gangs were involved in the disturbances in August?

Ginny Lunn: Just to start with, the Prince’s Trust has been doing a number of things over the past few months, and you may have seen, firstly, that His Royal Highness visited some of the areas and spoke to young people. We particularly had some young people talking to him in Tottenham. We also announced that we would invest further funds to work specifically with the young people who had been impacted in those areas. Then in the last few months—and Arnold and Nathan have both been involved—we have done a number of different events and spoken in many venues. We did a showcase event at the Home Office recently. Gangs are not the only issue, as recent announcements have shown. For us, it is very important to say that the majority of young people are not involved, and the young people we work with would be as equally appalled at the situation as everybody else. We are really keen, which is why we are here today, to make sure that young people are heard in all of this, that they get a chance to say what they think is the issue, what they think the solutions are, because as Nathan and Arnold both have spoken before—as have many others—they have ideas for what should happen next. It would be good to hear from them as much as possible.

Q644 Chair: Excellent. We will most certainly be asking them questions. Since I raised knife crime with the previous witnesses, maybe we could have an answer from you, Nathan and Arnold, about this.
Arnold, do you think a mandatory ban on carrying knives would have an effect on knife crime?

Arnold Sebutinde: A ban I don’t think would necessarily have any effect. It’s the same as smoking drugs. Smoking drugs is banned—people are banned from smoking drugs but it is still going—there is always going to be—

Q645 Chair: Sorry, I have not expressed myself properly. I mean a mandatory custodial sentence, so they would go to jail if they had one.

Arnold Sebutinde: Okay. That is a tricky question, and I think we better be very careful about this, because I don’t believe that imprisonment is always the right answer for everybody. Someone can get caught carrying a knife but then put him into jail, he is going to come out a robber or a drug dealer. He is going to meet some hardened criminals and they take advantage of people like these, like especially if it is a young—I mean, I don’t know if there is any age limit, but the young people always—there is a risk.

Q646 Chair: Indeed, Nathan, just specifically on carrying knives and mandatory custodial sentences, do you think that that would have an effect on young people carrying knives?

Nathan Chin: Yes, 100% I think it will have an effect. At the end of the day I got locked up for carrying a knife, and to be honest it did me the world of good, because when you look at the bigger picture of things, you are saving lives, you are stopping people from getting a serious knife attack at the end of the day. So, if it is used as a deterrent and you know straight away that you are going to go to prison for carrying a knife, I reckon people won’t carry knives and it will be back to the old days where people settle their differences in a different way. Do you know what I’m trying to say? I am not saying that you should have a fight, or that there is this kind of help, enterprise is the way forward. So, I think it is very important that that does happen.

Chair: That is very helpful. Now, returning to the riots, Dr Julian Huppert.

Q647 Dr Huppert: One thing I am quite interested in is the age profile of the people who were involved in the riots, but also driving the riots—there has been lots of stuff in the media about how it was young people. We went, as I said earlier, to Croydon and to Feltham Young Offenders Institution yesterday and I think we were told on many occasions, while there were some young people involved, there were in each case significantly older people controlling and driving what was happening. We heard some very interesting stories about people being directed which shop to go and loot by older individuals. Have you done any work or have any sense as to whether it was a young people’s riot, whether there were lots of young people involved, or what that profile looked like? I would be happy to hear from any of you.

Arnold Sebutinde: Well, I think it was a bunch of opportunists that decided, not necessarily young people or older people, just anybody that felt they were in a situation where they could either make a profit or it could benefit them in some way or another. Because I genuinely believe—we have seen looting, we have seen cars getting burned, we have seen houses getting smashed—that some of these conducts are neighbourhood disputes as well, and when a riot happens, if people have a conflict with neighbours or any altercation in one way or another, they can set their neighbours’ cars on fire. I think it was just out of control and there are a lot of people that decided to jump on the bandwagon and cause chaos.

Q648 Dr Huppert: But was it older people or younger people? Do you have any sense of what you think the breakdown is?

Arnold Sebutinde: It depends, when you say old and young—by young are we talking under 18?

Dr Huppert: I would be interested in what you think it was, whether it was under-18s, under-30s?

Arnold Sebutinde: I think it was pretty much any and everybody, it is all down to the mind frames really, because you can have someone that is younger and they are more mature and think in older ways than someone that is maybe even older than them. But I think there is a real problem with so many youth out there whose minds are in a state where they feel they have nothing to lose, or they feel they don’t have as many opportunities, or they don’t feel like they’ve got hardly any opportunities to make a success of themselves. This is where the Prince’s Trust comes in, because I was in that situation myself, I ended up serving two and a half years in jail. I said to Suki, one of our people from the Prince’s Trust, on the way here, when I was inside, I was thinking, “Okay, when I come out I’m going to be a lot worse than I was, because there isn’t anything out there for me to try and rebuild the life I had,” and I felt like all doors were shut. Then, when I heard about the enterprise course I was just starting to draw and I thought, “Okay, maybe they can help me use my talents to benefit myself,” and so I received a loan from them to help me set up my business, and I am actually inspiring other people, because I don’t believe that we should just hand out. I heard someone say unemployment is going up instead of coming down, and this is an opportunity for young people, with the right help, if we can channel them and say, “Okay, there is this kind of help, enterprise is the way forward.”

Chair: Very helpful, thank you.

Q649 Mr Winnick: Both of you, Nathan and Arnold, you were involved in the beginning with gangs. If I can ask you first of all, Arnold, was it the question of pressure for you to join a gang, or you thought it would be the best thing for yourself, or self-protection, as the case may be?

Chair: If we could start with Nathan.

Nathan Chin: I think it was because I had a lot of issues at home and I thought that the school system failed me. At the end of the day when I got kicked out of school, I had nowhere else to go, so the only thing I could do really was go on the streets and be a street person. The system let me down, never
supported me enough to help me with the issues that I had growing up with my parents and different things like that.

Q650 Mr Winnick: How old were you when you first got involved with a gang?

Nathan Chin: From the age of 13, 14.

Q651 Mr Winnick: Was that gang trying to get you into criminality of one sort or another?

Nathan Chin: Well, I wouldn’t even say that, it just started off as probably just your friends in the local area, because obviously near neighbours, you’ve grown up with these people all your life because of the area you live in, because there wasn’t much for us to do. Obviously, we don’t have any money, and there are a lot of social problems, so we used to just hang together, and that is when problems occur—when you have young people and there is nothing to do.

Q652 Mr Winnick: Thank you, Arnold, is that more or less the experience you had of being involved in a gang in the beginning?

Arnold Sebutinde: Well, just what Nathan said. In fact, I will just add to what Nathan said, it is also a sense of having nothing to do. Like I said, there is a saying, “The devil creates work for idle hands.” I don’t know if any of you remember the Birmingham riots, not the ones that just happened, the ones before. I had a few friends of mine that got involved and got caught up in those riots, and the mind frame that I was in at the time was that I was in London, I was at university at the time, but I felt, okay, if I didn’t have anything going on at the time, I would definitely have been involved in the riots. As far as the person that I am today and the person that I am now, I feel I have a lot more to lose if I was going to do anything like get myself into trouble. It is that sense of pride and that sense of responsibility that I feel is lacking with a lot of youth of today.

Ginny Lunn: I think that is something consistent that comes up. A lot of young people have said that it is not having anything to lose, which I think is quite important. I think someone else was saying it earlier on: it’s really important to keep young people engaged, utilise their talents, really give them some hope. What we see a lot is young people feeling that they don’t have hope for the future—they feel a bit isolated. It is really important to keep young people engaged, make sure they have opportunities to do things. Also, I think it is so important they see that they have opportunities, and that is part of why we do a lot with young people standing up and showing how they have made a success of their life, like Nathan and Arnold.

Mr Winnick: I was going to say, both of you, Nathan and Arnold, have demonstrated that you can be quite successful, as you are doing now, and we certainly wish you the very best of luck for the future.

Q653 Michael Ellis: Clearly, under the leadership of the Prince of Wales, the Prince’s Trust has been in existence for many years and has done a wonderful job. I think it is right to say that several Governments have tried to emulate the work of the Prince’s Trust in wider schemes, and it affects and works with some 50,000 young people, I am told. What advice would you give to Government as to how they can improve work with young people to prevent them getting involved in crime and disorder?

Nathan Chin: Plenty. I think there are plenty of things you can do. Let me give you a bit of the story of what we do. I work with kids that have been excluded from schools, and we found that when we engaged them in media activities, such as music and other things to express themselves, that academically they do a lot better in school as well, so we are ticking those boxes also. We need more activities for the kids to do—places to go to, drop-in places, old school community centres where you can play a bit of table tennis, socialise, engage with young people, all that type of thing—rather than cutting all that away. Plus, think about it, with me doing what I am doing it is inspiring a lot of street people to take pride in their community and want to help the community. I feel that by doing those things it will bring people together, and people want to volunteer and work and do those kind of things. So I feel that we need to do more of that.

Q654 Michael Ellis: And you, Arnold?

Arnold Sebutinde: Yes, I don’t know to what extent the Government actually works with the Prince’s Trust, but I think, especially with what happened with the riots, that sends a clear message that a lot of the youth have lost faith in the Government and a lot of the youth feel there has been a serious breakdown in communication between the youth and the Government. With the Prince’s Trust, I think someone like me would probably be thinking, “The Prince’s Trust are running this and the Prince’s Trust are running that; I want to be part of it and see what more they have to offer,” as opposed to if it was being run by the Government, I’d probably think twice and the trust wouldn’t be there—I would be thinking there is something that is not quite right, not 100%.

Q655 Michael Ellis: Do you think the Prince’s Trust could do a better job than the Government? That is what you are saying?

Arnold Sebutinde: I think you could work it hand in hand and—

Chair: Indeed, we understand, work together. Thank you very much for that.

Q656 Alun Michael: I want to look at something quite specific. I take the point about giving people reason to have some eye to the future, and if you don’t give that, that causes problems. But on the way in which young people get drawn into the gang culture, you have already said how you did personally, but I am taking it that is a while ago, how do young people get recruited by the gangs? I asked the people giving evidence earlier about the range, because you have informal gangs, you have formal gangs, you have some very structured gangs. I saw some of this in Los Angeles—places where there is deliberate recruitment among people who are in prison for short term and things like that. In your experience, in your area, now,
how are people being recruited or drawn into the gangs?
Arnold Sebutinde: It is pretty easy. Pretty easy. When you look around the neighbourhoods, it is the appeal, it is the money, it is the lifestyle. I think the core issue here is discipline at home. I think kids get pulled in by these gangs because their parents are losing their grip, their grasp, on them. The parents can't control them, so to speak, so that is another way they end up in gangs.

Q657 Alun Michael: Let us be a bit more specific than that. Let us accept that there is a peer group of parents—there tends to be a style or an ethos of what parents do in an area—and there is also a peer group among young people, and the relations between those two can be quite difficult. What I am asking you, really, is what is happening at the moment on your patch, in terms of youngsters being drawn into the gangs?
Nathan Chin: I just think it is simple: there is nothing for them to do. I just believe if there were more things to do then it wouldn't be so easy.

Q658 Alun Michael: With respect, that explains how to stop them being drawn into the gangs but it doesn't tell me how they are being pulled into the gangs at the moment.
Nathan Chin: Well, okay, then, if you have been excluded from school, that means that you go to a centre, that means it starts from 9 and finishes at 12 o'clock, so that means you can go onto the streets and do whatever from then, rather than if you are in mainstream school, you are there until 3.30, and then you go home like everybody else. If the system gives up on you then it is easy to get drawn into that in a sense, because it is on your doorstep, it goes on everywhere you go, in any part of the world.
Arnold Sebutinde: I think a big part of this is down to, as someone said earlier, unemployment going up. It's to do with employment, earning an income, earning a living. The way gangs operate is by saying, “Come join us, you can earn this”, “Come join us, you can have that.”

Q659 Alun Michael: So there is an offer to potential members?
Arnold Sebutinde: Exactly. You could say, “Come, here’s X amount of money, go do this, or go do that.”

Q660 Alun Michael: Incremental steps?
Arnold Sebutinde: Yes, yes, it is just like an organisation. You start somewhere and then you build your way up.
Nathan Chin: It could mean that you could go out there and steal, or rob somebody, or rob somebody who is selling drugs, and you start that way.
Arnold Sebutinde: It could be, “Here’s an ounce of weed, sell that and then once you’re done we’ll move on to the bigger packages.”

Q661 Alun Michael: So they are franchising?
Arnold Sebutinde: Yes.
Q664 Chair: Going back to the riots, do either of you know of people who were involved in the riots that took place?
Arnold Sebutinde: Yes, I have a co-dealer that got recalled. That has to say something about the prison system. It is supposed to be rehabilitating, and what we saw was, he just came out on this charge and then got caught up in the riots, and then has ended up getting a recall.
Nathan Chin: Yes, I do. I have seen a few people. The TV was self-explanatory, to be honest with you. When you looked on the TV you seen a few people that you knew from various walks of life, whether it was school or something, so there are a lot of people that you are seeing there.

Q665 Chair: The Committee went to Feltham Young Offenders yesterday and we met just a few of those who were involved in the rioting and they seemed to be very clear that they saw it on the telly and decided to join in. Some of them did not even have previous convictions, but they took some stuff and they ended up in Feltham and now they have criminal records. Universally, they all said that they would never do it again: if there was a riot they would stay indoors. Is that the impression that you get from the people who were involved in the rioting?
Nathan Chin: I would say definitely the majority. I think, as well, that the TV, the media, never helped the situation. When you saw what was going on in Tottenham, it allowed everybody in the whole of the country to think, “Hold on, if they can do it there, this can happen in our city.” And then you find that when one city started, when London did it, Birmingham started, and when Birmingham did it, then West Brom, and all the neighbouring other cities started it and then it just carried on. Everyone was copycatting Tottenham, to be honest, because nobody really had a cause anywhere else. The reason why it started is different to what people were doing it for in the end.

Q666 Chair: The final issue is about police presence. Throughout this inquiry those who were the victims of violence and theft have said that if there were more police officers on the streets that would have helped contain the riots. Do you all agree with that?
Nathan Chin: No, for the simple reason that there aren't enough police to go everywhere. If the police are coming to one point, everyone would disperse and go to the next point, so it wouldn’t have really changed anything, I don’t think.
Arnold Sebutinde: I think with the policing, it doesn’t matter how many numbers you are, it is what you are going to do. I think, if they are given more powers to take action—within reasonable action, without really doing anything drastic, which is the same case to be argued against the other issue I was talking about with parenting and the discipline—if they were given more power, within reasonable force, it doesn’t matter if there were a hundred or a few thousand.
Chair: Ms Lunn, Nathan and Arnold, thank you very much for giving evidence to us today. We will continue with our inquiry. If there are other issues that you would like to raise with us through the course of the inquiry, please let us know, send us an email. From all of us on the Committee, the best of luck to both of you—to all three of you—at the Prince’s Trust for successful careers. Thank you very much.
Nathan Chin: All right, thank you.
Arnold Sebutinde: Thank you.
Chair: You are welcome to stay for the next witness.

Examination of Witnesses

Witnesses: Rt Hon Mr Kenneth Clarke QC MP, Lord Chancellor and Secretary of State for Justice, and Rebecca Endean, Director of Analytical Services, Ministry of Justice, gave evidence.

Chair: Lord Chancellor, Ms Endean, thank you very much for coming to give evidence to the Committee today, we are most grateful.

Mr Clarke: I am very happy to be here, Mr Vaz.

Q667 Chair: Before we go on to the riots, can I deal with a couple of issues that we have written to you about?
Mr Clarke: That as a journalist, Mr Vaz.

Q668 Chair: Thank you very much for your letter, which we received today, of 25 October. The first issue arises out of article 8 of the Human Rights Act. Thank you for your letter to me today. Have you now—
Mr Clarke: This is like going on the Today programme.
Chair: Have you now settled your dispute with the Home Secretary?
Mr Clarke: Yes, I have to explain that the dispute extended an extra day because I gave an interview to my local newspaper who, with great efficiency, published it 24 hours later than everybody else. I did say the rather colourful language I had used to describe things was probably not wise, but I didn’t intend to extend it any further. The case quite clearly was not decided under the Human Rights Act, and the decision had nothing to do with a cat. But the way in which it came out of the conference was just what happens at conferences if journalists are a bit short of a story.

Q669 Chair: Maya the cat is in the clear?
Mr Clarke: The journalism was not of the standard it used to be, because I would have expected pictures of Maya the cat to appear in the following day’s newspapers. It took them two or three days to find her, but Maya the cat had absolutely nothing to do with the decision on the Libyan gentleman staying in this country.

Mr Winnick: All the fault of the journalists.

Q670 Chair: Moving on to the issue of knife crime, we have had some very powerful evidence today from
a number of people about this. Of course, your Bill is currently going through the House, which will include an automatic sentence of at least six months for adults who commit knife crime. But the Home Secretary again, and the Mayor of London and others, and indeed all the witnesses who have appeared before us this morning, have suggested that that mandatory sentence, custodial sentence, should apply to those under the age of 18. [Interruption.] Dr Huppert is correcting me: he says one of them didn’t; the others did. Why do you not think that reducing that below the age of 18 would help solve the problem of knife crime in London?

**Mr Clarke:** We are debating this when we go to Report stage, and I am still discussing with one of the people who has moved the amendments to tell us exactly what we are going to do. But I think it is something that should be taken seriously. Firstly, the argument in favour of these amendments appears to be based on an inaccurate figure that 40% of those committing knife crime are juveniles, which is not true. I don’t know where it comes from, but it is about twice the correct figure. I need to say I haven’t arrived briefed for this, because I didn’t know you were going to raise it.

Secondly, mandatory sentences in British law are a bit of an innovation. It is rather an American thing, based on the assumption that you cannot leave it to the judge to listen to the circumstances of the offender or the circumstances of the offence, and that Parliament has to lay down a mandatory minimum in all cases, come what may. Now we have, because of the seriousness we attach to knife crime, and because we think a strong message has to be sent to people indulging in knife crime, agreed such a mandatory sentence for adults. That has been tabled and is the Government’s proposal.

The idea that mandatory sentences now apply for certain types of offence to young offenders, to children, to juveniles, is a bit of a leap for the British judicial system. I have not had time to study the one tabled by the official Opposition yet, but the idea that a 13-year-old should come up before a court and the court be told that, “Unless there is something quite exceptional, you have no discretion here.” For this particular offence—which is not the most serious offence, we should keep in mind—that you should automatically be sent to people indulging in knife crime, agreed such a mandatory sentence for adults. That has been tabled and is the Government’s proposal.

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tabling that, and I want to consider all these things before we come to a final decision on juveniles.

Chair: Thank you, Lord Chancellor. Could I ask colleagues for brief supplementary? We need to move on to the riots.

Mr Clarke: Yes, I gave a long answer, but you have suddenly raised a different and large subject, which I expected to be debating next week.

Q674 Dr Huppert: One of our witnesses, Arnold Sebutinde, who we just heard from gave, I thought, very powerful evidence as to why he felt that a mandatory sentence for young people would be a bad idea because of the effect it had—

Mr Clarke: Who was this?

Dr Huppert: Arnold Sebutinde, who was with us just before—I think you will have a chance to have a look—who was with the Prince’s Trust. We also went yesterday to Feltham Young Offenders Institution, and one of the comments made by a number of the young people there was that they felt there was a lack of consideration of the circumstances of each case. Do you think there is a risk, if there is a mandatory sentence for young offenders with knives, that it would not be possible for the courts to take into account particular circumstances and you would get perverse judgments?

Mr Clarke: Well, that is what we have to guard against and consider, yes. It would be exactly what Mr Ellis was saying: obviously, having a mandatory sentence you discourage the court from looking as closely at the individual case as it otherwise would. If the case before it is obviously one where you ought to consider some alternative, the court will then start trying to find some excuse for doing so. Take “three strikes and you’re out”, which is still on the statute book, I think, and caused a great deal of excitement when it was passed in Parliament. I am assured by everybody in practice that it doesn’t make the faintest difference in practice now, because the judges have found every conceivable way of making sure they don’t have to apply it. In a case that a third offence is so serious that you should to go prison, you go to prison, but if it is a case where the third offence plainly would be disproportionate, they find some reason for not doing it. But this is a game that should not go on between Parliament and the courts except with considerable care. That is why this amendment on knife crime should be considered very carefully, and I am reserving my position.

Q675 Mr Clappison: I sympathise with you, Lord Chancellor. I sympathise that this is not what you expected to come here for, and I was not expecting to ask questions about it either, but since you are here, and in the spirit of what you said about getting the fullest possible information for when it does come before Parliament, so we can have a proper debate, taking into account all of the very proper matters that you have raised today, as far as the definitions on this are concerned, when you talk about juveniles, that is those 17 and under?

Mr Clarke: Yes, 17 and under.

Q676 Mr Clappison: And the children, what age are the children?

Mr Clarke: I tend to not talk about children when you are up to 15. I think the official Opposition amendment—but for all I know, I don’t know where my shadow spokesman is coming from, he may just be canvassing it to debate it. I remain to be persuaded that the shadow Justice Secretary is seriously going to suggest mandatory sentences for 13-year-olds. I doubt that he will press it, but I may be misjudging where he is coming from.

Q677 Mr Clappison: An awful lot of issues arise around that, Lord Chancellor. I am sure you are absolutely right. Would it be possible to let us have figures for 16 and 17-year-olds, the number who presently do get sentenced to detention or whatever it is called, under the present arrangements?

Chair: Not necessarily today. You could write.

Mr Clarke: No. There may be somebody with me who is more familiar—

Q678 Mr Winnick: Is it your view, Lord Chancellor, that the greater emphasis on custodial sentences and the ever-increasing prison population, makes rehabilitation that much more difficult?

Mr Clarke: The population does make it more difficult. It makes the prisons more overcrowded, and it makes it more difficult to develop things I want to develop, working in prisons, and so on. The prison population is in the end determined by the courts, acting on the legislation passed by Parliament. We are a demand-led service. The population is determined by how many people get sent there, as it was after the riots, which are the main subject today. If it is chosen as the form of punishment, we have to provide the accommodation. You must keep ahead of it, so that you can do something else, and I want to make prisons a more intelligent form of punishment. In addition to punishment—it is the best form of punishment we have, as a punishment for serious crime—while in there, you should be making it more possible to get some of them to stop reoffending and come out as the normal way of life.

Q679 Alun Michael: I was interested in the point that you made about the relationship between Parliament and sentences. Would you accept that there is a continual tension between the wish on the part of Members of Parliament to correct what they see as perverse judgments and decisions in the courts, and the wish for sentences to reflect the circumstances of a particular offence; and that that in turn leads to tension between, if you like, a tick-box approach to sentences, where it is almost determined in respect of the judge’s understanding of the circumstances on which the sentence is passed, and on the other hand, a wish that there should be sensitive sentencing that answers the question, “What is going to make it less likely for this person to reoffend and be a nuisance to society in the future?”

Mr Clarke: I think Parliament has been inclined to trust the judges less than it used to—judges in the broadest sense, judges and magistrates and everybody else—to deal with the cases. Whereas normally, under
the separation of powers, politicians have not commented, usually, on what the judges are doing, there has been a slight tendency, where you have a running commentary being mounted, sentence by sentence, on what is happening, usually solely based on what the newspaper has said about the case. This has grown, and over the last ten years it has therefore been reflected a bit in the legislation, and there has been an increasingly tick-box approach—“Let’s confine these judges, by listing more and more what they should and shouldn’t give and how they should arrive at it.” It is all tick-box sentencing. I personally think it is an inadequate thing. There are more sentencing guidelines, and there is a case for sentencing guidelines, which I am glad to say the last Government put back into the hands of the judges, but you do need sentencing guidelines to make sure there is consistency. If we are more transparent in our criminal statistics, I think Parliament is going to discover there really is inconsistency between magistrates in different parts of the country, and so on. We are going to give local-by-local figures. That should be addressed by sentencing guidelines, and parliamentary views should be given on that. But I personally think that off-the-cuff comments about one case in one court, based on what it says in some popular newspaper, is not a useful contribution to make.

Chair: Thank you. The final comment on this, but then we must move on to the riots.

Q680 Mark Reckless: Many of our constituents feel that sentencing is detached from public opinion. As you have now said, with the sentencing guidelines council, the issue is not the legislation constraining the discretion of the individual judge, but we have this intermediate quango with its tick-box mentality, constraining the judges, but it is done by people who are not accountable and not elected. Why can’t that role go to a parliamentary committee?

Mr Clarke: Laying down the detailed guidelines for each and every offence?

Mark Reckless: Absolutely.

Mr Clarke: The overriding principle we have to follow here is justice, and not just justice, and therefore the right and appropriate penalty for severe crime, but the penalty also might contribute to reducing the number who reoffend and commit more offences in future. It requires a little more close attention to what you are doing. No two cases are the same. Every burglary is not like every other burglary, though all burglaries are serious. For domestic burglary, for as long as I can recall, people have said, quite rightly, you should go to prison, but some are worse than others, and so on. It is very difficult to take that on board in Parliament. Mr Ellis is the recent practitioner— I am a long-out-of-date practitioner, I haven’t practised for 30 years. Sentences are far more severe than they used to be. Most of the public don’t appreciate that the prisoners that the prisons, for which I am responsible, hold, are serving much longer sentences than they used to in my day, and a lot of the people who complain about the sentences don’t know what the sentences are, and think there was a golden age when they were much longer. It is actually the reverse.

Q681 Mark Reckless: Might they not appreciate that more if it was a committee elected by them who were laying down the general guidelines, with the judges implementing them individually?

Chair: I will accept a no.

Mr Clarke: No. I regard myself as an extremely keen parliamentarian, and—

Chair: Mr Reckless is very keen.

Mr Clarke: I am a great defender of the role of Parliament, but Parliament as the sentencer in individual cases is not one I think we are ready to take on yet.

Mark Reckless: For cases, but the general guidelines—

Q682 Chair: Order. I think we have the Lord Chancellor’s answer. Let us move on to the riots in a calm and orderly way. Just after the riots, you made a very important statement in which you said that the cause of the riots was as a result of the “feral underclass of Britain”.

Have you met any of the rioters?

Mr Clarke: I don’t think I have met a particular rioter. I have probably met some of them in my previous visits to institutions. I haven’t knowingly met anybody who has been arrested for the riots.

Q683 Chair: The Committee went to Feltham yesterday and we met a number of 16 to 17-year-olds, some of whom had previous convictions—the majority did not have previous convictions. It appeared to us they were not part of a feral underclass, they were apprenticed or they were at college. They were going about their business, and on the day of the riots they just happened to turn up and they went riot shopping. They were not part of any broken penal system. Where did you get the evidence from to justify the statement that this is about a feral underclass?

Mr Clarke: Let me give you some statistics, which I think are the up-to-date ones now: 76% of those who appeared in courts had a previous caution or conviction; 40% of them had more than five previous offences; 71% of the adult males had a previous conviction; and 45% of males aged 10 to 17 had at least one previous conviction. Only about a quarter of those who appeared had no previous convictions. So it sounds as though you did not meet a very representative sample at Feltham. They may not have told the truth; that is always possible, you know.

Q684 Chair: Indeed. But you have based your statement about a broken penal system entirely on the statistics that you have—

Mr Clarke: It was in reaction. If you recall, they were the very first statistics, and the first thing that struck me about the riots was, I was appalled by them. We have had riots before. I was involved in the reactions to the riots in the 1980s, and got involved in work in the inner-city areas that had had the riots in the late 1980s. These riots were more spontaneous and more spontaneously criminal. Even the people you describe
in Feltham were opportunistically taking the opportunity to steal things; that is what worried me. The other thing, when I saw the first statistics—and I think I have just quoted the most up-to-date we have, with the ones that are coming through—was just that slightly familiar feeling, that most of these people are people who are in trouble with the police; that is, reoffending. Of course, the percentage is lower for the young people because some of them have not had time to get a conviction yet. But I have this inner feeling that the people in Feltham that you met, a lot of them are likely to reoffend—probably, on past form, about three-quarters of them will reoffend when they get out of Feltham, fairly quickly, which is the failure in the system as I see it. Despite all the good work that is being done at the moment, that is where we have to address ourselves. One thing we can do from within the penal system itself, is seek to reduce this rate of recidivist reoffending.

Q685 Chair: Can I ask about gangs? The Prime Minister, on 11 August, said that, “At the heart of all the violence is the issue of street gangs. In the past few days, there is some evidence that they have been behind the co-ordination of the attacks on the police and the looting that followed.” Have any of your statistics from the Ministry of Justice indicated that gangs were at the centre of this issue?

Mr Clarke: We have some figures about what percentage—let us ask Rebecca to remind me—I can’t remember what percentage of people were regarded as gang members who came up. It seems to have varied a bit from place to place, how far were gangs involved. We do know that gangs are a serious problem.

Q686 Chair: But in relation to these riots, do you think they were at the heart of this?

Rebecca Endean: The statistics that the Home Office published yesterday alongside ours indicated that 13% of all the people they arrested were known gang members, and it was 19% in London, so it was higher in London and a couple of other areas, and that was based on the police force definition of who is affiliated to a gang.

Mr Clarke: And 19% of the population of London are not gang members, so the fact that 19% of the offenders were indicates that they were a feature in the problems.

Q687 Mr Clappison: The striking thing in the figures that you have produced is that the vast majority of the people involved have had some contact with the criminal justice system, and some of them have had quite a lot, presumably with those who are supposed to be rehabilitating them. Would you agree that these figures cast a pretty unsatisfactory light on the capacity of the present criminal justice system and those who work within it, to rehabilitate people?

Mr Clarke: Yes, I do. This is why I think the one main theme of the policy I am trying to bring into the Department is to improve on this aspect of what we do, and to improve the reoffending rates as dramatically as we can. It must be possible, it seems to me, to do better than this. If you want less crime, you should strive to have fewer criminals. If you stop people who have been sentenced, when they finish their sentence, reoffending, that means there will not be the subsequent crimes and the subsequent victims that those people will go on to acquire.

Q688 Alun Michael: I am glad to hear the emphasis on sentences that reduce crime. I thoroughly agree with that, but just on these statistics that you have given, on 76% had previous, and so on, have you made a controlled comparison? In other words, in those areas where the rioting took place, how does that compare with the rest of the peer group?

Mr Clarke: I am not sure which comparison you mean. Obviously, it is a much higher figure than the general population. The general population don’t have such a high percentage of—

Alun Michael: But the general population doesn’t tell us very much.

Mr Clarke: One in four adult males has a previous conviction. People always forget that. We have had the odd Member of Parliament with a previous conviction, long since extinct. It is almost one in four.

Q689 Alun Michael: Could I ask, therefore, because I think it is quite important to know what we are comparing—obviously not now, it is not the sort of thing you can give off the cuff, but could we ask for the Home Office to do some work and inform us—how the level of previous engagement with the criminal justice system compares in those areas where you have made the measure in relation to those who came before the courts, and the general population in those areas? Because the general population doesn’t help us, I think.

Mr Clarke: Let us take the young people: 45% of males aged 10 to 17 had at least one previous conviction.

Q690 Alun Michael: But what does that tell us?

Mr Clarke: 2% of the general population of 10 to 17-year-olds have a previous conviction. That is not too surprising, that is the starkest contrast, because the average 11-year-old does not have a previous conviction, but maybe he is going to have.

Alun Michael: But that is comparing national to local.

Rebecca Endean: We have not produced the thing where we have looked at the specific areas rather than nationally. Yes, we will do it locally and we will write.

Mr Clarke: We will try to produce local figures.

Q691 Mark Reckless: To get to the heart of the matter, what, in your opinion, were the causes of the disturbances?

Mr Clarke: A completely irresponsible, reckless reaction from people casually turning to crime because the opportunity presented itself. I am not a moralist in politics at all, I am a classic product of 1960s politics in my usual social attitudes, but I was slightly shocked that so many people just casually took to thieving—sometimes rather violent thieving—just because the opportunity presented itself, and the excitement ran, and so on. A lot of things are very wrong and a lot of attention has been paid in recent
Q692 Mark Reckless: For some of those people, did they have the perception that they could get away with this and would not be severely punished?

Mr Clarke: I think they did. That has a high role in reoffending, is my judgement, based on such little research as is written, although I don’t claim it is entirely scientific. I think people who reoffend think that this time they are going to get away with it, and somehow the awful excitement that must break out when there is a bit of a mob violence thing going on makes everybody think somehow they are not going to be caught this time. Fortunately for the retribution that the public quite rightly expect to see, people seem to be casually indifferent to CCTV filming them and so on, and we are managing to catch an awful lot of them because they made this blithe assumption that they could go and steal a television set after smashing the window and they would get away with it. I am sure you agree with me, Mr Reckless, it is rather important they don’t get away with it.

Q693 Mark Reckless: I was particularly struck by one youth from Manchester who was replayed very widely on the BBC saying that he knew that he was a first-time offender, he had not been convicted of anything before, he was a young teenager, so he knew there was no chance that he would be sent to prison. Does that not suggest we have perhaps gone too far with these sentencing guidelines, rather than allowing more discretion to the individual judge?

Mr Clarke: That would be a false belief if he committed a serious crime. Burglary and arson, which were two of the prevalent crimes, are in anybody’s book serious crimes. He was an idiot if he believed that, because the average court is not going to react with indifference to anyone involved—you don’t get one or two burglaries free before you get sent down. I think a lot of the problem is public perceptions, because our debate has taken the form that half the public have been persuaded that serious criminals are going to walk out of the courts when they turn up. Fortunately—I defend the judges again—that is not true: they won’t. These things are dealt with more severely than they were when I was a young barrister 40 years ago.

Q694 Mr Winnick: When we were talking to shopkeepers and residents yesterday in Croydon, again the point was made, as indeed it was by Malcolm Wicks in the debate which took place in August, that when they rang the police they were told that the police were not in a position to come and help at that particular time, and undoubtedly the police in Croydon, as elsewhere, were under great pressure.

The question I want to ask is, should that not be a warning that we should be very careful about police numbers and any reductions, in situations which could arise again, like what occurred in August?

Mr Clarke: Reaction to the police handling of the riots, I have to say, is not a matter for me. That is for the Home Secretary, and I am only an ordinary citizen observing the debate that went on about the police handling of the riots. The suggestion obviously is that in some cases the police held off, in the way they might do in an ordinary disorder situation, where normal police practice is to wait to make sure they have enough people, they have the right kit and they go in effectively. But when people are seeking help for serious crime another reaction may be justified.

My own personal view, quite non-authoritative, is that it is usually easy in the Dog and Duck 48 hours later to start saying what the police should have done in an unexpected and violent situation. But I have no doubt ACPO, the Home Secretary and those responsible are, the same as everybody is, considering what the lessons are in these riots. It was totally unexpected, the scale of these riots.

Q695 Mr Winnick: As a senior member of the Government—obviously your role as Lord Chancellor differs from the Home Secretary’s, but nevertheless very much concerned with the rule of law and defending the community against disorder—do you think it is possible for the Government to look again at the question of police numbers and what has been proposed, so far at least, which is a substantial reduction?

Mr Clarke: I don’t think we should look again at police numbers; I leave that to the Home Secretary. Police numbers have exploded. In every part of the country, there have never been so many police officers. I will leave it to the Home Secretary who, again, will have the right figures at her fingertips, to look at the proportion of them actually on the front line at any one stage can be quite astonishingly low in some places, the proportion of any particular police force which is currently on long-term sick leave, the absentee rates every day, and the fact that people go on patrol in twos in places where they used to go singly.

Q696 Chair: As you say, this is a matter for the Home Secretary.

Mr Clarke: It cannot be impossible to tackle those things. Most people in the police service accept that they can be tackled. Excuse me talking on the police, but it is, in the circumstances the country faces, of economic crisis, justified. I resist reopening it, unless the Home Secretary has some very good arguments.

Mr Winnick: Lord Chancellor, you have at least stuck to the Government line on that. Thank you.
Mr Clarke: No, no. I would be rather startled if the Home Secretary came across and reopened what seems to me a very sound system.

Q697 Alun Michael: Another of the points of comparison: in the latest figures that your Department has been able to give us: we are told that 24% of those brought before the courts for their role in the disorder had no previous cautions or convictions, which compares with 23% of those dealt with for indictable offences in 2010. What conclusion should we draw from that? They are remarkably close figures, aren’t they?

Mr Clarke: It is. The same proportion of first-time offenders—that is what you would expect. It tends to be higher for the younger ones, because, as I say, the younger ones have had less time to acquire a previous conviction. That is in line with the norm, but just like the other figures, which are not far off the norm when it comes to ordinary indictable offences, the norm is what is wrong. What I have reacted to is the 76% who did have a previous conviction, and we can’t just accept that when we go to court the people who are before the court are likely to be people who have been there before.

Q698 Alun Michael: Would you accept, though, that when you consider the fact that most of the evidence we are getting is that there were quite different sets of circumstances that led in different ways in different parts, that the overall figures do not tell us the full story? We really need to look at what the differences were as well as what the overall picture is in relation to different places where things happened.

Mr Clarke: I agree with that. My impression is that the nature of the riots in different cities—

Alun Michael: Or different parts of London.

Mr Clarke:—varied from one place to another. In my own city of Nottingham, the riots included a lot of slightly organised attacks on police stations, which did not happen anywhere else at all, which I suspect was associated with gangs and a criminal element in the population taking out their feelings on the police. It does seem to be quite different from some of the other places. So I agree with you that a certain caution on national statistics—

Q699 Alun Michael: So despite the fact that there is a fixed period of time and an element of copycat about it, you would accept that the differences do need to be studied carefully?

Mr Clarke: Yes. If you want to draw lessons, it is quite helpful to get the local judgments of what was driving it on in that particular place. In some cases it was just straight theft, people wanting a new television. In other places it does seem to be organised, whether casually by the internet or whatever, and some of it is rage with the police, almost certainly on the part of the criminal classes. Others, it is just acquisitiveness and an inclination to turn to theft very readily.

Q700 Michael Ellis: Lord Chancellor, it appears as though the courts operated very efficiently in the immediate aftermath of the riots. In fact there are reports that courts were sitting late into the evening and at weekends, and clearly they are to be congratulated for that. Is there any possibility that that efficiency and the reduction in paperwork and bureaucracy can be, shall we say, expanded to a more general set of circumstances?

Mr Clarke: Firstly, I agree with you that the courts were very efficient and rose to public expectations. It is very reassuring. As far as I am aware, there is no significant criticism of any court response, and no significant criticism of the level of sentences by and large, as far as the general public is concerned. They did reflect the fact that it is a good aggravating feature that this is all against a background of public disorder, and you should add a little to the sentence.

Q701 Michael Ellis: I think the Lord Chief Justice recently upheld some sentences.

Mr Clarke: He did, and we have a Court of Appeal that corrects them. The Lord Chief Justice, whose opinion is more authoritative than mine, obviously also thought the courts had the sentences about right. We do want to take lessons about how speedy it was, because I think a very important part of our agenda has to be improving the efficiency of the court process. It is too slow, not user-friendly enough as far as witnesses and victims are concerned, although it is much better than it was. The evening sittings were interesting. There is a lot of interest in night sittings. The fact is, I don’t think we need those. We did here, because of the sudden surge. Actually, we still have slightly more court capacity than we require, so the idea they are all going to sit through the night—they would run out of things to do quite rapidly. The evening sittings do have other attractions: witnesses who have a job, victims who have to look after a family, magistrates who have a job, would find more flexibility in the sitting times preferable. It could be costly, because you would be paying overtime to just about all the staff you have to manage. We are looking at that with care.

Q702 Chair: I attended a night sitting, and there was a long delay. By the time the prisoners were brought, they—

Mr Clarke: They had run out of business at one point?

Chair: They had run out of business.

Mr Clarke: The other thing I should mention very briefly is the ability of the courts to deal swiftly with the simple cases was one of the things I think is most important. The quick, swift guilty pleas were dealt with sometimes within a few hours. At the moment, as you will know, most cases are prepared as if they are going to be a trial and it takes months to get to the court in a case that is going to take half an hour once you get under way.

Q703 Mr Clappison: I think you have covered my question I was going to ask in what you were saying about gangs. It is very relevant to this, but it is slightly wider.

Chair: Are you taking us off to Europe?

Mr Clappison: No, I am not.
Mr Clarke: Mr Clappison, you can hardly complain about relevance, having spent the first half hour on a different subject.

Mr Clappison: I was just going to ask briefly, when this Committee used to consider the penal system and the sentencing system in the old arrangements, it produced a report on work and prisoners, and recommended that prisoners should be given the opportunity to work, and to earn money in appropriate circumstances, and to work outside prison, as work and earning money honestly was one of the best ways of rehabilitating people. I was wondering what part that played in your thinking, and how much progress has been made?

Mr Clarke: It plays a very large part in my thinking. The two things that we are giving the highest priority to in producing a more intelligent use of the prisons are to get more work, a working environment, in more and more prisons, and also to be more effective at tackling drugs. I would like to add alcohol as well, if we can. There are all kinds of other things you can do; most of the prisoners have a combination of problems. But more and more prisons are turning to a more normal working regime, even where we have work in prisons at the moment. We are trying to get more and more private sector partners in, and we are looking at the ways in which work might properly be done in prisons in future. It is not going to be easy to move from a situation where, in far too many prisons everybody is completely idle and doing nothing at all, to a place where they are doing a 35, 40-hour week in some organised way, doing a proper job that will prepare them for the disciplines of work, give them some training and make them employable outside. Absolutely key: everybody can argue for as long as they like about exactly what gets people to stop offending, and scientific accuracy is not possible, but I do think having a job and the prospects of employment, and getting into a disciplined and ordinary working life makes a huge difference to whether or not someone is going to reoffend when they emerge.

Q704 Chair: Alcohol crime: do you agree with the Commissioner that there should be sobriety tests as a way of keeping people out of the judicial system?

Mr Clarke: The Mayor of London was very keen on this. He has had a brief conversation with him about this—we are about to have a proper one, I think. The problem with sobriety tests—it is a very good idea that everybody is sober, particularly if they have a history of causing trouble and being obstreperous when they are drunk, or even worse—is that we need to address who is going to apply them. If you are giving some sort of sobriety test to some young hooligan daily and returning him to the court if it turns out he has had a drink, you do have to work out how this is going to be organised. Who is going to give these tests, how much time are they going to devote to these queues of people being tested for what they have consumed? What exactly do you do with a guy who has not, on this occasion, committed an offence, but appears to have become drunk? The temperance movement has always wished to take all young men completely off drink to the maximum possible extent. With offenders, it is very important that we get them to stop abusing drink, but you could have a vast organisation engaged in a rather futile pursuit, unless we think through carefully who on earth is meant to be administering all these tests, and what are we meant to do, if the only thing this little yob has done this time is have a drink?

Chair: We look forward to hearing of your conversation with the Mayor.

Mr Clarke: The Commissioner may give you a more organised response than that. It is my off-the-cuff response.

Q705 Dr Huppert: Firstly, Lord Chancellor, if I can encourage you to make it easier for Magistrates' Courts to work more efficiently. I recently went to Cambridge Magistrates' Court, where they clearly had a number of problems with technology, and some of the video conferencing systems were not working. Getting papers transferred from Peterborough to Cambridge seemed to be a huge drama. I hope you will be able to look at ways of running it more efficiently, which I think they would appreciate. Can I just ask about social media and your take on this? You may remember that the Prime Minister floated the idea of disconnecting social media sites at times of rioting. I think the Government has now managed to kill that off. Do you have a take on that, or any thoughts on whether that would be sensible?

Mr Clarke: On the first point, we are putting a lot of effort into making sure that we go digital to a greater extent, and that case files are shared. I see no reason why the same file should not be used by the police, the courts and the Crown Prosecution Service most of the time, and why they should not exchange all this digitally. They all have separate case files and they cannot communicate except by paper. We have set a timetable down for addressing that. On the second, I am glad to say what happened was, the companies have agreed to be co-operative and to work properly in removing illegal material from their sites, and that is the best way of proceeding. The Government is not at the moment proposing to start taking any powers to close down social websites. Social websites did play quite an important part in this, and I think they caused troubles for the police because in the old days when you rioted you knew where the riot was going to be, what time, and probably who it was going to be, and you were able to start controlling it. Now websites enable people to suddenly switch quite rapidly to an unexpected location, and the police find it more difficult to deal with.

Q706 Chair: Finally, Lord Chancellor, Britain takes over the presidency of the Council of Europe in November 2011. The Foreign Secretary will take over as the chairman, but you will have a major role to play, and you said in February of this year that you want to use it to try to reform the relationship between the European Court of Human Rights and national Parliaments, and in April you said, “At times the Court has been rather too ready to substitute its own judgment for that of national courts without giving
enough weight to the strength of the domestic legal system or allowing for genuine differences of national approach.” What are your ambitions when you take over your role? What do you want to be judged at by the time you get to the end of that period?

Mr Clarke: By coincidence, I just made it in time for this hearing after a meeting with Secretary General Jagland of the Council of Europe, discussing our priorities for the chairmanship. That is a Foreign Office matter overall, but the biggest priority for the British Government as a whole during this chairmanship is to try to get some reform of the European Court of Human Rights at Strasbourg. You obviously looked up what I said before, the last time I attended a Council of Ministers meeting. There is a lot of support amongst other member states for reform, and quite a lot of support in the Court itself and in the Council of Europe, and the biggest thing we can take up is the huge arrears of cases that are either trivial or are never going to be heard, or are not properly the subject matter of the Convention on Human Rights. We think that we could introduce processes which get rid of some of these arrears; stop entertaining things that are trivial; get the Court to concentrate on those matters that are properly the work of an international court and where there are serious issues about how a particular country is upholding its obligations, fulfilling its obligations under the Convention. We are going to respond more sensibly, and that includes the Court having proper regard to the way in which Parliament and the courts in an individual member state have addressed the human rights issues in the first place. Everybody agrees in the Council of Europe on the principle of subsidiarity—an awful phrase that is used in Europe, but it means that the primary duty for upholding the Convention lies with individual member states, and the Court only intervenes in the big issues where a country seems to be failing to do that.

Q707 Chair: Would you agree with the Attorney General’s statement last night that he would like to see British courts have a right to dispute rulings of the European Court?

Mr Clarke: Yes, in the right circumstances. As long as both are properly applying the Convention. They are both adhering to the Convention, but perhaps coming to a different conclusion about how they do. I have not read the Attorney’s full text to see in what context the quote is you are putting to me. But there is as you know, a slight difference of opinion, it seems to me—I have not talked to either of them about it yet—but from the press reports, between the President of the Supreme Court and the Lord Chief Justice about how far British courts are actually bound, as a matter of rigid practice, to follow judgments of the Strasbourg court, and how far they are undoubtedly bound to have regard for those judgments when applying things here on their own. But international courts should be seized of big matters, when there really is an issue about whether a member state is complying with the Convention. In a case that I do think the United Kingdom has won, where we have the Human Rights Act, the courts are applying the Convention in their proceedings. You do not need to be in too readily if the judgments of the court reflect local legal systems and local precedents and plainly are not in breach of human rights in any either legal or normal common sense terms.

Chair: Lord Chancellor, Ms Endean, thank you very much for coming this morning. Thank you.
Tuesday 8 November 2011

Members present:
Keith Vaz (Chair)
Nicola Blackwood
Mr James Clappison
Michael Ellis
Lorraine Fullbrook
Dr Julian Huppert
Steve McCabe
Alun Michael
Mark Reckless
Mr David Winnick

Examination of Witness

Witness: Tom Brake MP, gave evidence.

Q708 Chair: Could I call the Committee to order and could I refer all those present to the Register of Members’ Interests, where the interests of members of this Committee are noted. This is a further evidence session into the August disorders, and we are delighted to see the spokesman for the Liberal Democrat Party and the co-chair of the Parliamentary Policy Committee on Home Affairs, Mr Brake, here. Welcome back, Mr Brake. You are a former member of the Committee, and I congratulate you on your elevation to the Privy Council since your last appearance.

Before I go on to riots and disorders, as I mentioned to you yesterday we have the Home Secretary in later talking about the UK Border Agency. Do you have any thoughts as to precisely what happened over the last few days concerning the relaxation of checks on people coming into this country, either the Home Secretary’s original decision or the extension that apparently was made by officials?

Tom Brake: Chairman, I think in the circumstances it is probably safest for me to allow the reviews that have been launched to come to their conclusion before I pass judgment on what may or may not have happened.

Q709 Chair: Your leader said yesterday that he had great concern over what has happened. So you have no concerns at all?

Tom Brake: Clearly, as I stated, it may be that the reviews will identify issues that the Government do need to respond to. I am very confident that John Vine, who will be looking at that, will be capable, strong and independent and will come up with the appropriate conclusions and may come up with some recommendations that the Government have to respond to.

Q710 Chair: Thank you. I think that is quite clear. What were your reasons for saying, right at the start, that as far as you were concerned the disorders were part of the disintegration of the social fabric of this country, a broken society?

Tom Brake: I don’t believe I have ever stated that, Chairman. I do not support a position that says that we are a broken society. Clearly there are elements within our society who, for whatever reason, do not feel that the laws apply to them, but I think they are a small minority and it is something that as a society we are perfectly capable of addressing. I think the problems that we need to sort out are around low educational achievements, around mentoring and issues to do with families that the members of your Committee will be very familiar with.

Q711 Chair: If those were not the reasons for the disorders, what do you think the principal causes of the disorders were?

Tom Brake: I think the research that has been published by the National Centre for Social Research, perhaps quite depressingly, identified that for the 50 people they had interviewed who had been involved in the riots it was things to do with the excitement that they were deriving from it, the lack of other opportunities or activities, so it clearly was not driven by any great political drive. It was not a reaction, in my view, to any measures the present Government have introduced. I think it was just a relatively small group of people. We know now from the statistics that three-quarters of those who were involved had previous convictions, people for whom the norms of society did not apply, who saw this as an opportunity, in some cases, to rebel against the police and, in other cases, as an opportunity to acquire goods that they could not acquire legally.

Q712 Chair: You did say that you felt that the sentencing of the rioters had been disproportionate—or did you say this?

Tom Brake: I said that in the sentencing of some people who were involved with the riots—not necessarily directly with the riots but, for instance, the case of Mrs Nevin, the woman with two children who was sentenced to a five-month prison sentence, which was subsequently overturned—the sentence was disproportionate. The magistrates and others should have looked much more closely, for instance, at using restorative justice schemes for the lowest level of offenders to ensure that they made good the damage that they had done and were forced to sit down with the victims and hear from the victims the impact of their activities, of their actions.

Q713 Chair: Yes, but you also expressed concern, as I understand it, that two-thirds of those involved were people with special education needs. Were you surprised at that very high figure?

Tom Brake: I was surprised by that very high figure and I suppose it corroborates other information that the National Centre for Social Research has identified...
in terms of the number of young people involved who had been excluded from school.

Q714 Steve McCabe: Mr Brake, you know a fair amount about this kind of matters. Were you satisfied with the speed at which the police numbers were increased—the surge, I think we have come to call it—as it became evident there was a real problem?

Tom Brake: No, I was not satisfied with that but I think there is a valid explanation for it. All precedents suggested that this was perhaps a set-piece conflict or disturbance initially in Tottenham, and nothing historically had then suggested that it was going to escalate within London as it did, for instance, up to 22 boroughs. I think they were perhaps caught unawares in terms of the scale of what then subsequently happened. What I hope will be one of the main outcomes of this in terms of the reviews that are underway is that in future there will be much slicker procedures in place to ensure that that ramping-up is able to happen, not over a four-day timeframe but over a 24-hour period, or whatever it is realistic for the police to achieve.

Q715 Steve McCabe: Given your experience in these matters, what is the major obstacle to that slicker ramping-up?

Tom Brake: One of the major obstacles, as I understand it, may have been around the planning and training that had been undertaken previously. As I understand it, in the Met they had planned on the basis that there might be three or four simultaneous incidents and were therefore organised to cope with that. As I stated earlier, if there were 22 incidents happening in different boroughs, then clearly that presented a real issue. Separate to that, I hope that the level 2 training that is available for public order duties will also be addressed and that a very substantially greater number of officers will now be able to undertake that training. There may be some issues around bottlenecks, as I understand it, at Gravesend, where the training takes place, but if those can be resolved I hope we will see far more officers trained to level 2 and available to take part in future policing activities around this sort of incident if in future it takes place again.

Q716 Lorraine Fullbrook: Mr Brake, you say that you were not happy with this response but you say on your website, “I am pleased more robust measures appear to have returned order to our streets.”

Tom Brake: Initially—and certainly the media coverage led people to believe this—the impression that was given was that the police were perhaps not being as robust as people would have liked in terms of their response, but I accept totally that the reason for that was that they were outnumbered. In that sort of scenario it is very difficult for the police to go into a crowd, to disperse them in a robust manner if they are going to be very heavily outnumbered. So I think it was only when the ramping-up over the four-day period had happened—it wasn’t just at the end of the four-day period but as that was happening—the police had more resources available and therefore were able to more actively go into the crowd and arrest people or bring an end to the riots or disturbances that were taking place.

Q717 Mr Winnick: When you talk about a more robust attitude, can I just ask you your views on the use of rubber bullets and water cannon? Do you believe that in the circumstances of the August rioting the police should have used what I have just mentioned?

Tom Brake: Rather than my views, I think it is preferable to draw on the views of police officers who would have to deploy them and take responsibility for any subsequent injuries, or worse, that might occur as a result of their use. It is very clear from the senior officers that I have spoken to that there is no desire on their part for water cannon to be deployed or baton rounds to be used. Water cannon, because of their nature and size and the fact that they have to be protected in a riot situation, are very difficult to manoeuvre and at best the length of time they can be used in a fine spray mode is three minutes. After three minutes they are empty and then have to be returned to be filled. In relation to baton rounds, while clearly they have been deployed and used extensively in Northern Ireland, the scenario we were facing in London was very fast moving disturbances, people not staying in one position. The range of the baton rounds is 30 metres, beyond which there is a much greater risk of injury, and that is why the police did not feel, in a riot-type situation with fast-moving groups moving from one place to the next, that the deployment of baton rounds would have been appropriate, and I support them.

Q718 Mr Winnick: Would it not be the situation that—as in Northern Ireland, although that is a very different situation—the use of such water cannon or rubber bullets would escalate rather than help to resolve the situation where rioting and disturbances take place?

Tom Brake: I certainly think that is a factor that would need to be taken into account, for instance in relation to the use of baton rounds. If they had been deployed and they had been used and this had led to either serious injuries or deaths of rioters, the impact on the communities where those injuries or deaths had taken place would have been very hard to predict. That is why I think we need to be extremely cautious at any suggestions of their deployment.

Q719 Nicola Blackwood: Mr Brake, could I ask you a little bit about the tactics that were used by the police? There was obviously quite a lot of controversy at the time about some areas where it was felt the police did not act as robustly as they might have, where they perhaps acted in a containment manner, allowing rioting to be contained in a certain area but stopping the rioting from moving out, which made certain residents feel as though that area had been abandoned. Then in other places the police acted in quite a different way with a certain constable, I believe, leading a charge up the local high street to prevent the rioting at all. In your conversations with officers, do you feel that certain tactics have been
more effective? Would you feel that you would be recommending those tactics for future incidences? Tom Brake: Again, I will leave it to officers to recommend if there is a need to review tactics. Clearly, it is partly down to the resources that are available. In Sutton, in my high street, my borough commander, who is very close to retirement, said that he had no expectation that at this time in his career he would be leading a baton charge down Sutton High Street but that is exactly what he did. Partly because of the ratio of police that he had versus the numbers of rioters, they were able to very successfully, after a few charges, disperse that group, who then went on to commit some minor offences elsewhere, but broadly speaking Sutton, I am pleased to say, avoided any serious rioting. In other parts, such as Tottenham or Croydon, where the number of demonstrators involved was much larger, I think it was almost inevitable that the police would have to some extent restrict their engagement. I am aware that, for instance in Tottenham, very small numbers of officers went and apprehended rioters attacking an industrial estate, but I think that was perhaps quite a risky scenario for them, given how heavily outnumbered they were.

Q720 Mr Winnick: On the question of police being outnumbered, we had residents speak to us when we visited Croydon a fortnight ago. They were saying that when the police were rung, the police were not able to respond because of numbers. The question I want to ask you is simply do you accept that the Government’s policy in reducing the number of police officers, by somewhere in the region of 20% over a period of four or five years, is the right policy in view of what occurred in August?

Tom Brake: Just to pick up on the Croydon point first, I think particular difficulties did arise in Croydon as a result of the number of cases involving arson, where the police had to be deployed to support the fire service and therefore were not readily available to be deployed in areas where the rioting was taking place because of the risk to the fire service and also, presumably, to ensure that any people who were caught in the places that had been set fire to were safely brought away. In relation to the reduction of police numbers, clearly it is not the Government who are reducing police numbers, although very clearly how much money is allocated to police forces does determine to some extent the number of officers that are available. The decisions about how money is spent is down to senior officers, down to police authorities, but I accept clearly that the funding that comes from central Government is key to the decisions that they are taking. My preference would be that we were not reducing police budgets, but we are facing a large deficit and we are having to take those decisions. I am confident that some police forces have been very effective at maintaining the number of frontline officers. I do notice, however, that other police forces have been much less effective at maintaining the number of frontline officers.

Q721 Michael Ellis: Mr Brake, you have spoken about the tactics and possible use of baton rounds and water cannon, but what about the powers that the police have under the current legislation in dealing with public order and public disorder? Most police powers in respect of disorder come from the Public Order Act 1986, which itself stems in large part from the 1936 Public Order Act. Do you think there is a need to update any powers that the police have for public disorder, or do you think that they are largely sufficient as they are?

Tom Brake: My view is that they are largely sufficient as they are. For instance, I have spoken to officers about proposals, which came out shortly after the riots, that perhaps we should seek to introduce curfews, but they would be completely inappropriate and would be virtually impossible to enforce. Thinking through the consequences of a curfew in terms of how many people would you arrest and where they would be taken to, I think the implications of that are something that I am certainly not prepared to live with, and I suspect most members of this Committee would not be comfortable with. In relation to, for instance, powers to allow police to require people to uncover their faces if they are covered, again I believe, and I have been told by police, that the powers they have are perfectly adequate to cope with that and they are certainly not clashing for more laws. We already have quite extensive laws in relation to law and order. I think it is simply a case of making sure they are applied.

Q722 Michael Ellis: One of the interesting things to note is that section 1 of the Public Order Act 1986, which is the offence of riot itself, does not appear to have been charged very much. They have tended to use other offences like violent disorder and affray. Do you have any comment about that?

Tom Brake: No, I will leave that down to the magistrates. I am not sure why they have avoided that particular route but what I do know is that the statistics in terms of the number of people who have been caught and are going through the courts and have been charged are very dramatic.

Alun Michael: I am a bit surprised by Mr Brake’s suggestion that it would be down to the magistrates. Magistrates do not decide what charge is appropriate.

Chair: Thank you for that clarification.

Q723 Lorraine Fullbrook: Mr Brake, what do you think should be the role of politicians in response to the riots?

Tom Brake: The research suggests that the activities of politicians in recent years may have been a cause—and I am talking about MPs’ expenses—or at least is certainly something that has been raised by some of the people involved in the disturbances, so I think we have a responsibility to make sure that we do things by the book ourselves.

Q724 Chair: You think the expenses issue was an issue for the riots? Do you think this is why people rioted, because of MPs’ expenses?

Tom Brake: The research has confirmed that it was one of the points—I do not accept, necessarily, that this was a genuine cause of people’s dissatisfaction and involvement, but it has certainly been quoted as a factor.
Q725 Chair: Could you, for the record, tell us whose research this was?
Tom Brake: Again, I think it was the National Centre for Social Research.
Chair: Excellent.

Q726 Lorraine Fullbrook: Can I ask you what your view is, rather than the research? What do you think should be the politicians’ response to the riots?
Tom Brake: Politicians’ response should be to avoid any kneejerk responses, and I may have been guilty of one of those in terms of suggesting, for instance, that gangs were very heavily involved in organising the riots, whereas subsequently the evidence is clear that only 13% of gang members were involved. I think politicians need to take a deep breath, wait for the analysis to be conducted and then have a responsibility for coming forward with the solutions, which I am afraid are going to be extremely complex and are going to involve the points that were made at the very beginning of this exchange about educational underachievement, truancy and mentoring, and come forward with the complex solutions that are needed to sort this problem out.

Q727 Chair: To answer Mrs Fullbrook’s question, while the riot is in progress you think that politicians should not be seen?
Tom Brake: I think politicians need to be very wary of what they say in terms of the solutions that they are arguing for in relation to something that is underway.
Chair: Right, we are going to be very quick on this because we are very time-limited.

Q728 Mr Clappison: I hear what you say, but this Committee has taken some good evidence from constituency Members of Parliament who did a very good job in their constituencies in leading public opinion and reassuring people after the riots. It was MPs from across the political spectrum. That would be okay with you, I hope?
Tom Brake: Yes, I have no objection to politicians going out, meeting the community, hearing people’s concerns, making sure that they represent them. It is more the statements that are made.

Q729 Chair: They can do all this but they must not speak?
Tom Brake: No, what they need to be wary of is suggesting that the solution is water cannon, baton rounds or curfews, for instance.

Q730 Dr Huppert: Mr Brake, you will be aware that there was some discussion about the roles of social media in the riots. What issues do you think are raised by social media? To what extent have the police been able to use them for good purpose? As you will know, the Prime Minister and Home Secretary looked at the idea of trying to cut them off for a while. Do you have any thoughts on that?
Tom Brake: The social media was clearly used for organising some of the activities, some of the rioting, without any doubt whatsoever, but at the same time it was used as a very useful source of information for the police. I know, from talking to officers, that very often they were finding out about where the next action was going to be taking place because their children were receiving information about it on their BlackBerries. So their view is that social media is very helpful in terms of them being able to track where rioting is likely to occur, where it is likely to move to, and therefore they would not support the idea of shutting down social media. As I understand it, for instance when the telecommunications networks were shut down after 7/7, that did lead to very significant problems that got in the way of effectively policing and responding to that event.
Chair: Mr Brake, time is very short, but it has been very helpful to have you give evidence to us. Should you ever get bored being the Liberal Democrat spokesman, we will always welcome you back on to the Home Affairs Select Committee.
Tom Brake: Thank you.
Chair: If there is anything that you have missed out in respect of the evidence you have given today please write in to us, and I may write to you with a number of other questions that you may wish to answer. Thank you very much for coming.

Examination of Witnesses

Witnesses: Charles Perryman, Chair, South Yorkshire Police Authority, Temporary Assistant Chief Constable Bob Sanderson, South Yorkshire Police, and Ann Swain, Home Affairs Chairman, Federation of Small Businesses, gave evidence.

Q731 Chair: If I can start with the Federation with the first question, if I may, about the issue of police tactics. If you were giving the police marks out of 10 for the way in which they dealt with these riots, what would they be, Ms Swain?
Ann Swain: For speed of response, initially very low, because there were strong views from our members in London that the response was just slow in coming and that was one of the reasons why it spread so rapidly. Not only that, they were getting mixed messages, so there was no consistency, and that led to confusion on the street. I think it would be five out of 10 overall, but in some areas lower than that. There were some good examples.

Q732 Chair: Mr Perryman, marks out of 10? How were the police tactics? Obviously South Yorkshire was the best in the world, because you are the Chairman of the Authority, but South Yorkshire aside?
Charles Perryman: I think it has to be said that it varies across the country. We don’t come before this Committee to tell you why we think they didn’t happen but to offer a view of what we had done, but the tactics that we adopted in South Yorkshire were
Then there is insurance, of course, I would like to echo what South
Could you give us a rough estimate?
Are you making suggestions
£1 million? Where does that come
Ms Swain, do you now have from your
Yes. In others it has been patchy. One
No, we will be making an
Your members are protected because
They haven't been giving us the totals.
I want to go back to the
Are you confident it is going to be
Of course. We have had other police
ratepayers in South Yorkshire?
South Yorkshire there was absolutely no cost to the
certainly Sheffield where our greatest concern was,
given that the extent of disorders was largely in the
big cities. Therefore, the tactics that were adopted by
the force focused considerably on Sheffield and the
resources that they felt were needed in order to
manage that were dictated by the scale of what was
potentially anticipated in Sheffield. Obviously with
the social media spreading messages across the
county, and there were a lot of false messages going
around about what was happening, it was necessary to
have the resources deployed right across the county.
Ms Swain, do you now have from your
No we don’t, but I can try to get that for
if you like, and send that to you.
Could you give us a rough estimate?
People must have been ringing in with figures.
They haven’t been giving us the totals.
What we have been finding out is that it took some of
them five weeks to get up and running again. They
have not all had their insurance payouts, even after
this time, so they are now having cash-flow problems,
the VAT returns are required, the rates, and so on,
although some of them have had a one-month relief
on rates. It is a growing cost that is difficult to
estimate because it has had that major impact on their
business. It wasn’t just a one-off “we lost that stock”;
no, it is the impact of the time it took to open again and
then the ongoing effect on footfall quite often.
Your members are protected because
the Prime Minister made it very clear that if there
were any claims under the Riots (Damages) Act they
would be paid.
We are urging them to take advantage of
that, but some of them do not fully understand what
they can do.
Then there is insurance, of course,
which will cover some of it. As far as the police are
concerned, presumably as you had no disorders in
South Yorkshire there was absolutely no cost to the
ratepayers in South Yorkshire?
In respect of the sorts of damages
you are talking about, that is true. Obviously there
were costs of providing additional police on the streets
during that period.
Q745 Dr Huppert: Another question for the FSB. Alun Michael just asked about the warnings during the riots. How good is the relationship overall between police and local business owners? What could be done to improve that?

Ann Swain: I am glad you asked me that. Again, it is very mixed. It might happen locally, if the local commander or local inspector is keen on working with small business to reduce business crime. In the vast majority of forces it is not part of their strategic policing and so there is no overall policy in their policing plan about it. Business crime is only recorded as such in the minority of forces, therefore there is the general feel among small businesses that police are not interested in crime against businesses. I think this then spreads out to the local community and you have the extreme of the riots where people just thought, “Oh, this is an opportunity for free shopping, nobody is bothered about crime against business.” I think it is that sort of perception that is critical. We hope that this might be a trigger to get people saying, “Yes, we actually need to include policing business crime as part of our overall policy.”

Q746 Dr Huppert: Do you think this should be a requirement for all police forces?

Ann Swain: Yes, absolutely.

Q747 Dr Huppert: Is this something that South Yorkshire Police did when you began to see evidence of disorder?

ACC Sanderson: Again, the situation across the country is probably mixed. I think that some forces do engage very effectively with the chambers of commerce and with various small businesses to be able to develop plans and strategies. Of course, over the last 12 months in particular, across the whole country, small business has suffered more than most. We have seen significant rises in some elements of crime, particularly metal theft, which has become fairly prominent and, of course, small businesses and small industrial estates are probably the areas that have suffered more than most. I would echo the view that there are strong relationships in some areas but I think it is an area that probably is worth revisiting and will form part and parcel of discussions moving forward in terms of how police priorities are set by police authorities, with chief constables and ultimately with crime commissioners.

Q748 Nicola Blackwood: I know in my constituency of Oxford West and Abingdon, in Abingdon the neighbourhood policing team work with the local shopping area on a programme called Radio Link to have quick reporting directly to the police on shoplifting and other instances. It has really improved the working relationship between local business and the local police. I wonder if you have come across any other innovative examples of the ways in which local police can work with local business to improve that relationship and to shortcut ways to limit crime that affects business?

Ann Swain: There are a lot of good examples of that in town centres. Our concern is growing about the more rural industrial estates, where you have those converted farm buildings and so on. They have very little coverage. I am pleased to say that Sussex—and I have to declare an interest here; I was 12 years on Sussex Police Authority until I fulfilled my term—have just introduced, with the strong support of the FSB, Business Watch to cover those rural industrial estates, the edge of town industrial estates, all those areas, small shopping parades and so on. The take-up has been marvellous, and people are ringing in to say, “You haven’t contacted us yet. Can we join?” They are feeling that somebody is interested in the problems they have been having with crime.

Q749 Nicola Blackwood: Do you think it would be possible for you to write in with examples of positive working practices on police and business? That would be very helpful for us.

Ann Swain: Yes, I will do.

Q750 Mark Reckless: Assistant Chief Constable Sanderson, you are rightly proud that South Yorkshire Police did not see the significant disorder that we saw in many other parts of the country. Could you tell the Committee what it was that South Yorkshire Police did when you began to see evidence of disorder elsewhere?

ACC Sanderson: South Yorkshire Police had something of an advantage because things were happening elsewhere in the country and it enabled us to see those things developing. Immediately what South Yorkshire Police did is start that engagement and start sort out things like command structures, start putting multi-agency Gold groups into place in case we did start having disorder. We got our comms machine rolling. We had discussions with the police authority, and Charles in particular, about the possible impact. I have only been doing the role of Assistant Chief for a relatively small time. I have spent most of my service as a borough commander or a district commander policing Doncaster, and the relationships between commanders and key individuals within their communities is absolutely crucial. So the first thing that I was doing, and my officers were doing, is starting to put out messages of reassurance, factual information. I was contacting, for instance, the Mayor of Doncaster, the chief executive, having discussions about how things were developing, how locally we could help to support one another. In a nutshell, we were quick to put the right structures in place in terms of policing. We started that dialogue very quickly, and very much opened up that discussion between key individuals within communities, and also with local elected members, who are very much the voice of local communities, to try to ensure that they were reassured right from the outset.

Q751 Mark Reckless: Other forces appear to have put a lot of early reliance on a doctrine in ACPO’s Keeping the Peace manual. In contrast in South Yorkshire, were these decisions that you took yourselves at your own initiative that you have just described?

ACC Sanderson: Yes, very much so, because as things were developing the now temporary Deputy Chief Constable put together the Gold group. I think that is absolutely crucial. Whenever things are starting
to develop you need to make sure that you are clear about what the objectives are and what you are seeking to achieve and ensure that the police service is not operating in isolation. We have talked about businesses, we have talked about local community, we have talked about key individual networks within community, we have talked about police authority, we have talked about politicians. I think right from the outset it is absolutely crucial that those lines of dialogue are opened right from the very beginning so that we have clear messages, dispel myths—and I am sure at some stage we will talk a little bit more about social media—try to give accurate, consistent messages, and provide that reassurance that people need when they are seeing things unfold on TV and through the media.

**Q752 Lorraine Fullbrook:** As Mr Reckless has said, thankfully you remained disorder-free in South Yorkshire, but I would like to ask Assistant Chief Constable Sanderson were South Yorkshire Police aware of any activity on the social networks that allowed you to put things in place to stop any disorder happening?

**ACC Sanderson:** Yes, we were. We immediately, as I said before, set up the comms team to start looking at what was developing and we have a tweet deck in South Yorkshire, which is effectively monitoring everything that is coming through in terms of Twitter. There are many parts to it. Elements of it were largely about people just wanting accurate information. At the same time there were others who were concerned, who may not live in South Yorkshire, who were tweeting in relation to what was happening in South Yorkshire to provide reassurance to families. On the other side of it, there was the odd occasion when individuals were posting inappropriate messages on social networking sites that allowed us to intervene fairly quickly and point out what the consequences of those actions might be, wanting to meet in a particular location with maybe dishonest intent. The strategy around media was very much about getting clear, consistent messages out. We were monitoring Facebook and Twitter in particular, almost 24/7—with a small gap in the early hours—looking at what was developing and dispelling rumours. I could give a number of practical examples.

**Q753 Lorraine Fullbrook:** You were monitoring Twitter, Facebook, BB Messenger, for example. Were you using those media to get information out as well?

**ACC Sanderson:** Yes, absolutely. It was a key source of intelligence for us, both in terms of assessing the mood of communities and how they were feeling, but more importantly to provide that reassurance and the factual information, because during the course of the early part, for instance, unfortunately South Yorkshire Police had a shooting. Initially there were some messages going out that were declaring that that might be associated with police activity. It wasn’t. We immediately had to ensure that that was not the catalyst for disorder and put out factual information.

We had another message in relation to a high visible presence of policing on the Saturday in Doncaster, my own town. We had a lot of people tweeting and sending messages in wanting information about what was happening in Doncaster: are the police gearing up for some degree of rioting or disorder? Of course, we were able to reassure people because on that particular morning we had a high-profile match in the town centre, with lots of football fans coming through the train station, and we had a race meeting in Doncaster too. That was the reason for the high visible presence of policing. So we were able to use social media to say, “No, it’s nothing to do with anything that might be developing elsewhere in the country, nothing to do with disorder; it’s simply normal day-to-day policing. We have actually got these specific events that are taking place today, so don’t worry.”

**Lorraine Fullbrook:** Thank you. **Charles Perryman:** Can I add that there was also an element of countering misinformation that was put out there, for example, one message, “There is a riot going on at TJ Hughes”, when the Assistant Chief Constable can see TJ Hughes from his window and there was nothing happening. Those sorts of things—and there were a number of those—needed to be quashed very quickly to prevent that sort of information spreading through the community.

**Q754 Chair:** But there is a poll in The Guardian today that indicates that two-thirds of adults support the shutdown of social networks during periods of social unrest such as the riots. It seems that the public feel that this is something that ought to be done. Initially that was the view of some Ministers, and indeed the Deputy Commissioner of Police, who was the Acting Commissioner, “Let’s shut it down and stop the disorder.” Why do you think the public feel it should be shut down whereas the professionals feel that it should be allowed to continue?

**ACC Sanderson:** Probably because the public do not fully understand the way in which the police and others utilised the information, the intelligence, and the positive element. I think the focus initially was very much on the negative element of people using that information to prepare for disorder, arrange meeting points or whatever else it may well be. I have to say that maybe I was in that camp to start with, in terms of “black it out” and then we stop those messages and we frustrate the ability of individuals to get organised. I think as time has gone on and looking at the success we had with social media, I am now totally and utterly in the other camp. I will read the Committee a number of messages sent by real residents of South Yorkshire who were very much talking about how positive the use of social media was. One tweet read, “It’s like being tucked up by the police every night and reassured all day.” Another said, “Thank you for the updates last night. I had a great sleep because of you. Well done.” I could go on and on, because there were dozens and dozens of individuals who tweeted those positive messages back.

I feel that closing down would be a negative step. I can understand the public and two-thirds of the public probably saying it would be beneficial to close down, but my view—objectively looking at both sides—is that it would not help.
Q755 Chair: But during these fast-moving events there may be circumstances where perhaps the network might need to be suspended, maybe not blacked out permanently but there may need to be a suspension so that the various authorities can regroup themselves. You have not ruled that out, have you?

ACC Sanderson: Not at all. I think it largely depends on how things are unfolding, the severity, and trying to achieve a balance between clear message and reassurance against the misuse of the site to inflame or make things even worse than they currently are. No, I would not rule that out at all. I think it is a balance.

Q756 Mr Clappison: You mentioned earlier the loan of officers to other forces. How do you approach taking decisions on that when you have to have enough officers to deal with any disorder that might happen? Are there any lessons to be learnt from that?

ACC Sanderson: Can I pass that one to Charles? He was actively involved in that.

Charles Perryman: When ACC Holt rang me earlier and said we had been preparing our own response plan but we had been asked if we could support the Metropolitan Police at that time, my first question was, “Can you reassure me that you have enough resources within South Yorkshire to contain any potential threat?” That is a dynamic problem for the force to be able to manage because we didn’t know how it might escalate, but that was the first consideration. If we can be assured of that, then we are prepared to help other people because the situation might occur where we need help. We only have to go back a few months and South Yorkshire was policing the Lib Dem conference and we had police from all over the country helping us to do that. It is a question of mutual balance. That was the first consideration, we must be able to protect South Yorkshire first. I think then the tactics that were adopted—

Q757 Mr Clappison: Do you feel the right mechanisms were in place for doing that and you got the decisions about right?

Charles Perryman: Well, we did not have disorder. It is really difficult to say. Whether we could have managed with fewer resources on the ground, I don’t know. This is a matter for the professionals, for the Chief Constable and his team. If he can give that reassurance to the authority that he has adequately protected our community, which is his first responsibility, we will help other people.

Q758 Chair: One of the issues that has come up is the difference between different areas of the country, the way in which the Met dealt with it, the way in which South Yorkshire dealt with the riots. These are obviously unprecedented times; you have not seen riots on this scale before. As a police officer, how is it that South Yorkshire, Merseyside and Nottingham seem to have got it right but other parts of the country were not able to put the police officers on the streets on the day that this happened? Why did it take so long elsewhere?

ACC Sanderson: Difficult to answer. As part and parcel of our initial approach, one of the first things that South Yorkshire did is very much that. We made sure that all our neighbourhood policing teams were deployed immediately into communities; we used our PCSOs very proactively too. I can’t really comment on why others may have had more difficulty with that, because I police the streets of South Yorkshire. What I would say is that we did react very quickly with reassurance and effective deployment, particularly to certain areas. Sheffield is a little bit different to some of the other areas, because I think some of the major cities have a slightly different make-up in terms of the communities that circle the city centre. Sheffield has a fairly well-contained city centre, but for shopping most people would probably get on a tram and go to Meadowhall, for example. So in terms of deployment of our officers, it was very much about the towns and city centres, the main communities, but also ensuring that the main business areas, such as Meadowhall shopping centre, had a fair level of policing resource to provide that reassurance and visibility.

We didn’t have any major difficulties in the first 24 hours in terms of deploying our own officers on the streets of South Yorkshire and I suppose that is partly because of the difference; we used to deploy police force somewhere else in the country is a fairly complex equation to try to overcome in terms of mobilising police support units in particular, with all the kit and all the vehicles and everything else they would need to be able to deploy elsewhere.

Q759 Chair: Ms Swain, we have also had examples of local businesses expressing surprise and shock at the fact that police officers stood by while property was being destroyed. They could not understand why this was happening; they would ring the police. When we went to Croydon, Mr Reeves, outside the Reeves furniture store, told us that people were just standing by while this carried on. What do your members feel about this?

Ann Swain: This is one of the areas that is making them very upset because they could see them standing by while their business was being vandalised, they were losing stock, everything. There needs to be better communication on an ongoing basis, because all they can see is that it is their business being attacked. They do not understand the issues, that two or three police officers against a large number of rioters are not going to be that effective and in fact you could have injury to police officers, which no one wants to see. Also I think that if the people involved in the riots and the thefts had felt, “Oh, we’ve beaten the police, we won there,” that would make the whole thing worse because the message would go out very quickly, “We can win in this situation.”

Q760 Chair: We have had examples of businesses that been established for centuries, in some cases, ceasing to exist. Do you have evidence that people have given up or are the vast majority willing to claim their insurance and get going and carry on?

Ann Swain: They are trying to carry on but, as I mentioned before, at the moment some of them are experiencing real cash-flow problems and it would not take much for them to say, “Right, that’s it”. One other major crime incident on their shop or business and
they might think, “We’re not bothering here. We’ll stop.” I think there needs to be this ongoing communication, this feeling that policing of business crime is important to people, and that politicians, local and national, recognise that business crime is a factor that should be recorded, reported and reduced.

Chair: Indeed. If there is anything that we have missed out today or there is anything else relevant that any of you would like to say, please write to us with that information. We are very keen to know the total cost to small businesses.

Ann Swain: I have made a note of that.

Q761 Chair: We are also very keen to know, Mr Sanderson, what happens to your application for the £1 million that you seek to get from the Government, which seems like a rather large amount of money for a police force that is saying it dealt with these disorders and there were not many disorders in your area. £1 million does sound like a lot.

Charles Perryman: A large proportion of that is what we spent in sending people to other forces.

ACC Sanderson: Three-quarters of that is the payment for officers that were not working in South Yorkshire, that were loaned to the Met and so on. So that is not the cost of policing the streets of South Yorkshire.

Chair: Thank you very much, Ms Swain, Mr Perryman, and Mr Sanderson. Thank you very much for coming in.
Tuesday 22 November 2011

Members present:
Keith Vaz (Chair)
Nicola Blackwood
Michael Ellis
Lorraine Fullbrook
Dr Julian Huppert
Steve McCabe
Alun Michael
Mark Reckless
Mr David Winnick

Examination of Witnesses

Witnesses: Rob Berkeley, Director, Runnymede Trust, and Yohanes Scarlett gave evidence.

Q762 Chair: Order. The Committee has a number of inquiries that it is progressing today. The first is our ongoing inquiry into policing large-scale disorder. I welcome Mr Berkeley and Mr Scarlett; thank you very much for coming to give evidence. I do not know whether you have been following our proceedings, but the Committee has heard evidence from a number of individuals and organisations concerning the disorders that occurred. I know that Runnymede is conducting its own round-table discussions, which are very helpful, and we would very much like to know about your deliberations when they are concluded. Perhaps I could start with this question, Mr Berkeley: what do you think the causes of the disorders were?

Rob Berkeley: You will appreciate that there was a whole range of different events that happened around the same time, but I think they had different causes in different places. We can look at the events in Tottenham on the Saturday night as a classic race riot, followed by a set of different events; I think we recognise that it went much closer to the edge than people may have thought in advance of that. It is very hard to suggest that what happened in Gloucester and Chatham is the same thing that happened in Tottenham.

Q763 Chair: So are there individual causes for individual cities and towns?

Rob Berkeley: There are individual causes, but there are themes that you can draw, and I think those themes are about a high level of insecurity and a loss of trust in policing, as well as opportunism—and criminal opportunism.

Q764 Chair: Mr Scarlett, I know that you have appeared on “Newsnight”, where you put your views forward as to what you thought the causes of these riots were. I am not sure whether you were out on the night, or whether you got anecdotal evidence as to what happened; did you see opportunistic criminality, or do you think that was one of the reasons why people behaved in the way they did?

Yohanes Scarlett: I definitely did see that across the country. I think the debate so far on the causes of the riots has been superficial, as far as its all being opportunism or criminality is concerned. I think that was a big part of it, and a major part of it spreading. A lot of people saw it as an opportunity to go out and advance whatever causes they had—some criminal, maybe some not. I concur with Rob when he says that the Tottenham riots were something different. They were something that started differently. I was in Tottenham just the other day, speaking to quite a few people, and they are still angry up to now, and most of their frustration and anger is being directed at the police at this point.

Q765 Steve McCabe: Mr Berkeley, what is the purpose of the round-table events that you are holding in various parts of the country?

Rob Berkeley: I think you will appreciate that in the days and weeks after the riots, people came forward with theories that they had had before the riots, and very few people have changed their mind. As a research organisation, we are very keen to make sure that the comments that we make are based on evidence. Going across five locations around the country, we are engaging young people from schools and local experts, and we are trying to reach community hubs; we are actually working in hairdressers’ and nail shops to speak to people about their experience of the riots. We are trying to reach beyond the usual suspects.

Q766 Steve McCabe: So it is an evidence-gathering process to inform understanding. Given that, what was the rationale for publishing your report, “Urban Disorder and Gangs”, before you took your evidence?

Rob Berkeley: The report on urban disorder was about working, as we do, with a range of academics to try to raise an alternative view. We saw that this issue around gangs was becoming very one-sided. There was a suggestion that these gangs were real and were very much involved in the riots, and we just wanted to raise an alternative point of view, which is much more about why gangs might not be the cause of the riots. Also, on the kind of solutions being suggested, it might be worth thinking more broadly than just about gang suppression in the Bill Bratton model.

Steve McCabe: Thank you very much.

Q767 Lorraine Fullbrook: Following on from Mr McCabe, how and why did you decide on these five locations—Birmingham, Croydon, Lewisham, Coventry and Bradford?

Rob Berkeley: We wanted to choose an area where there were not major riots, so that is the reason for Bradford. We are working in the west midlands, in part because of our funders, who are very interested in the west midlands, and in Croydon and Lewisham because we have some contacts there and knew that we could do this, and do it at the right kind of pace.
Q768 Lorraine Fullbrook: Of those five, the only one that I can see where there were not any substantial riots was Bradford, as you say. Why are you not going anywhere else? Your other four had riots, so why are you not going anywhere else to be able to compare?

Rob Berkeley: I would love to be able to do more, but this is obviously constrained by resources.

Q769 Lorraine Fullbrook: Really, you are only going to be able to find things out in the places where the riots took place.

Rob Berkeley: We are going to four places where riots took place and one where they did not.

Q770 Lorraine Fullbrook: Do you think that that is comparable?

Rob Berkeley: I am not sure that this is going to be the final word. It is a contribution among some of the other contributions. I suppose that we are keen to try to find areas where there might be some different patterns. The interesting comparison between Lewisham and Croydon is that they are pretty similar areas, in terms of their population, but people whom I spoke to there thought there were some different dynamics. There are some interesting comparisons, I think, to be raised there.

Q771 Lorraine Fullbrook: Is it a race issue that you are trying to pull out of this?

Rob Berkeley: We are working on this to ask questions about race. We do not want to presuppose that we have covered a major part in the riots, but we are concerned with the dismissal of race in some of the dialogue so far. We are really asking people what role they think race played in these riots.

Lorraine Fullbrook: Thank you.

Q772 Chair: Mr Scarlett, you heard what Lorraine Fullbrook said about the race issue; do you think that this is an issue in these riots?

Yohanes Scarlett: I don’t think that it is the complete or the major issue, but I would not dismiss it so quickly and say that it has nothing to do with it. It is quite a plausible possibility that race did play a part, and any research into that would be a good idea, so that we get a full understanding. I don’t understand the rationale of trying to dismiss something before you have even looked into understanding it. That would be a smart idea.

Q773 Chair: All the witnesses who have appeared before this Committee have been quite clear that race did not play a part. Mr Berkeley?

Rob Berkeley: I can see the temptation and the reason why you would wish to deny the role of race. There is a way in which calling it a race riot drives tensions and drives different kinds of solutions. Just because not all of the rioters were black, it does not suggest that there is not a dynamic here about racial inequality. At this point in our investigations, when we have asked people about the role of race, they are saying, “Actually, there are lots of young people from black and minority ethnic communities who do feel excluded, and who do feel as if policing in particular is driving a level of victimisation.”

Chair: One very quick supplementary question, and then we must move on.

Q774 Steve McCabe: I just want to go back to Mr Scarlett’s point. You said you thought that the idea would merit investigation, and that it may not be the explanation, but it could be part of it. Obviously, there are some suggestions in Birmingham, following the death of the young men there, that there was not only a racial component, but an inter-racial component. Do you think that we need to investigate in those areas as well?

Yohanes Scarlett: I think that it needs to be investigated broadly—every area: not just the racism of race against another, racism within races, or the racism by ethnic minorities against other ethnic minorities. If racism is being investigated, all forms of racism should be investigated. There is no point in separating it out. That is not proper investigation.

Q775 Mr Winnick: Recognising that the overwhelming majority of working-class youths in no way participated, would it not be correct to say, looking at those involved, that there was no evidence that young people from very privileged and rich backgrounds took part in any way?

Rob Berkeley: I am sure that some people from very privileged backgrounds took part.

Q776 Mr Winnick: In other words, was it more class than race?

Rob Berkeley: I think that class played a huge part, but I do want at least to reserve the space to think about racial inequality and racism in this pattern as well. If you were to solve the problems of class inequality, you would still have race inequality left to deal with. In the areas that we are looking at, we know that a disproportionate number of black and minority ethnic people have been arrested and convicted in comparison to their proportion in the area, so there is an over-representation of black people.

Q777 Mr Winnick: Mr Berkeley, this bears somewhat on previous questions, but how do you see the difference, if any, between the riots that took place in the early 1980s, with which we are obviously familiar from personal experience—well, some of us, if not Mr Scarlett—and what occurred in August? Do you see a great difference?

Rob Berkeley: I see a number of similarities. We are looking at similar patterns of inequality, in education and employment, and policing. We are looking at the spark for the riots being around a mistrust of the police. I think what was new was the way in which communication played a role to spread these riots much further and much more quickly, and the size of the number of people from a broader range of backgrounds who felt justified in taking to the streets.

Q778 Mr Winnick: On your website you drew comparisons that showed that in fact there was not all that much difference. If anything, in some respects, looking at what you wrote on your website, the situation is worse as regards the gap between black and white youths and the number of stop and searches...
that take place. Instead of any decrease, your website indicates that there has been an increase in such matters.

**Rob Berkeley**: Yes, and I think racial inequality is still as big a problem now as it was in the early ‘80s. We are still looking at a 20% gap in terms of educational achievement, and we are still looking at stop and search being seven times more likely if you are black than if you are white. These are similar patterns to those in the early ‘80s.

**Q779 Mr Winnick**: I put this question to you: in the early ‘90s there was a general feeling that the riots that took place were in fact a way of demonstrating against deprivation and poverty. In the August ones, there was far more emphasis on the way in which the lawbreakers, who caused tremendous damage and fear among law-abiding people, were only too keen to get into shops—not bookshops, of course—to steal items that they clearly could not afford. Do you see that distinction?

**Rob Berkeley**: I do see that distinction, but I think that there is something that happens in riots that is not a demonstration any more. The significant difference might be how many people were prepared to use this as an opportunity to engage in criminal behaviour, and how many people felt—we are picking this up from some of the round tables that we have already done—that it is about “them and us”. They feel as though the wealthy are in opposition to them, and therefore it is justifiable to take revenge, or take action.

**Q780 Dr Huppert**: Mr Scarlett, you have spoken quite a bit about the relationship that young people had with some of this. Both within the riots themselves and—perhaps more interestingly—more broadly, how do you think the police could improve their relations with young people?

**Yohanes Scarlett**: It is a very difficult and complex idea. We were just talking about the 1980s riots, and a lot of children and young people nowadays are being brought up by people who were very angry with the police during the 1980s, and that has carried over. I know young people for whom it is inherent, almost from birth, not to like the police. It is very difficult. Mr Berkeley brought up stop and search; I think it was overused, especially during my teen years. I am 21 now, but when I was 15, I remember I was stopped and searched three times within an hour on the same road, just going down it. It gets overused and there is a lot of anger. More respect when police are stopping people is a big point. If you have to stop me—and I understand that sometimes you will—there is a way in which police officers could do it.

I think the main thing is that people have to see that police are being held accountable when things go wrong. Recently, we had the Enfield crime squad; many of the people involved in smashing up the stolen car while the passenger was still in it walked away with their jobs, and a lot of people see that. There have been over 300 deaths since 1998 in custody, and not many police officers really get charged. If police are seen to be accountable, and they are not always seen to be walking around, throwing around their weight, of course that will start improving relations.

**Q781 Dr Huppert**: I used to be a councillor, and in the part of Cambridge that I represented, we had various issues with antisocial behaviour. One of the things that the police started doing—there was a particular community beat manager, Nick Percival—was going into the primary schools, getting to know all the pupils, and getting on first name terms with them. They knew him as Nick. Do you think that could work more widely?

**Yohanes Scarlett**: Yes, definitely. I think police officers could visit more frequently. When I went to primary school, I had teachers and police officers come and do that, and then again at high school, but I came from an area where there was already tension towards the police, so when they did come in, there was already a confrontational atmosphere—even with a bunch of primary school children, and then in high school. It should be done more widely; it can be. If you get more people involved—community leaders, youth workers—and show that we are all working together with the police, and that they are not against us, I guess young people will start looking up to them more. I think respect goes to where it comes from; that is what my mum always taught me. If police officers are more respectful to the young people, young people will generally tend to be more respectful to police officers. Not all, because there are some young people who have been bad and will continue to be bad anyway, but I think if you are a professional police officer, then you are okay.

**Q782 Alun Michael**: To some extent, you have touched on part of the question I wanted to ask in talking about the relationship totally outside these sorts of events. You have both indicated that there were a lot of different causes, and you have also indicated that, for a variety of reasons, some people felt that it was a situation where anything goes, and they could do things that suited them. What can we do to reduce the likelihood of that sort of feeling arising when events happen in the future? Events will happen from time to time. What can we do to prevent that sort of freedom to steal stuff, if you like?

**Rob Berkeley**: I guess that the first thing is to look at the causes of what happened in Tottenham—police, and communication with families. That came up in the Macpherson Inquiry, and it will come up again this time. The way in which that initial event was policed, as I think you will be aware, needs to be rethought. More broadly, I would probably think about it in terms of how precarious some people’s lives are, in terms of opportunities for careers and for a successful family life, which means that their
understanding of the risks they are taking is very different. Levels of social mobility, access to employment, and access to services to support people—particularly young people, in terms of youth services—are crucial.

Q783 Alun Michael: I understand that in terms of teenagers, because often teenagers do not have a sense of risk, but there were an awful lot of older people who got involved in this. There were an awful lot of people who were actually in work who got drawn into this.

Rob Berkeley: But I wonder how secure those people feel. If that work is very precarious, and they do not feel as if they have a career—it is a job and it is relatively temporary—what sense of investment do they have in their communities? Also, that feeling about the system being against them becomes quite powerful.

Q784 Alun Michael: Finally, identifying the problem is one thing: have you got constructive suggestions about what can be done to tackle what you see as the problem?

Rob Berkeley: I mentioned notions around social mobility, and some of the work that could be done there, but also what strikes me is quite how inarticulate the anger is. I wonder whether political education—political mobilisation—might be one of the routes, particularly for younger people, in trying to explain and understand the situation that they are in, and to understand the routes to effective change.

Q785 Alun Michael: Do you think the work of organisations like London Citizens helps towards that?

Rob Berkeley: I think it does. There are a number of really strong third-sector organisations that are doing really interesting work, but it seems to be very atomised and, again, precarious.

Q786 Michael Ellis: Have you seen some of the arrest figures released by the Home Office—the figures on the people who have been arrested and prosecuted? Have those figures surprised you at all? We have had evidence, including, I seem to recall, from a Member of Parliament who went to the scene of a riot in his constituency and actually saw people getting out of expensive cars with iPhones, running round the corner, coming back with goods and loading up their cars. That was from a Member of Parliament on this Committee. Have some of those facts and figures been looked at by yourselves? Do they surprise you?

Yohanies Scarlett: I have looked at some of the figures released by the Home Office, and I am not really that surprised. At the beginning of the riots, some people were saying that poverty was a driver, and to some extent I think it was. Then again, there were some people, as you say, with iPhones, nice cars and tracksuits trying to get what they could get. It is a matter of greed, really.

Q787 Michael Ellis: So you do agree that there was opportunism in this?

Yohanies Scarlett: I never said that I didn’t. There most certainly was opportunism. I have heard stories about people driving their car from one side of London to the other side of London, loading it up and driving back, and all kinds of things, because they saw it as an opportunity. Opportunism played a massive role in this. One of the statistics that did not surprise me, although it is significant, is that many of the people arrested had previous convictions. Some of the people had iPhones and nice cars, but they may not have got the money for these things directly from a legitimate, paying job. Career criminals may have been involved in some cases.

Q788 Michael Ellis: On a slightly different subject, issues have been raised about the social media, and I would like to ask you both about the positive and negative issues. We have heard evidence about the use of Facebook, Twitter and the like during the disorder, and we have also heard from the police that they used social media with a view to trying to defuse situations, so there are both positive and negative aspects. What issues do you feel are raised by social media?

Yohanies Scarlett: As Mr Berkeley said earlier on the way these riots happened in comparison with those in the ’80s, it allowed more communication. I have a BlackBerry myself and, like a lot of mobile phones you can communicate on, it is very easy to get messages around and to mobilise a lot of people. The interesting thing is that some of these kids were able to mobilise a bunch of people around a cause to loot and steal, but they could have used the same skills to mobilise events ranging or organisation. They could have used it for very positive things as well. I do not think it is a big issue, but it is an issue that needs to be tackled and looked into when people use it in the wrong way.

Q789 Michael Ellis: Do you think that in a major emergency situation, assuming the authorities were capable of doing so, they ought to turn off social media such as Twitter and Facebook?

Yohanies Scarlett: I have some difficulties agreeing with that. I could understand the reason for it, but it is the same sort of thing that would happen in China, Libya or Egypt. If we are going to start doing that, and we have already condemned those countries for doing it, we will start on a slippery slope.

Q790 Michael Ellis: Mr Berkeley, do you have anything to add?

Rob Berkeley: I concur. There are lots of possibilities for these communication tools. What surprised me was how much better people were at communicating than the police. There are some real challenges about how the police use and catch up with the use of smartphones and other media.

Chair: Thank you. A final quick supplementary from Nicola Blackwood.

Q791 Nicola Blackwood: Mr Berkeley, you mentioned the inarticulate anger directed against the wealthy and its widespread nature, and you wondered whether directing that anger towards political
expression might be helpful. One of the problems this Committee has is that we have heard from a number of victims. The victims we have heard from come from very similar backgrounds to a lot of the people who rioted. These are not wealthy plutocrats, bankers or politicians; they are small business people, families who were burned out of their homes, and people who are now living, terrified, on the high street in Tottenham. It is difficult to understand how the people who rioted in their communities felt that those victims were suitable targets. I think that a lot of people in this country are trying to understand how the anger that you are talking about was properly directed, or why it was directed in that way.

**Rob Berkeley:** I do not think riots are directed, and I do not think riots are demonstrations—they are very different phenomena. It very rarely makes sense to riot, and it is quickly out of control, so I very much feel for the victims. I do not condone what people chose to do, but what is clear is that there were enough people who did not have a sense that they had invested enough in that community to want to protect it, and there were enough people who felt that the risks were worth taking. That, for me, is a major worry.

**Q792 Chair:** Mr Scarlett?

**Yohanaes Scarlett:** I agree with a lot of what Mr Berkeley said, but I also think that when you have a lot of people who are angry and, as he said, not politically educated—they do not know how to protest effectively and demonstrate properly—they are going to do some crazy things. I know some people who have been burned out of their house. I know one shop owner who lost their shop, and you can only feel sympathy for them. At the same time, it is going to be difficult to understand why someone thought burning down someone else’s house was a good way to vent their anger, but it is worth trying to educate them politically, saying, “If you have a problem, there is a way to deal with it—a proper way that democracy allows.” That would be a good way to educate and stop these things from ever happening again.

**Q793 Nicola Blackwood:** Do you not think that in addition to political activism, which is important, having a sense of needing to protect your community, and it being something that you have a stake in, is also something that apparently was missing in these rioters’ lives?

**Yohanaes Scarlett:** I think that is definitely true, but a lot of them do not feel part of their society. A lot of people who I know do not leave their estate, period, apart from going to school, or maybe a youth club. All that they really live in is their little box in their estate with their friends, so when they go out, they do not look at it as being their community. They just see it as something outside their area, so it is very difficult.

**Chair:** Mr Berkeley, Mr Scarlett, thank you very much for coming in to give evidence to us today. We are very keen, as a Committee, to know about the deliberations of the round-table discussions. When you have completed your report, we would be most grateful to receive a copy, so that we can add that to our own deliberations. We now switch inquiries; we will be looking at the roots of violent radicalism with members of the National Offender Management Service.
Tuesday 29 November 2011

Members present:
Keith Vaz (Chair)
Michael Ellis
Dr Julian Huppert
Alun Michael
Mark Reckless
Mr David Winnick

Examination of Witness

Witnesses: Sir Denis O’Connor, Her Majesty’s Chief Inspector of Constabulary, gave evidence.

Q794 Chair: Sir Denis, my apologies for changing times around. It is all the fault of the Chancellor because the times of the House have changed so Members are in and out because Questions have started early. I am most grateful to you for coming earlier.

May I start by asking you a resources question? You are busy doing your normal duties as Her Majesty’s Inspector. You have lost Mr Bernard Hogan-Howe, who has now become the Commissioner, who was your deputy. Every time something goes wrong the Home Secretary calls for Sir Denis to do a report or an inquiry. How are you coping with all these inquiries that you have to conduct, apart from your job as the Inspector of Constabulary?

Sir Denis O’Connor: Chairman, I am trying to stay light on my feet, as you are.

Q795 Chair: Excellent. As far as the causes of the public disorders are concerned, of course, you have the Darra Singh report. We are hearing from him, Heather Rabbatts and Louise Casey shortly. We will produce our report before Christmas, so there is not a lack of reports coming out on this issue. What was the cause of these public disorders? If you had to pinpoint three or four key issues, what would they be?

Sir Denis O’Connor: Chairman, that really wasn’t our bag. Our bag was to find what could be done about the police response. What I would say is that, looking at what happened, it did differ in different areas, and the motivation that led to displays of anger in some areas, avarice in others and antagonism between communities, has not been fully explained yet. I look forward to part 2 of Darra Singh’s efforts to get underneath all of that.

Q796 Chair: You are a very experienced police officer. You have seen these riots before. You must have some kind of view as to causes?

Sir Denis O’Connor: If you go back to the 1960s—the President’s Commission, Scarland, all of that—there is usually something going on that people are kind of aware of but does not crystallise itself. There is a trigger incident—quite often it can involve the police—and the question then becomes: is the issue dealt with rapidly, successfully or not? That is the pattern. You go back over riots over very, very many years. All of those things were present here. What I think it does, though, is draw our attention to the police intelligence to respond well, the way they are organised and their manoeuvrability in order to deal with these things well.

What happened in relation to Tottenham and London was that for those who wanted to take the opportunity, whatever their motivation, they demonstrated an ability to succeed repeatedly over three days, basically, and that is clear. Our work is to get underneath that and ask what were the factors, in policing terms, that got us there because you will know, Chairman, we have been over some of this ground before, and so have you.

Chair: Indeed, and we will come to some of those questions, starting with Mr Mark Reckless.

Q797 Mark Reckless: Sir Denis, in your report of February this year, on policing public order, you posed a question, “Is the present command communication model sufficiently responsive in fast-moving and complex situations, and could a more devolved command allow officers to act with greater speed?”

Are you any nearer to answering that question after the August disturbances?

Sir Denis O’Connor: Yes, I think we are nearer to answering it because we have identified a number of factors, which range from the local situational awareness, intelligence, but in a very broad sense, not in a narrow policing sense, all the way through to the tactics and confidence that those commanders have to act and the ability of the police service to support them, not just in mobilisation tasks but in preparing them in advance. In essence, the key issue has been that they are trained, by and large, to stand, hold and protect. A great deal of training is around set piece events.

What we have seen, and you have seen over the last year or so, is the ability of people to use social media and other mechanisms to organise themselves and outmanoeuvre. All of that points me towards devolved command in order to make an immediate assessment, and the need to have done enough in advance so that you have more than one game to play in order to protect the public. Our analysis suggests that police training at the minute is insufficient for that. People do not get an opportunity to look at a number of scenarios. When people don’t retreat from a junction and happily go away from you—when they scatter and reappear somewhere else—devolved command is a way forward but you need to prep for that in a way we haven’t before.

Q798 Mark Reckless: As well as the more devolved command, is there also an issue, at the higher level of command, that rather than summing up the situation for themselves and considering in a common-sense
way how best to respond to those specific circumstances, at least initially senior commanders would instead refer to the ACPO manual on keeping the peace and look for guidance as to how they should act?

Sir Denis O'Connor: I think—if I can use the phrase—when you are in the heat of battle, it is rather late in the day to turn to the manual. If you are not prepared, trained and ready to go you are almost pretty certainly doomed to where the Chairman started this. Things are going to escalate and get out of hand. It is too late for reading at this point. You have to have prepared yourself for enough possible eventualities so that you can customise what you have done, what you have learned, the kit you have to protect the public. However, I do think the guidance does focus a great deal on dissent and protest, which has been the pattern over the last few years. We have had a long period of calm, relatively speaking, in disorder terms. It is time to rethink the tactics and the training and the approach to intelligence. That is what comes out of this and that is what we have done and we are pretty close to completing that now.

Q799 Mr Winnick: Denis, first of all, apologies, I am going to Question Time and I hope you don’t consider, having asked you one or two questions, that I am being discourteous but it is one of the few occasions when the Committee clashes with what is happening in the Chamber, for the reasons that the Chair explained.

Let me get to the question straight away. When we were in Croydon talking to some of the victims of what occurred in August, the point was made repeatedly that while they recognised—I think that means most of them did recognise—the tremendous pressure on the police, when they were trying to contact the police they had little success. Indeed, Malcolm Wicks, in his speech in the debate in the House of Commons in August, made the point that some of his constituents had told him that when they rang they were told there was nothing the police could do at that particular moment. Are lessons being learned or is it accepted that that will be inevitable in a sort of repeat situation, which hopefully will not occur, like what occurred in August?

Sir Denis O'Connor: I don’t think this Committee or the public would be happy with a counsel to surrender to the inevitable. We aspire to a bit more than that, Mr Winnick, we have to think, “Are we using those officers that we have well, and have we accorded the right level of priority to what many would think is probably the first duty of the state—civic order?” and I think the answer lies in those second two issues. We will never have enough police officers; best we use the ones we have really well and best we give them a clear view about the priority that we attach to this in our civic life. Let us be absolutely honest: public order, because we have gone through a relatively quiet period—setting aside the protest issue—has not been to the fore. Part of our recommendation in this is that it very much should be to the fore and there is an opportunity in what the Government are doing, and the strategic policing requirement, to put it to the fore. After all, we do that in relation to counter-terrorism and organised crime.

Q800 Mr Winnick: Sir Denis, I don’t know how far you are in a position to give a view on this, because it does touch on national policy, but I will put the question and you decide how you answer it. Do you think there should be some caution, at least, about any substantial reduction in the police force, as a result of the disturbances and the possibility that the rule of law could be challenged in certain areas in the way in which undoubtedly it was five months ago?

Sir Denis O'Connor: We have probably all got to recognise a new fiscal reality, which does affect police numbers. In essence, we currently forecast a 16,000 reduction. That would leave around 127,000. Even if it was a bit more than that, Mr Winnick, we have to think, “Are we using those officers that we have well, and have we in those circumstances, at least initially, senior commanders to rethink the tactics and the training and the approach to intelligence. That is what comes out of this and that is what we have done and we are pretty close to completing that now.

Q801 Alun Michael: There is a tension, though, isn’t there, because I am well aware that in your career, Sir Denis, you played a significant part in what Robert Peel described as the first responsibility of the police—to prevent crime and to prevent disorder. You have suggested changes in tactics, guidance and training as a result of what we have seen this year. That will cost money, won’t it?

Sir Denis O'Connor: It will.

Alun Michael: It will cost people being off the street in order to undertake the training and things like that. Have you made an estimate of what those costs are likely to be and how they should be met?

Sir Denis O'Connor: In essence, we have not although we have some appreciation of what they might be. At the moment, just to give you a view of it, for those at level 2, which means basically to be able to turn up, advance and be able to stand, hold and protect, we normally attach about two days’ training to that a year. That does not produce the kind of flexibility that Mr Reckless was taking us towards earlier on. The kind of thinking, the manoeuvrability—

Q802 Alun Michael: Presumably, that will also involve more training for the sergeants and the inspectors who will be managing them?

Sir Denis O'Connor: As we sit here, the only force, ironically, that have that training, for inspectors who lead this, are the Met. There is no national product for the inspectors who need it elsewhere. This has not being to the fore. I am not going to beat about the bush here. I do think two things. First, we will make some recommendations. If the Government and the
police service adopt them we will then be in a position to cost what part of the menu they select. I think we should put more into this because of the results that we pick up in our public confidence sampling, particularly for people who were left, for example, for two hours in Clapham Junction where the state didn’t exist for them. I think we do have to put this on a different footing and I think we should calculate it.

**Chair:** Thank you. Apologies for Mr Michael; he has to go to Foreign Office Questions. They will all return in due course.

**Sir Denis O’Connor:** Understood. Chairman, I am not taking this personally at all.

**Chair:** I am still here, Sir Denis, and so is Dr Huppert, of course.

**Q803 Dr Huppert:** Sir Denis, the first of your aims and objectives, talking about looking at assembly and critical mass, what have you done so far in terms of developing that critical mass and what conclusions are you likely to reach on it?

**Sir Denis O’Connor:** We have looked at what happened in critical mass terms, and ACPO’s estimation of the requirement for three seats of disorder was 297 PSUs; that is about 25 police officers—led police officers. At peak they reached 390. That was in order to decisively dominate the situation. That is Tuesday. We know that the critical mass, as they saw it before, in more peaceful times, wasn’t enough. So that is one thing. The second thing is that we have looked at it, and if you want to go forward and arrest people, the calculation is that you need between three and five people in order not to deplete your front end to the point where you protect the public and you are still able to go forward. So there is a juggling issue here about your tactics and your numbers. That is part of what we are going to suggest. In the end, it is a combination of factors that will give you a decisive advantage.

Intelligence cannot be underestimated because if you anticipate, you probably need smaller numbers in order to deal with the thing over a period of time. If you mobilise rapidly, especially locally, that is a huge advantage. If you have the tactics that allow the manoeuvrability issue, allowing you to go forward, then having the top line numbers is useful but only as a very broad reference point.

I guess if I was to crystallise this, the strategic concept at the moment, which is never fully articulated, is that we will deal with this by intensive police numbers. I think numbers matter but they are not enough. It is the mix of intelligence, tactics and manoeuvrability that will deal with this. If you think about it, it starts in Tottenham—one borough. By Sunday it is four boroughs. By Monday it is 22. If you can mobilise early you will need a lot less people to deal with the problem and that is the fundamental point. We are going to replay these factors and, depending on how the police service and the Government react, then we will calculate what it will cost to put them in place.

**Q804 Dr Huppert:** One issue that has been put to us is about how many police can actually do this. It has been suggested to us that every officer should be level 2 public order trained. Do you have opinions on that?

**Sir Denis O’Connor:** If they are level 2 public order trained, as we are at the moment, it is probably not going to do us a great deal of good. It will actually help that we have more people who can stand, hold and protect but, as I said to you, that is not enough when people are flash-mobbing across the capital city. You might have more to stand, hold and protect, but not to go forward and disrupt. Essentially, we favour a strategy of disrupting and intercepting the people. Let me illustrate with something else. You probably saw on television vehicle tanks being used. They are called “gentles”. They are quite fierce looking machines. There are 12 of those in the capital; 22 boroughs, 12. The go forward ability was limited. That is the kind of mix that we are looking at. We are not looking to escalate the numbers dramatically; we are looking to improve the ability of the police to go forward. That, we think, is the fundamental point in dealing with this.

**Dr Huppert:** That is very interesting to hear that it is about the smaller number of people being more highly skilled.

**Sir Denis O’Connor:** Sorry, if I may, it is about the people you have being highly skilled, prepared and ready to go, with the right kit to do the job.

**Dr Huppert:** Rather than just more people.

**Sir Denis O’Connor:** Rather than just more and more and more.

**Q805 Dr Huppert:** I had an interesting conversation recently with the Commissioner. He highlighted the fact that these things come in cycles and that there is always a habit in all organisations of preparing for the thing that happened last time. Is there a risk that we will over-prioritise some of the things that you are looking at, and hence withdraw support from other aspects, and then in a few years’ time you or your successor will be asked to look at how we move skills from one style back to something historic? Are you aware of that concern and how are you tackling it?

**Sir Denis O’Connor:** I am. I would say two things. Had we been more aware of the past then our knowledge about dealing with this might have been stronger. I think that is the case. I do think this is where policing by consent, which is something we know that these things come in cycles and that there is always a habit in all organisations of preparing for the thing that happened last time. Is there a risk that we will over-prioritise some of the things that you are looking at, and hence withdraw support from other aspects, and then in a few years’ time you or your successor will be asked to look at how we move skills from one style back to something historic? Are you aware of that concern and how are you tackling it?

**Sir Denis O’Connor:** I am. I would say two things. Had we been more aware of the past then our knowledge about dealing with this might have been stronger. I think that is the case. I do think this is where policing by consent, which is something we address in this report, may have to take a more rehearsed, formalised approach for the future because we are into choices about what matters most to us. In the absence of order, as far as I can see, almost everything else falls away behind it—not just the confidence of the poor people who are left there, but the reputation of the country when these things are played on television. So we are into choices among difficulties. This looks to me like a good choice to make, because if you are good at it in these kinds of situations it will probably transfer into how you deal with everything, including antisocial behaviour and local disorder at weekends, so it is quite a big payoff.

**Q806 Chair:** But, Sir Denis, this is a serious criticism of the way in which the Met handled the riots, isn’t it? What you are saying, although obviously you put it in elegant terms, is that they failed to mobilise early enough; they ought to have...
Sir Denis O'Connor: A lot of people tried hard and did valiant work on that, and I think you have seen one or two of them, like Mr Hollis, but let us be absolutely clear: this starts up 35 hours into the sequence of events. It is responsible, at best, for about 23% of the resources supplied. I think we have to regard PNICC as a slower time arrangement on a glide path as it is presently organised. It is a small body of people who gather together and then seek to try and make sense of a picture without any serious intelligence reference points about what is happening, although they can watch television, as the Chairman has pointed out, but nothing beyond that. That is a few people, 35 hours into the cycle, 23% of the resources and they react on the basis of what people ask them for, and quite a lot of people don’t really understand their contribution. So I think that is a part of the jigsaw but it is not the answer in the game.

Q811 Mark Reckless: Assuming ACPO does cease to exist under the new policing landscape, where could that function, such as it is, or an enhanced and more appropriate function, potentially be based? Could the National Crime Agency or another body potentially co-ordinate mutual deployment of resources better than is done at the moment, or should we simply look to the individual force requiring that assistance?

Sir Denis O'Connor: I think there are two things we have to do. The one absolutely crystal clear thing is that local understanding, knowledge and mobilisation is the most fundamental thing. That gives you the best shot. But we can’t just look to the last war, which is this. We might have pandemic flu; we might have a lot of other things that worry our citizens where the police have to react, so we do have to have some co-ordination centre. Where? NCA is accumulating a number of potential responsibilities, as the Chairman has pointed out. In the absence of the NCA, it is difficult to see another obvious body that does not have other important things to do that could divert it from the national need as opposed to their local need.

Chair: So you don’t want it?

Sir Denis O’Connor: Chair, I know my place, I think, mostly, and my place is not to direct or organise policing; it is to provide an analysis of what they do well or not.

Q812 Dr Huppert: Just a brief question. You have mentioned social media a few times and you presumably recall that the Prime Minister was looking at the idea of banning it for a period. I would be interested, partly in your comments on that idea, but more on your recommendations on what the police ought to be doing with social media, both as an intelligence tool and to try to prevent and manage disorder.

Sir Denis O’Connor: I am glad you have asked it. Our view, and we have indicated towards this in 2009, reaffirmed it in February, is that social media is a game changer for the police, and for us all collectively, because it allows people to organise themselves and out-maneouvure us if they choose to do so. Some of that, BBM, can be done covertly because it is an encrypted system. Some of it is open if you
know where to plug in on Twitter or Twitter trends and you are alert to all of these things in Facebook.

The blunt fact is that the police service are not geared at the present moment to be able to data mine that, take the sentiment out of it and try and make sense of what it means geographically and in other terms. However, we have looked at a number of commercial suppliers and other agencies, and the good news is the capability is there for us to harness that. Personally, I think trying to ban these things looks to me a little bit like standing on the shore when the tide is coming in. I think we should work with them, understand them and use them. Actually, there is some evidence that some police forces did try and use them to countermand some silly stuff that was going on on Twitter, and the rest of it, in order to dampen things down but it was at the margins.

In terms of intelligence, a grip on what is happening on the social media—some kind of grip—is an essential part of a reconsidered intelligence. I think the view of intelligence from the police can be overly focused on criminal assessed intelligence, but actually the world is bigger than that. It is the knowledge that you have about copycatting, it is the social media piece and it is what some source, or sources, tell you. It is the whole bag. It is even television at times, isn’t it?

**Q813 Chair:** Why were they not equipped to deal with this? Obviously social media has been with us for a while, and surely in every constabulary they ought to be aware that this is one way of gathering intelligence. Apart from anything else, they can get very useful information. What has gone wrong in using social media in the past? I know you are very keen to look forward to the future, but this is a failing, isn’t it, that it has not been addressed?

**Sir Denis O’Connor:** I think it is addressed in part, to be fair. If you look at what police forces are doing with their neighbourhood policing using Twitter and other mechanisms to talk to people in various parts of the country, they are using it. In some of the control rooms during the riots, Twitter was not very far away from everything else that was happening. It was part of the game.

What we don’t have, Chairman, and what we probably need is some kind of national all-source hub. We have—

**Chair:** Another hub?

**Sir Denis O’Connor:** We don’t have a place where we can crystallise the expertise to take a view about what is happening nationally.

**Q814 Chair:** Where should we put that? In the National Crime Agency?

**Sir Denis O’Connor:** Chairman, let’s see what the report says, and let’s see how the Government react to that idea.

**Chair:** You think that would be useful if it was all drawn together and put in one place?

**Sir Denis O’Connor:** I think before the Olympics I would have thought it is essential to think in those terms.

**Q815 Chair:** On the point of the Olympics, does anything you have seen give you cause for concern about the way in which the Olympics are going to be policed?

**Sir Denis O’Connor:** A whole series of things are being done in order to try and test and ensure that our security is sufficient for the Olympics. The approach has to be one of eternal vigilance and constant sceptical questioning of what we have, until we get to the other side and it is gongs and celebrations all around. That basically is a posture—a very alert and vigilant posture, testing our assumptions, our ability to track what is going on, testing what some of our institutions tell us we should be quite content and happy about. Chairman, in various ways, I am satisfied that testing is going on. What I am also saying to you, though, is that because of this and other things we saw last November, I think this part of the jigsaw does need some hard, clear, fast work on it.

**Q816 Chair:** We have asked Mr Bristow to come in since he is just taking over. I think in December he is due to appear before us. We might put some of the questions to him. Can I ask you just a couple of other questions? First of all, have you now replaced Bernard Hogan-Howe? Are you up to strength at the HMIC?

**Sir Denis O’Connor:** We have not, but we are short-listing this afternoon, so I am optimistic, Chairman.

**Q817 Chair:** Good. Secondly, as far as the protocol is concerned that this Committee recommended, which will be put in place when the Police and Crime Commissioners take office, are you part of that protocol procedure? Have you seen the protocol—the final protocol?

**Sir Denis O’Connor:** I have seen the protocol between the Chief Constables and Commissioners.

**Chair:** The final version?

**Sir Denis O’Connor:** I have seen a version, which I assume is pretty close to the final version. If some consideration is given at the moment as to where HMIC may assist the Commissioners, that may assist in the event of a difficulty between the Commissioners and Chief Constables and that detail is being worked through.

**Chair:** So it is not completed?

**Sir Denis O’Connor:** Our involvement is still a matter of some discussion.

**Chair:** Negotiation? I see.

**Sir Denis O’Connor:** Yes—consideration.

**Chair:** Mr Reckless, do you have any points on this?

**Mark Reckless:** No I don’t think I have anything about that.

**Chair:** We will watch this space, as they say. We are due to have the Policing Minister over to see us just before Christmas.

**Sir Denis O’Connor:** We stand ready to advise; that is our role.

**Chair:** Sir Denis, as always your evidence has been extremely helpful and we are most grateful. Thank you very much.

**Sir Denis O’Connor:** I appreciate you are going to publish your report and I hope that we will be in a position to assist you with our report in terms of time scales.
Chair: When is yours due to be published?

Sir Denis O’Connor: Depending on the Home Secretary’s availability and other things, we hope within the next two to three weeks we would be there, and we will be in touch with you about that.

Chair: Excellent. Thank you very much.

Examination of Witnesses

Witnesses: Darra Singh, Chair of the Riots Communities and Victims Panel, Heather Rabbatts, Panel Member of the Riots Communities and Victims Panel, and Louise Casey, Head of the Troubled Families Team, Department for Communities and Local Government, gave evidence.

Q818 Chair: Mr Singh, Ms Rabbatts, Ms Casey, I apologise for the call that you received asking you to come slightly earlier. This was because the Autumn Statement is today and the timings of the House have changed, so some of our colleagues who are participating in this inquiry are in the House asking questions as we speak, but they will return. So please don’t take that as any disrespect. Members will be pouring in very shortly, I am sure. Congratulations, first of all, Mr Singh, on keeping to a very strict timetable. I have just seen a report of your report in today’s newspapers, although I have not seen a copy of it. When do you anticipate the publication of the second part of your report?

Darra Singh: Chairman, our timetable is that we will publish our final report by the end of March next year. May I just say, actually, that it has been a very challenging timetable. I am grateful to Heather Rabbatts, my fellow panel member, as well as the other two panel members; we have worked together on this.

Q819 Chair: What are the main conclusions of the panel concerning the motivation behind those who participated in the report? Ms Rabbatts, I have seen your comments in The Times this morning, in which you seem to be encouraging Nike and some of these other brands not to advertise quite so much. Is that an accurate—

Heather Rabbatts: As you will appreciate, Chairman, sometimes what appears in newspapers isn’t quite what one said. I am sure we will come back to motivations of the writers, and we identify five separate layers. The point I was trying to make was that one of the distinguishing features of these riots was that they were not directed at a political issue. These were riots that were fundamentally targeted at the High Street and retail, and also within the retail offer, certain brands were particularly targeted and you saw that evidence on your television screens during those days in August.

Q820 Chair: Mr Singh, we are trying to find the five biggest motivations behind the riots; what would they be?

Darra Singh: A whole range of things, such as immediate gratification, a new pair of trainers, the latest electronic gadgets, so personal gain and robbery. What have we done is to profile different rioter behaviours from what we have heard from victims, communities and professionals in public services, so we have a typology of five. First of all, there are organised criminals. We had plenty of views given to us about people turning up in vans, in cars, orchestrating other activity, collecting, acting as focal points for collection of stolen goods. We had violent aggressors; unfortunately and sadly, a number of people wanted to attack the police specifically in some parts of the country. Thirdly, we had what we call “late night shoppers”. That is not to trivialise what they did, which is a crime, but actually that is taken from a quote from a senior police officer who said, “This wasn’t political, it was shopping,” and people turned up for that purpose. Fourthly, opportunists; and fifthly, people who just went to watch—spectators, as we call them. So we have a typology of five different types of behaviours that we came across in our work.

Q821 Chair: When you both saw this happening on the telly in August, and having taken evidence from so many people all over the country, were your initial conclusions different from the conclusions that you have come up with today? Is that what you suspected when you saw people rushing around, looting and rioting? Was there some surprise that you discovered during this process?

Darra Singh: I was abroad—

Chair: I think most of us were abroad in August.

Darra Singh:—between 6 and 10 August, so I actually saw what was portrayed over the internet abroad and that was shocking. I was very careful, and my fellow panel members were the same, that we didn’t come to this with any predetermined views. If you were to ask me personally what shocked me the most, it would be the conversations I had with some young people, including some who rioted, and the absolute absence of any hopes and dreams that those individuals had and their feeling that there was a real lack of opportunity in terms of jobs, in terms of accessing education. That for me was profoundly shocking, and that is why, for our next stage of work, we want to review policy responses across six themes that we have identified in the report, and report back on those in March next year.

Q822 Chair: Ms Casey, your appointment by the Prime Minister, shortly after the disorders, was seen as a response to the disorders. I too was abroad, but I can remember the Prime Minister’s statement at Downing Street saying that this was the broken society. Do you see this as the purpose of your appointment and the unit that has been created to support you? Is it to try and mend the broken society? Is that one of the reasons why these people rioted?

Louise Casey: What happened after the riots was that the Government, rightly, looked at—I think the Prime Minister used the expression that he wanted to look in a bold way—all of the different things across
Government and whether things needed rebooting or boosting in the light of the riots. At that point what they did was say, “We want to have a look at this.” They had had an ambition to try and turn around the lives of 120,000 families, and as one of a range of things, Chairman, they wanted to look at, to quote the Prime Minister, “Putting a rocket booster on the activity around troubled families”. We know what we say so far is that the evidence from Darra’s commission and the Ministry of Justice and others shows that, obviously, if you look at people who rioted, what we know about them so far is that worklessness, unemployment and benefit reliance is quite a key factor. We know they are poor; we know that they are in receipt of free school meals; we know that they are more likely to have special educational needs. If one were to take a step back and look at what we mean by “troubled families”, you will find a lot of similar sorts of issues. They are people that are of long-term unemployed. Worklessness is part of what those families and households experience. They are more likely to have mental health or physical health issues and their children are less likely to be in school. In essence, they have problems and they cause problems. So clearly, as one of a range of things the Government has done in the light of the riots, actually deciding to have a central unit and then more latterly, only more recently, appointing me to lead that central team is one of a range of things the Government is doing in response to the riots.

Chair: Yes, because neither of you in what you have said so far talked about the broken family syndrome as being one of the causes, though both of you have headed local authorities. Ms Rabbatts, you ran Lambeth for a long time; Mr Singh, Luton and Ealing, and no doubt others that I can’t remember offhand. Darra Singh: No; that is it, I am afraid, Chairman.

Q823 Chair: We took some very powerful evidence from the Leader of Waltham Forest Council about the way in which they had targeted individual families. This is not rocket science, is it? Should not local authorities have done this in the first place as a means of trying to combat the deprivation that exists?
Darra Singh: We did actually hear, for example, when we were in Manchester, talking to the Leader and senior officials at Manchester City Council about their work on what they call “complex families,” which is in similar territory. Actually our remit, initially, and we took this very literally, was to listen to the views of victims and communities about causes of the riots, motivational factors and a range of other issues. In those conversations and in public meetings when we asked the broader community what they thought the causes of the riots were, a number of issues came forward, some of which would be parenting, unemployment, lack of opportunity for young people and a range of other factors, which I think have significant parallels with the work of the Troubled Families Unit, if I have that title right. I think there is a lot of overlap there. Clearly, when we were in Harrow as well, I think the council there were very much turning their minds to working on a similar basis to Manchester, in line with the work that Louise Casey and her unit are undertaking.

Heather Rabbatts: To echo the points that Darra has made, and certainly in the local authorities I once ran, and in terms of the visits that we undertook, there is some interesting work that is being done by local authorities in partnership with other key agencies, and I think this is crucial. It is not within the sole remit of local authorities to make effective interventions in this area. They do need to work with the other agencies, in order to really try to see whether they can support complex families out of those situations and into pathways that enable them to have much better opportunities in terms of society, and I am sure that work will be part of Ms Casey’s analysis.

Q824 Chair: You were quite tough on the police, weren’t you, in your report? I am reading a headline here, because I haven’t seen your report, but you basically said that they were pretty slow at dealing with these riots and if they had been a bit quicker we would have had less disorder. Is that right?
Darra Singh: Chairman, could I just expand upon that? We have been very clear from the outset that we are not experts in policing. We are not experts in operational matters to do with how the police deploy resources and respond to public disorder. We went where the views of victims and communities took us, and actually every engagement we had in every location—we visited 20 areas in total, 17 riot-affected areas—in our discussions with members of the public, with shopkeepers who have been effectively victims, they raised views about policing, so we felt duty bound to reflect those in the report. We also reflect the fact that individual police officers, Special Constables, PCSOs, acted in an incredibly brave manner to protect communities, so we recognise that. But we also recognised that what happened in August over those five days was unprecedented. The scale, the speed at which the rioting spread from a standing start presented a unique challenge to policing, which I am sure, I hope, the contributors have recognised as well. So that is the context in which we reflect the views of victims and communities that we have talked to.

Heather Rabbatts: Could I just add to that point? It is very much the perception of what people were seeing on their screens that we were trying to reflect in the report, which I think is a challenge for policing in the future. The perceptions of certain images were ones that very much went across all the social media platforms. Clearly, social media enabled the contagion, if you like, of the disorder to spread in the way that it did. That is a significant issue and clearly was one that Sir Denis was echoing at the end of his evidence to you earlier.

Chair: Yes, I am sure Dr Huppert is going to raise that with you as well.

Q825 Dr Huppert: We could probably save time, your report is actually quite clear that social media networks should not be shut down during future disturbances, which I think fits with what we have heard from other people, so I don’t think we need to dwell too much on that.
I would like to ask, why didn’t the riots happen everywhere? I realise this is very much an interim report and, in particular, I presume you will talk to some statisticians about data presentation for the final one, but it comes up with a list of very specific things. There doesn’t seem to be a particular thread that I can see, in terms of answering the question as to why the riots didn’t happen everywhere. There seem to be special cases in each one. Can you, perhaps, describe for us more what you think overall? Is there any sort of overall thread that you can pull out?

Darra Singh: Unfortunately, we were not able to find one or two things that would specifically render an area immune from rioting. When we talked to officials, in particular in police and in local government—we visited three non-riot affected areas and actually had some written submissions from others—what they have said to us is, first, that they weren’t complacent; secondly, that they felt that if the rioting had continued across the country they may well have been drawn into that; and thirdly, as they had more notice so to speak, because they saw the troubles in Tottenham and as they have spread across London, people were able to put their emergency plans in place. So, a whole range of things happened, and what people mainly said was that what helped them was, first of all, really good partnerships between police, local government and the wider voluntary third sector; secondly, really good communication between all those partners, but also some innovative work in terms of communicating with those that were potentially at risk of participation.

So, for example, in Salford, we saw that Salix, which is a social housing provider there, sent text messages—if I recall correctly—to all their tenants advising parents to keep their children indoors and not to let them out, basically, if I may put it in straightforward terms, and we saw that happening elsewhere. In Sheffield and in Harrow we also saw street-based teams, which are multi-agency groups of people: police, Youth Offending Service, youth workers, other local government staff, going out into town centres. In Harrow, for example around the St George’s Centre, talking to young people who were congregating there and asking them to disperse, which they did. So a whole range of different initiatives, but early preparation.

The other thing, some really practical stuff—sorry to go on a bit, Chairman—was just to remove any potential missiles, debris and so on, so there weren’t any things lying around that could be used to cause damage. So it was a range of factors.

Q826 Dr Huppert: One aspect is the joint working. Presumably that is a long-running thing?

Darra Singh: Yes.

Dr Huppert: That is one of the messages, and the other message is about getting rid of missiles. Presumably, that is when you think something might start rather than a constant?

Darra Singh: Yes.

Dr Huppert: Those would be the two key things; otherwise it was partly luck, you think?

Darra Singh: There are other factors that we point to in the report, such as strength in terms of cohesion and relationships between different members of the community. There is some analysis by Experian that makes a linkup between where there are lower levels of community cohesion and rioting, but all these things are pretty imprecise. This is not a science as such; it is more of an art. There were some factors to do with layouts of town centres; multiple entry points and exit points, some real practical issues to do with physical environment. Some people also mentioned to us—and this is not a judgement that I make—the quality of the shops in certain town centres. My home city is Bradford. The leader of Bradford city profoundly challenged that. He argued that shopping in Bradford city centre was of a high quality, but other people we talked to actually felt that the reason there wasn’t any trouble and looting there was because of the quality of the shopping.

Q827 Mark Reckless: When people made criticisms of the police to you, what was it that people felt the police should have done differently in order to prevent or limit the disorder?

Heather Rabbatts: I think there were different levels. Again, I particularly talk about perceptions because the police and all of the police forces, and indeed the Metropolitan Police, are conducting their own internal reviews as to the tactics. But from listening to victims in communities, there was a perception that in certain areas the police were standing off and were not tackling the rioters. So we had evidence—and it is reflected in the reports—of people contacting the police saying, “I can see disorder happening. I can see groups of young people about to throw petrol bombs,” and there being no response. As I said, I am sure the police have good cause as to why that was happening and there were issues of resource deployment, but what we were concerned about was the constant repetition of that perception that the police were absent, in terms of victims and what those communities experienced during those days.

Q828 Mark Reckless: When you say that the perception is that the police were standing by, do you mean necessarily that they were absent and there were no police or that sometimes you were having police there but they weren’t doing anything?

Heather Rabbatts: There were different layers to that. In certain instances the police simply did not have the resources to put police officers on the street, there were issues about the number of police officers who were able to deal with public disorder. In some instances, communities would see police but they weren’t then being deployed because, actually, that is not their role in those circumstances. So there were different issues in terms of your question.

Q829 Mark Reckless: Are you aware of the doctrine that has developed in terms of public order—it has developed really from a managing protest perspective—of the police perhaps being perceived as standing by but taking evidence, CCTV, looking to follow up with arrests at a later date?
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Heather Rabbatts: Yes. We are certainly aware of those tactics and, indeed, the idea of trying to maintain a sterile area. The challenge for the police was that you had public disorder on a scale and a way in which people moved that was very different to what they had experienced before, and no doubt that issue will be the subject of internal reviews by police forces up and down the country.

Q830 Mark Reckless: But in your view, on the basis that you have spoken, those tactics, as developed from previous things, weren’t properly applied in the circumstances as we had here?

Heather Rabbatts: Do you want to answer that?

Darra Singh: Actually, the police have accepted that what they faced in August was a unique set of circumstances, and in that we are looking forward to seeing the outcome of the work of HMIC and others on police tactics. When we were in Birmingham, Heather may recall, there was actually what I thought was quite a good description of the behaviour of the crowds, certainly in the city centre of Birmingham. Somebody used the term, “They were like shoals of fish.” Groups split up and got together in quite a random way, but in a very fast and rapid fashion, which made—as we were told by senior police officers there—the traditional approach to managing public disorder inappropriate in these circumstances. But again, we are not experts in police tactics; we have never claimed to be and so—

Q831 Mark Reckless: You did also see Tottenham and how the policing progressed there. Did it continue to be treated as a political protest-type situation after it had become widespread looting?

Darra Singh: No. Our view is that, as we tried to make clear in the report, we don’t think the riots, certainly at a national level, were a political set of riots. In fact one senior police officer coined the phrase, ”This wasn’t politics, it was shopping”. It was a whole range of other factors at play. That is not to say that there aren’t underlying causes, which don’t excuse the behaviour but actually still need to be challenged in our view.

Q832 Chair: Ms Casey, you are in the fortunate position of having the confidence of three successive Prime Ministers. You have the confidence of Tony Blair, who appointed you Head of the Respect task force; under Gordon Brown you then became the Commissioner for Victims and Witnesses, and now Prime Minister Cameron has put you in charge of this very important unit. Has he said to you— Louise Casey: Well, I think that there are. I have been a senior civil servant for a long time and, of course, there are parameters and actually there was work happening across Whitehall in relation to troubled families.

Chair: No, we know all that, but when he appointed you—

Louise Casey: So at the moment we need to look at what that work was—what the staff were doing, and take a call on it. My starting point, in relation to the 120,000 troubled families, Chairman, is that there is a lot of money and a lot of work that is already being focused on these families.

Chair: So it is existing resources?

Louise Casey: It is potentially existing resources.

Q834 Chair: So it is not new resources. You are going to have a look at all the existing programmes and you are going to either cull them together or mesh them together and then say, “This is my unit”. There is no new money coming in to support your work?

Louise Casey: I am currently thinking through and talking to Ministers and others about what is needed, so that is the size of the task and what is possible.

Chair: Sure.

Louise Casey: It would be wrong of me to speculate at this Committee either way around it all.

Q835 Chair: No, we are not asking you to speculate. This is a Committee of the House and these are
serious issues and the Prime Minister has appointed you to a serious job. It is a legitimate question for a Select Committee to ask what resources are available to the person who the Prime Minister has put in charge of this task. We accept your answer that there are no new resources; that you are looking at existing programmes; you don’t have a team; you are assessing with Ministers what is going on. Is this a cross-departmental issue? Are you responsible to one particular Minister or are you going to be responsible to others, like Iain Duncan Smith, for example?

Louise Casey: I am responsible to the Secretary of State for Communities and Local Government, and obviously it is a cross-departmental approach to what we need to take with troubled families. Of course, it would be misleading for me suggest I am going to work across various ministries, including DWP, Department of Health, Education, Home Office, Ministry of Justice. So I will work cross-departmentally but my line of command is very clearly into Eric Pickles, the Secretary of State for Communities and Local Government.

Q836 Chair: When you were appointed by the Prime Minister—obviously, one welcomes any new initiative—did he say you have specific objectives? You keep mentioning those 120,000 families; what are the objectives? What are your benchmarks, because this seems to be a benchmark Government? The Prime Minister is very keen on criteria and results. That is what he said. Do you have any benchmarks?

Louise Casey: I am working them up at the moment, so basically, you were appointed on 1 November to a post. You have no resources that have been allocated specifically to you; you have been asked to look at all the programmes in existence. You have no benchmarks at the moment, but you will be scoping your own benchmarks?

Chair: So make it positive, for the Committee.

Louise Casey: I am feeling very positive. I clearly have some staff that work for me already. Nobody has said to me I won’t get more staff if that is what we need. The Prime Minister said only a couple of weeks ago, I think in a Committee at the House, that he is looking at existing money but if new money is needed we will get it.

I don’t think this is an issue just about money, though. I honestly think, Chairman, and I have appeared before you a number of times over the years, that we really need to take a long, hard look at what we are doing with these families already and how we can make the best of what we have and how we can get the approaches right. That is not just because we have hardship times on the financial front, I genuinely believe that is the right thing to do by both colleagues in local authorities and other organisations, and we need to work out whether we are getting it right, Chairman, not just about the money.

Q837 Chair: Very helpful. Of course, absolutely. What happened to the Victims Commissioner’s post? Is that still empty?

Louise Casey: I believe so. Yes, it is.

Chair: Because you vacated it, so the Victims Commissioner’s post is about to be advertised, presumably?

Louise Casey: I don’t know that. I do know that I am very clear, as a former Victims Commissioner, that lifting the profile of victims within the criminal justice system is a very good thing. Whether that is a future Victims Commissioner or other things is up to the Secretary of State for Justice to decide.

Q838 Mark Reckless: Similarly for victims of the riots, what more could be done to assist them? They have had the opportunity to come before Mr Singh’s panel, and an extremely limited amount of compensation has been paid. What more should the Government be doing to assist on that front? If perhaps Mr Singh but also Ms Casey could give me an answer, I would be grateful.

Darra Singh: If I may start. What we were struck by in our visits to many areas—and we talked to victims, shopkeepers, businessmen and women—was this point about compensation. Most people had received some form of compensation, facilitated by Communities and Local Government through local government, but actually two points were mainly raised with us. One was some concern about how individuals had been dealt with by their insurers. That is why we call on the insurance industry to root out the cases where service may well not have been up to scratch and to improve that; and secondly, under the Riot Damages Act, from what we learnt and what we heard, we didn’t meet anybody who had actually received a payment under the Act. So we call for that process to be speeded up, while accepting, given that over 5,000 claims have been made under the Riot Damages Act and 70% or so of those are in London,
that is an enormous volume from a standing start. As we look at this issue from the perspective of victims, we felt it was important to make that point. **Heather Rabbatts:** Adding to that, the other point that victims raised with us, as some of these offenders are released back into the community, was that some of them would like the opportunity of confronting those offenders with the losses that they had suffered, whether to their businesses or their homes. That was a very strong plea that was made and we echo that in our recommendations back to the agencies who could be involved in that process.

**Q839 Mark Reckless:** Ms Casey, do you think enough is being done for the victims of the riots? **Louise Casey:** I am no longer the Victims Commissioner, but one of the things I thought was incredibly powerful is that the independent inquiry set up to look at this actually has, at its centre, communities and victims. I thought that, in itself, was a huge step forward; the fact that you have decided to have not only myself but certainly, more importantly right now, Ms Rabbatts and Darra Singh in today is a real indication of trying to hear the voice of victims. One of the things that I felt as a Victims Commissioner is that, throughout public life, the voice of victims wasn’t loud enough. So for me, the starting point was the evidence gathering that colleagues are doing on the panel; the type of information in their report needs to be heard. As a former Victims Commissioner, that is what I would say.

**Q840 Dr Huppert:** I have a very brief question, which I think is more for Mr Singh. You mentioned the IPCC briefly. How much of a role do you think their activities played in kicking off the riots? **Darra Singh:** What we have set out, and what concerned many people, was the information vacuum that was then populated by rumour and speculation, and Heather Rabbatts has been leading on this, so maybe if I can ask— **Dr Huppert:** Sorry; please. **Heather Rabbatts:** I will fill in the rest of the point that Darra was about to make. I think our concern is in the protocols that exist between the IPCC and the Metropolitan Police in this instance. There is an understanding of how communicating with the media will change in the course of an investigation. That protocol was crafted in 2009 and clearly, in an age of very powerful social media, what we felt was that you couldn’t have viral silence. It became fuelled with rumours, which were not being effectively stood down by either the police or the IPCC. What we are asking in our report, because we believe that is a fault line, a complication, is that that be addressed as a matter of urgency.

**Q841 Chair:** The Committee is very concerned that there still is not a permanent chair of the IPCC and it has now been re-advertised. There is no good and great person out there who has applied for this job. Is that a concern that you all share? **Heather Rabbatts:** I think it is a concern that leadership becomes very important in situations of high stress, and I am sure that the absence of a chair of the IPCC was and is a significant factor. Of course you had also gone through some very significant leadership changes at the top of the Metropolitan Police Service. Leadership, as we have seen in terms of local government and in terms of police commanders, is hugely important in these times of stress.

**Chair:** You aren’t thinking of applying, Ms Rabbatts? **Heather Rabbatts:** I am not, sir.

**Q842 Chair:** One final question. The issue of race has been raised and then dismissed and then raised again. A quick answer from each of you from what you have gathered in the work that you are doing. Was race a part of this, Ms Rabbatts? **Heather Rabbatts:** The panel did not conclude that the riots were racially motivated in the ways that this country has seen in the past. Is there a race dimension? Yes, there is, and we highlight the ongoing concerns around stop and search, which we believe erodes some of the confidence between certain communities and the police service. In terms of race being a motivating factor across the riots, while there will have been some local DNA, in terms of the riots up and down the country, if we look at it across the piece we would not say that these riots could be categorised in that way. **Darra Singh:** I would agree wholeheartedly with that. I was involved in the Community Cohesion Review Team looking at the riots back in 2001 in Burnley, Bradford and Oldham, and from everything we have heard, in overall terms, these were not race riots. Having said that, some individuals may well have had certain motivations linked to race, but overall they were not race riots.

**Chair:** Ms Casey, from what you have seen, I know it is outside your box in terms of the grass-roots panel, but has this been a factor, and is it going to be a factor in your work? **Louise Casey:** In relation to the 120,000 troubled families? **Chair:** Yes. **Louise Casey:** I think that deprivation and black and minority ethnic groups are often over-represented in deprived areas, so it would follow on from that that it could well be a factor in what we look at in terms of problem families, yes.

**Chair:** Ms Casey, Mr Singh, Ms Rabbatts, thank you very much indeed for coming here today. I am most grateful. **Darra Singh:** Chairman, would you like us to leave you some hard copies of the report? We have already produced them.

**Chair:** Yes, please. We have them. Thank you very much.
Written evidence

Supplementary written evidence from Greater London Authority (GLA)

Thank you for your letter of 7 September about the number of police officers in the Metropolitan Police Service (MPS).

The exact number of police officers in the MPS varies from day to day, depending on how many people have retired, been recruited, been dismissed or passed away on any given day. Rather than updating our records every day, for clarity and simplicity we prefer to refer to the number of positions budgeted for in a financial year.

Following my announcement at the start of this financial year that the MPS would receive an increase to its budget of £42 million from other GLA sources, the MPS was able to lift its recruitment freeze. Consequently, for this financial year 2011–12, the Policing London Business Plan has a budgeted strength of 32,320.

Hence my answer to your Committee on 6 September that the MPS has approximately 32,300 officers.

9 September 2011

Supplementary written evidence submitted by Home Office

Thank you for your letter of 14 November about policing the large-scale disorder witnessed in August. I apologise for the delay in responding.

The Prime Minister’s comments made at Liaison Committee on 8 November refer to the established special grant process, that enables police authorities to make a claim for the costs of exceptional or unforeseen events that place considerable pressure on an authority’s financial position. This is, indeed, the process through which we expect police authorities to apply for Government support to assist with both the operational and riot damages costs they incurred following the disturbances in August.

The special grant process is well known amongst police authorities. I have attached a copy of guidance provided to police authorities about the criteria used to assess claims made under this process. I would like to stress, however, that this is issued as general guidance to police forces and authorities and does not fetter the power of Ministers to make, or decline to make, a grant in these or other circumstances. This includes consideration of whether the costs incurred have exceeded 1% of the authority’s annual budget.

As I mentioned in my evidence to the Home Affairs Select Committee on 8 September, individual applications are subject to an operational and financial review, taking into account the individual authority’s financial position (including reserves) and consideration of whether the Force’s response to the event was proportional and necessary. This assessment informs Ministerial consideration about the appropriate level of Home Office funding.

Police Authority Chairs have been provided with additional guidance about the special grant process, which sets out that they should claim separately in relation to the operational and riot damages costs they have incurred following the disorder in August. This reflects that there is far greater uncertainty about the final costs that authorities will incur as a result of claims under the RDA.

In terms of operational costs, we expect police authorities to set out a brief background to individual force operations, total expenditure incurred by the Force, specific details of the total grant being claimed and the overall financial position of the authority. For riot damage-related claims, we have asked for details of the overall level of claims made to the police authority, an estimate from authorities of the likely level of actual cost and information on the authorities’ financial position.

Ministers and officials have sent a clear message to police authorities since August that it is the Government’s intention to provide financial support where it is not possible to manage their additional costs locally.

28 November 2011

This document is issued as general guidance to police forces and authorities. They do not fetter the power of Ministers to make or decline to make grants in these or other circumstances.

All the above is subject to the availability of funding within the Home Office for such payments and to the independent audit of the grant claim.

The Process

An Authority/Force should make an initial request to Police Funding Policy Team, Crime and Policing Group Finance Unit, 6th Floor, Fry Building, The Home Office, 2 Marsham Street, London SW1P 4DF. A request should set out the circumstances of the expenditure and explain why special grant is seen to be essential in the context of the Authority’s financial position. Her Majesty’s Inspectorate of Constabulary (HMIC) will
be invited to assess the reasonableness and operational necessity of the expenditure. Advice will then be put to ministers, who take all decisions on special grant.

Crime and Policing Group Finance Unit

SPECIAL GRANT TO POLICE AUTHORITIES
TERMS AND CONDITIONS OF GRANT

Police Authorities are expected to make reasonable provision for normal expenditure and to set aside provisions and/or reserves for exceptional items. There should be no presumption that financial assistance will be available additional to general and specific grants.

Ministers may pay special grant to police authorities under the terms of the Police Act 1996 section 48:

The Secretary of State may make grants in respect of expenditure incurred (or to be incurred) for police purposes by police authorities in connection with safeguarding national security. Grants under this section may be made either unconditionally or subject to conditions. The Secretary of State shall exercise these powers under this section only with the approval of the Treasury.

And the Local Government Act 2003, section 31:

A Minister of the Crown may pay a grant to a local authority towards expenditure incurred or to be incurred by it. The amount of the grant and the manner of the payment are to be such as the person paying it may determine. A grant under this section may be paid on such conditions as the person paying it may determine. Conditions, in particular, include provision as to the use of the grant and the circumstances in which the whole or part of the grant must be repaid. The powers under this section are exercisable with the consent of the Treasury.

As a general guide, ministers will only consider requests for special grant in exceptional circumstances to help meet costs where necessary additional expenditure incurred by an Authority would otherwise create a serious threat to the Authority’s financial stability i.e. would threaten seriously to compromise the Authority/Force capacity to deliver normal policing.

Where special and unforeseen circumstances do require an Authority/Force to incur significant additional expenditure, grant will be considered where force additional costs exceed a minimum of 1% of the Force annual budget. The Police Authority would be expected to have made provision for a minimum of the initial 1% of additional expenditure.

Where significant costs are incurred over several years either for several linked events, or for a single extended issue, police authorities may make a case for them being treated as a single event, subject to a single year’s 1% excess.

Further supplementary written evidence submitted by the Home Office

Thank you for your letter of 5 December in response to my letter of 28 November.

In your letter you ask how, in the context of assessing special grant applications, the Home Office will decide whether a force's response to the disorder in August was proportional and necessary. We have asked Her Majesty's Inspectorate of Constabulary (HMIC) to work with us in assessing the claims from police authorities, and we will utilise their expertise in assessing these specific areas of the claims. We expect this process to be completed based on the information received from police authorities when making their claims for a special grant, and therefore this assessment should not require police authorities to provide additional information over and above that which has already been sought.

I hope that you find this response helpful.

December 2011

Supplementary written evidence submitted by Ian McPherson QPM MBA, Assistant Commissioner, Territorial Policing, Metropolitan Police

I am writing to you following your committee’s evidence session on Policing Large Scale Disorder that took place on 8 September. During the Home Secretary’s evidence Steve McCabe MP made reference to an email that Committee Members had received from a retired Metropolitan Police officer who, reportedly, highlighted the threat posed by gangs to the safety of the Olympics. I would like to take this opportunity to outline the ongoing work of the MPS to address the issue of gangs, from both an enforcement and prevention perspective.

At a national level, I am fully engaged with the Inter-ministerial Steering Group being driven jointly by the Home Secretary and Secretary of State for Work and Pensions as we look to build national consensus on tackling the issue of gang related criminality, sharing the experiences of the Metropolitan Police as we do so.
In relation to the specific issue of the Olympics, as the Home Secretary rightly outlined security planning is well underway for what will be the biggest event this country has ever seen. Intelligence is of course an important strand of this. The threats posed to the Olympics, including any threat posed by gangs, are assessed through our regular strategic and tactical Olympic Threat Assessment processes. In this way any emerging threat that is Olympics-related can be factored in alongside the national and local initiatives and activities that are already in place. This is of course a moving picture and learning from the disorder will be built into our plans.

At a strategic level in London, the Mayor’s Anti-Violence Partnership draws together partners as we look to align the efforts of London boroughs to support and complement activity undertaken through a range of activities, including the work of Operation Connect that the Home Secretary mentioned during the course of her evidence to you. A key strand of the Partnership is to lead work to embed Multi Agency Safeguarding Hubs across London in recognition of the significant safeguarding benefits that arise from key agencies co-locating to share intelligence and information in order to inform operational decision making. In addition, the Partnership is also carrying out work to ensure that the many anti-violence initiatives in place across London are focused and coordinated to achieve the greatest impact.

At a local level joint working with borough partners has been essential in building a sustainable capability that allows us to identify, prioritise, risk assess and track high harm individuals. Just as gang and violence issues manifest themselves in different ways across the UK, the same is true of London. Joint working at a local level allows us to understand the specific local dimension and share good practice across all partners. This in turn is supported by agreed joint action between local partners that provides the necessary infrastructure to support diversion and enforcement activity; through police, health, education, housing and employment.

Equally as important is the confidence of communities, and the leadership they can provide in driving change. Back in 2001, the London Borough of Brent had one of the highest incidences of shootings in London; ten years later and overall gun crime has dropped by 40% and shootings are at half the level they were. Much of this success is down to “Not Another Drop”, a voluntary group have worked tirelessly with local police and partners striking an excellent balance between enforcement, community engagement and partnership working. Enforcement from the Met’s Operation Trident and the borough has secured lengthy sentences for offenders, with effective partnerships and engagement preventing others from stepping into the potential vacuum.

In Waltham Forest Operation Connect has seen some significant reductions in a number of violence offences. Since its introduction in March 2011 Waltham Forest has seen significant reductions in serious youth violence offences, knife crime and gun crime. Fifteen key offenders have been charged for a range of homicide, firearms, violence and robbery offences. Thirty class A drug users who are named suspects in 375 offences have been identified and are now supported by the partnership. This success is down to an approach that is jointly police and Local Authority led with a multi-agency input. Focused on four workstreams—family, community, education and enforcement—it aims to deal with those families of most concern and is supported by a performance framework that enables us to effectively assess activity and incorporate learning into future processes. This approach is currently being embedded in four other priority boroughs, Hackney, Southwark, Lambeth and Haringey.

The local focus of Waltham Forest is not isolated. Two years ago Hackney began a process to develop a multi-partner gangs intervention team. This work, jointly led by key statutory partners and funded by Hackney Council, resulted in the establishment of an integrated gangs intervention project. This was the first large-scale co-location of its kind in England and Wales. A police gangs unit, Youth Workers, Education, Probation, Community Safety, Housing and Social Services are all co-located within one building. The unit is managed by a lead Council Officer and uses a risk matrix to manage 150 gang offenders at any one time. Initial evaluation after six months showed a reduction in gang violence of 59%, gang related knife crime fell by 68% and gang related gun crime fell by 67%.

These are just a few examples of work taking place across London to reduce violent crime. The learning from Brent, Hackney, Waltham Forest and elsewhere is incorporated into our approach as we build for the future and look to roll out Operation Connect more widely across London.

I hope this gives you a good overview of what the MPS is doing in relation to gang violence and the root causes of criminality. We would welcome the opportunity to expand on this further should that be of interest to you and other Members of the Committee.

14 September 2011
Supplementary written evidence submitted by the Metropolitan Police

Thank you for your letter of 13 September to Acting Commissioner Tim Godwin.

On reading the transcript of our evidence to you of 6 September, I decided I should write to the Committee to offer some clarification on my remarks about the number of public order trained police officers in the MPS.

Mr Godwin has therefore asked me to incorporate a response to your question to him about overall police numbers into this letter, rather than write to you twice.

**Number of Police Officers**

The table below shows the number of police officers, police staff, Police Community Support Officers (PCSOs) and Specials in the Metropolitan Police Service (MPS).

<table>
<thead>
<tr>
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<th>Actual strength 31 August 2011</th>
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<tbody>
<tr>
<td>Police Officers</td>
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<tr>
<td>Police Staff</td>
<td>13,494</td>
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<td>PCSOs</td>
<td>3,855</td>
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<td>Specials</td>
<td>5,155</td>
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</table>

In considering the total number of officers, it should be noted this includes Metropolitan Police officers undertaking a variety of specialist roles, including Counter Terrorism, serious and organised crime, homicide, rape and serious sexual offences, child abuse investigation and others. Many specialist detectives are now involved in Operation Withern, the investigation into offences committed during the disorder.

It may also assist the Committee to know that on 31 August there were 1,065 officers on restricted duties and 983 officers on recuperative duties. Officers on restricted duties can work their full contracted hours but cannot undertake the full range of policing activities. Recuperative duties is defined as a short term rehabilitation programme that allows sick or injured officers to resume their work earlier than otherwise may have been the case.

To further assist the Committee, the target strength for the end of this financial year as quoted in the 2011–14 Policing London Business Plan is included below:

<table>
<thead>
<tr>
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<th>Policing London Business Plan Target strength 31 March 2012</th>
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<tbody>
<tr>
<td>Police Officers</td>
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<td>Police Staff</td>
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<td>PCSOs</td>
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<td>Specials</td>
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Whilst the original 2011–14 Policing London Business Plan identifies a target strength at 31 March 2012 the Plan also recognises the need to bridge significant budget gaps of £92.7 million and £174.3 million in 2012–13 and 2013–14 respectively. Decisions on future funding and savings proposals may, therefore, result in changes to the target strengths currently quoted in the Policing London Business Plan for 31 March 2012 and beyond.

**Public Order Trained Officers**

When I appeared before the Committee alongside the Acting Commissioner on 5 September, Dr Huppert asked what proportion of MPS officers are public order trained (Q108).

I replied that we have “between 2,500 and 3,000” officers. On reflection, I should have clarified that I was referring to Level 2 trained Police Constables. All police officers receive Level 3 public order training. This allows them to assist public order operations, for instance by forming cordons.

The Police Constables I was referring to in my evidence receive more specialised Level 2 training. As well as those PCs, a number of Sergeants, Inspectors and other ranks are also Level 2 trained. These officers receive public order training at least every 18 months, and can be called from their usual duties around London to police public order events.

The officers in the MPS Territorial Support Group receive highly specialised Level 1 public order training every five weeks.

In addition public order events are commanded by officers at Chief Inspector, Superintendent, Chief Superintendent and Commander rank who have undertaken public order command training and who operate as part of a cadre.
Supplementary written evidence submitted by the Association of Chief Police Officers (ACPO)

I write in response to the questions posed by the Home Affairs Committee inquiry into Policing Large-Scale Disorder in your letter dated 8 November. The Committee ask:

"Is there a standard set of procedures to be followed following the fatal shooting of a member of the public by police officers? If so, does it include any protocols about communication with the family of the deceased, or their representatives?"

Having referred this to the ACPO lead on armed policing, I am able to respond as follows.

Procedures to be Followed Following the Fatal Shooting of a Member of the Public by Police Officers

ACPO has provided national guidance to Forces, which is summarised below:

The Manual of Guidance on the Management, Command and Deployment of Armed Officers sets out the guidance issued by the Association of Chief Police Officers (ACPO) of England, Wales and Northern Ireland on the management, command and deployment of armed officers. The Association of Chief Police Officers in Scotland (ACPOS) and the Serious Organised Crime Agency (SOCA) have also undertaken to comply with the manual. The manual reflects good operational practice, lessons learned and changes in legislation.

Chapter 7 is entitled “Post Deployment”. It describes the post deployment process and includes issues associated with debriefing and organisational learning. Where police officers have discharged weapons and/or persons have been killed or injured, the welfare and legal issues, and the provision of accounts by officers, are outlined.

The responsibilities of the key roles involved in the post deployment process are also explained.

These include:
- Strategic Firearms Commander
- Tactical Firearms Commander
- Operational Firearms Commander
- ACPO Officer/Delegated Senior Officer
- Initial Investigating Officer
- Post Incident Manager

The content of Chapter 7 outlines that “Post Incident Investigations” will be commenced in all situations where there has been a discharge of a weapon by the police (including those involving a conventional firearm or less lethal weapon), whether intentional or unintentional which has, or may have resulted in death or serious injury.

The Police Reform Act 2002 outlines circumstances in which cases should be referred to the Independent Police Complaints Commission (IPCC). Cases involving the fatal shooting of a member of the public will be subject to mandatory referral to the IPCC (or another independent investigative authority).

It is the responsibility of the IPCC to assess the situation and determine the preferred mode of investigation to ensure the appropriate direction and control of the subsequent investigation.

Protocols about Communication with the Family of the Deceased, or their Representative

The National Policing Improvement Agency (NPIA) Family Liaison Officer Guidance 2008 refers to police investigations into the death of a human being and the positive duty on the police to communicate effectively and inclusively with the bereaved family. The guidance is clear that on most occasions this can be achieved by deploying a police Family Liaison Officer (FLO). The guidance recognises the responsibility on the Senior Investigation Officer to develop, implement and maintain a family liaison strategy.

Appendix 2 of this document outlines IPCC Guidance on Family Liaison in Police Complaint Investigations. This includes reference to the relevant Police Manuals of Guidance, to the role of the Police Family Liaison Officer (FLO) and the IPCC Family Liaison Manager (FLM).

The purpose of this guidance is to help develop an understanding of the family liaison role in relation to the various types of investigations involving the IPCC. It is also intended to help ensure a smooth transition when the liaison role passes from the police to the IPCC and provide guidance when there is a combination of IPCC and police resources involved in the liaison.

It outlines the four possible modes of investigation available to the IPCC including primacy for family liaison in each case and guidance relating to IPCC and police family liaison handover procedures.
INDEPENDENT INVESTIGATIONS

The IPCC direction and control of such investigations will be made clear at all times. In any “Independent Investigation” the Senior Investigator (SI) and key members, if not all, of the investigation team will be IPCC staff. Where it is known that an investigation is to be independently investigated by the IPCC and the police have deployed an FLO, a structured handover to the IPCC FLM must take place as soon as practicable. This is regardless of the agreed time and day for the handover of the remainder of the investigation. It is the responsibility of the IPCC Senior investigator dealing with a situation that warrants the deployment of an FLM, to instigate the deployment as soon as possible and provide strategic direction. Handover protocols exist.

IPCC MANAGED INVESTIGATIONS

In managed cases it is the role of the IPCC to keep the family up to date with the progress of the investigation.

SUPERVISED INVESTIGATION

Where the investigation is carried out by the police and supervised by the IPCC, the police FLO will generally remain deployed to the family and will remain the conduit between the police SIO and the family. If the relationship breaks down between the family and the FLO consideration should be given to the deployment of an IPCC FLM following which any police contact with the family would be through the IPCC FLM.

LOCAL INVESTIGATION

Where there is a parallel police and IPCC investigation when a police FLO and IPCC FLM could be deployed to the same family, careful consideration is given to the terms of reference which sets out the extent of the IPCC investigation. In relation to media contact, a similar process needs to be applied in respect of information the IPCC or police intend to release to the media. It will be for the FLO/FLM to check proposed releases beforehand with the family.

All documents are publicly available. Further detail can be provided by ACPO armed policing if required.

25 November 2011

Further supplementary written evidence submitted by Association of Chief Police Officers (ACPO)

I write in response to your letter of 31 October. Many thanks for the opportunity to contribute further to the inquiry.

You advised that the Committee would like an update from ACPO as to the cost of policing the recent civil disturbances. Following this, we sought revised figures from the UK Forces for mutual aid and in-force costs related to Operation Kirkin.

Attached is a summary of these results and represent the total of submissions received to date. Where submissions have not been received, costs are included that were previously notified to our Finance and Resources Business Area in earlier correspondence.

The combined mutual aid and in-force costs recorded to date total £89.8m. The total costs include costs of cancelling rest days, changed shifts, additional overtime etc and some travelling and subsistence costs.

Please be aware that this is a work in progress, and we are unlikely to have a final picture until the new year. I would also point out that there is some outstanding information. The Scottish forces are likely to be delayed further as they are preparing a consolidated response before submitting the information to us.

I hope this assists the Committee. Please do not hesitate to contact me if you require any further information.

25 November 2011

ACPO FINANCIAL AND RESOURCES BUSINESS AREA

OPERATION KIRKIN—COSTS UPDATE REQUEST FROM HOME AFFAIRS COMMITTEE (NOVEMBER 2011)

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**NB:** Submissions from these forces are outstanding. Figures quoted are based on estimates submitted in previous correspondence receiver.
Supplementary written evidence submitted by the Independent Police Complaints Commission (IPCC)

Thank you for the opportunity to give evidence to the Committee this week as part of your inquiry into the policing of large scale disorder.

I was asked a question about the size and background of the investigations team working on the independent investigation into the death of Mr Mark Duggan. As I explained to the Committee, there are currently thirteen investigators working on this investigation. Of these, two are ex Metropolitan Police Officers.

Mr Winnick requested that I provide further details of the rank at which both of these investigators left the Metropolitan Police Service (MPS). I can confirm that one left the MPS in 2002 as an Inspector and the other left in 2004 as an Acting Detective Superintendent (his substantive rank was Detective Chief Inspector). Neither of these individuals are the lead investigator.

Our investigation into the death of Mark Duggan, as with all of our independent investigations, is overseen by a Commissioner. IPCC Commissioners cannot, by law, ever have worked for the police service.

Approximately 30% of IPCC investigators (and 10% of IPCC staff overall) come from a police background. The remainder of our staff come from a diverse range of backgrounds. Former police officers and others with investigative experience bring a wealth of professional skills and expertise to the organisation. Their contributions are vitally important in our efforts to carry out competent and robust investigations.

6 September 2011

Further supplementary written evidence submitted by the Independent Police Complaints Commission

Thank you for your letters dated 31 October 2011 and 8 November 2011 requesting further information regarding the Independent Police Complaints Commission (IPCC’s) investigation into the death of Mark Duggan.

I can confirm that as a result of a complaint from the Duggan family, we are independently investigating the contact between the Metropolitan Police Service (MPS) and members of Mr Duggan’s family in the early hours/days after the shooting. This is a separate independent investigation to that which is being conducted into the circumstances surrounding the police contact with Mark Duggan himself.

I informed the Committee previously that we had indicated to the Coroner that we expected our investigation into Mr Duggan’s death to take approximately four to six months. We stand by this though providing a firm indication of the timescale is clearly very difficult in such a complex investigation.

Our investigation into contact with the family may well be completed sooner. We will publish our findings in both investigations in due course though as I have explained previously, publication may be dependent upon the completion of criminal/coronial proceedings.

In your most recent letter, you asked whether there was a standard set of procedures to be followed by the police following the fatal shooting of a member of the public. Chapter 7 of the Association of Chief Police Officers (ACPO) Armed Policing Manual provides details in this regard and includes instructions to the police about mandatory referral to the IPCC.

In relation to family liaison specifically, Appendix 2 of the Family Liaison Guidance published by the National Policing Improvements Agency (NPLA) in 2008 contains guidance for the police regarding investigations where the IPCC are either involved or are likely to become involved. Both this manual, and the one referred to above are publicly available.

Finally, I wrote to the Committee on 6 September 2011 with the follow-up information requested by Mr Winnick in relation to the rank of ex Metropolitan Police Service officers working on the Duggan investigation. One left the MPS in 2002 as an Inspector and the other left in 2004 as an Acting Detective Superintendent (his substantive rank was Detective Chief Inspector). Neither of these individuals are the lead investigator in the Duggan investigation.

11 November 2011

Supplementary written evidence submitted by Research In Motion (RIM)

Thank you for your letter of 22 September with questions following from our appearance before the Committee.

Research In Motion (RIM) is committed to providing the Home Affairs Committee all assistance it can with its current inquiry. RIM complies with valid and authenticated lawful access requests from competent authorities within the timelines set forth in local regulations. As such, RIM is obligated to observe relevant local laws which prevent us from disclosing details of our compliance with United Kingdom lawful access regulations.
In particular, the provisions of the Regulation of Investigatory Powers Act of 2000 (RIPA), as the Committee will be aware, prevent RIM from disclosing any information relating to the lawful access compliance for UK authorities. Should the Committee wish to seek further information on this issue we would direct your inquiry to the office for security and counter-terrorism at the Home Office.

The Committee also raised the issue of the retention by RIM of communications data and the storage of content information. Communications data as defined by RIPA, including smartphone and other electronic identifying elements use by subscribers or network, can be retained by RIM when in accordance with local regulations. Additionally, our customers have the option and control over the ability to back-up a copy of some data types and services to a RIM-owned server or locally on the smartphone’s memory card. Customers who use this feature can select the data types to be included in and the creation and deletion of their back-up copies.

As I said in my oral evidence to the Committee, we are committed to complying with all lawful requests for customer data. We hope that the above information is helpful to you and look forward to the outcome of the Committee’s inquiry.

7 October 2011

Supplementary written evidence submitted by the Ministry of Justice

Following the Select Committee session on 25 October 2011, I agreed to write on the following matters:

— the number of 16 and 17 year olds who received custodial sentences for knife crime, by year, over the past five years;
— the number of 16 and 17 year olds who received non-custodial sentences for knife crime, by year, over the past five years;
— local figures (by police force area) for the number of adults and juveniles with a previous caution or conviction among the general population; and
— local figures (by police force area) for the number of adults and juveniles with a previous caution or conviction among the people arrested and charged with riot-related offences.

I apologise for the delay in responding to you.

Table 1 attached shows the number of 16 and 17 year olds sentenced for knife and offensive weapon possession offences over the past five years by type of sentence. The figures show that between 2006 and 2010 the total number of disposals given to those aged 16 and 17 for knife or offensive weapon possession has decreased by 47%. This compares to a 22% decrease for adult offenders.

The figures relate to knife and offensive weapon possession offences, rather than knife crime which can include a range of other offences, such as ABH, GBH and assault. New offences are being created in the Legal Aid, Sentencing and Punishment of Offenders Bill to target aggravated knife or offensive weapon possession which involves carrying a bladed or pointed article, or offensive weapon in a public place or on school premises and going on to threaten another person with the article or weapon and cause immediate risk of serious physical harm to that other person.

Table 2, also attached, shows the number of adults and juveniles by police force area with a previous caution or conviction among the people brought before the courts for riot-related offences.

In relation to the third point, whilst the Ministry of Justice does hold information on the previous criminal history of the general population of England and Wales, this information is not available by geographic area due to the estimation methods employed. The closest available comparison is contained within Table 2 and shows the criminal history of all offenders who received a reprimand, warning, caution or sentence for an indictable offence in the 12 months ending March 2011 for each police force area where public disorder took place. This shows that, in each area, the proportion of those brought before the courts for offences relating to the public disorder in August 2011 who had a previous conviction or caution was broadly similar to the proportion of offenders who received a reprimand, warning, caution or sentence for an indictable offence in the 12 months ending March 2011 who had a previous conviction or caution. For example, 74% of those brought before the courts in London for their role in the disorder had at least one previous conviction or caution. This compares with 72% of those dealt with for indictable offences in 2010–11.

I hope that this addresses the matters raised by Committee members.

November 2011
Table 1
OFFENCES INVOLVING THE POSSESSION OF A KNIFE OR OFFENSIVE WEAPON RESULTING IN A CAUTION OR SENTENCE FOR THOSE AGED 16 TO 17

<table>
<thead>
<tr>
<th>Disposal Category</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aged 16 to 17</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reprimands and warnings</td>
<td>2,042</td>
<td>1,651</td>
<td>1,150</td>
<td>631</td>
<td>486</td>
</tr>
<tr>
<td>Absolute/conditional discharge</td>
<td>183</td>
<td>143</td>
<td>107</td>
<td>85</td>
<td>60</td>
</tr>
<tr>
<td>Fine</td>
<td>64</td>
<td>59</td>
<td>46</td>
<td>24</td>
<td>10</td>
</tr>
<tr>
<td>Community sentence</td>
<td>1,716</td>
<td>1,722</td>
<td>1,844</td>
<td>1,539</td>
<td>1,400</td>
</tr>
<tr>
<td>Immediate custody</td>
<td>268</td>
<td>255</td>
<td>395</td>
<td>326</td>
<td>276</td>
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</table>

Table 2
CRIMINAL HISTORIES OF SUSPECTS INVOLVED IN THE PUBLIC DISORDER IN AUGUST 2011 COMPARED WITH ALL OFFENDERS WHO RECEIVED A REPRIMAND, WARNING, CAUTION OR SENTENCE FOR AN INDICTABLE OFFENCE IN THE 12 MONTHS TO THE END OF MARCH 2011, BY POLICE FORCE AREA

<table>
<thead>
<tr>
<th>Previous offences</th>
<th>Male Juveniles</th>
<th>Female Juveniles</th>
<th>Total Juveniles</th>
<th>Male Adults</th>
<th>Female Adults</th>
<th>Total Adults</th>
<th>Male All persons</th>
<th>Female All persons</th>
<th>Total All persons</th>
</tr>
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<td>51.3</td>
<td>39.3</td>
<td>20.1</td>
<td>36.1</td>
<td>21.9</td>
<td>24.1</td>
<td>40.1</td>
<td>25.9</td>
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<tr>
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<td>15.7</td>
<td>15.1</td>
<td>15.3</td>
<td>13.6</td>
<td>15.1</td>
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<td>6-10</td>
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<td>8.3</td>
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<td>2.0</td>
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<tr>
<td>15-49</td>
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<td>5.1</td>
<td>5.3</td>
<td>19.7</td>
<td>9.3</td>
<td>18.5</td>
<td>16.3</td>
<td>8.2</td>
<td>15.4</td>
</tr>
<tr>
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<td>0.0</td>
<td>0.0</td>
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<td>7.4</td>
<td>5.1</td>
<td>3.7</td>
<td>5.4</td>
<td>3.9</td>
</tr>
<tr>
<td><strong>Total number of offenders (100%)</strong></td>
<td>264</td>
<td>39</td>
<td>303</td>
<td>880</td>
<td>108</td>
<td>988</td>
<td>1,144</td>
<td>147</td>
<td>1,291</td>
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LONDON—INDICTABLE OFFENCES IN THE 12 MONTHS ENDING MARCH 2011

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<th>Male Juveniles</th>
<th>Female Juveniles</th>
<th>Total Juveniles</th>
<th>Male Adults</th>
<th>Female Adults</th>
<th>Total Adults</th>
<th>Male All persons</th>
<th>Female All persons</th>
<th>Total All persons</th>
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<tr>
<td>None</td>
<td>36.0</td>
<td>54.7</td>
<td>39.0</td>
<td>22.2</td>
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<td>9.6</td>
<td>13.1</td>
<td>7.5</td>
<td>12.1</td>
<td>12.6</td>
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<tr>
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<td>1.4</td>
<td>3.4</td>
<td>6.6</td>
<td>3.3</td>
<td>6.1</td>
<td>6.2</td>
<td>3.0</td>
<td>5.7</td>
</tr>
<tr>
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<td>1.7</td>
<td>4.6</td>
<td>21.0</td>
<td>12.5</td>
<td>19.6</td>
<td>18.6</td>
<td>10.9</td>
<td>17.3</td>
</tr>
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<td>0.1</td>
<td>0.1</td>
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<td>6.6</td>
<td>8.2</td>
<td>7.2</td>
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<td>6.9</td>
</tr>
<tr>
<td><strong>Total number of offenders (100%)</strong></td>
<td>9,785</td>
<td>1,889</td>
<td>11,676</td>
<td>53,974</td>
<td>10,459</td>
<td>64,480</td>
<td>63,759</td>
<td>12,348</td>
<td>76,136</td>
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### WEST MIDLANDS—PUBLIC DISORDER SUSPECTS

Percentages and numbers of offenders

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<th>Adults</th>
<th>All persons</th>
</tr>
</thead>
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<td>Male</td>
<td>Female</td>
<td>Total</td>
</tr>
<tr>
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<td>66.7</td>
<td>40.0</td>
</tr>
<tr>
<td>1</td>
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</tr>
<tr>
<td>50 or more</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
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<tr>
<td>Total number of offenders (100%)</td>
<td>29</td>
<td>6</td>
<td>35</td>
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### WEST MIDLANDS—INDICTABLE OFFENCES IN THE 12 MONTHS ENDING MARCH 2011

Percentages and numbers of offenders

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<tr>
<th>Previous offences</th>
<th>Juveniles</th>
<th>Adults</th>
<th>All persons</th>
</tr>
</thead>
<tbody>
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<td></td>
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<td>Female</td>
<td>Total</td>
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<tr>
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<td>50.6</td>
<td>38.3</td>
</tr>
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<td>17.7</td>
<td>18.5</td>
<td>17.9</td>
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<tr>
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<td>11.3</td>
<td>8.3</td>
<td>10.7</td>
</tr>
<tr>
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<td>11.1</td>
<td>16.5</td>
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<td>9.1</td>
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<tr>
<td>11–14</td>
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<td>1.8</td>
<td>3.3</td>
</tr>
<tr>
<td>15–49</td>
<td>4.4</td>
<td>2.0</td>
<td>3.9</td>
</tr>
<tr>
<td>50 or more</td>
<td>0.4</td>
<td>0.2</td>
<td>0.4</td>
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<tr>
<td>Total number of offenders (100%)</td>
<td>2,550</td>
<td>551</td>
<td>3,119</td>
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</table>

### NOTTINGHAM—PUBLIC DISORDER SUSPECTS

Percentages and numbers of offenders

<table>
<thead>
<tr>
<th>Previous offences</th>
<th>Juveniles</th>
<th>Adults</th>
<th>All persons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Total</td>
</tr>
<tr>
<td>None</td>
<td>*</td>
<td>*</td>
<td>40.0</td>
</tr>
<tr>
<td>1</td>
<td>*</td>
<td>*</td>
<td>32.0</td>
</tr>
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<td>*</td>
<td>*</td>
<td>4.0</td>
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<tr>
<td>3–5</td>
<td>*</td>
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<td>*</td>
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</tr>
<tr>
<td>11–14</td>
<td>*</td>
<td>*</td>
<td>4.0</td>
</tr>
<tr>
<td>15–49</td>
<td>*</td>
<td>*</td>
<td>8.0</td>
</tr>
<tr>
<td>50 or more</td>
<td>*</td>
<td>*</td>
<td>0.0</td>
</tr>
<tr>
<td>Total number of offenders (100%)</td>
<td>*</td>
<td>*</td>
<td>25</td>
</tr>
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</table>

### NOTTINGHAM—INDICTABLE OFFENCES IN THE 12 MONTHS ENDING MARCH 2011

Percentages and numbers of offenders

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<th>Juveniles</th>
<th>Adults</th>
<th>All persons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Total</td>
</tr>
<tr>
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<td>47.0</td>
<td>18.2</td>
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<tr>
<td>Total number of offenders (100%)</td>
<td>1,840</td>
<td>9,075</td>
<td>10,915</td>
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**GREATER MANCHESTER—PUBLIC DISORDER SUSPECTS**

Percentages and numbers of offenders

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<th>Previous offences</th>
<th>Male</th>
<th>Juveniles Female</th>
<th>Total</th>
<th>Adult</th>
<th>Female</th>
<th>Total</th>
<th>All persons Male</th>
<th>Female</th>
<th>Total</th>
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<td>0.0</td>
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<td>7.7</td>
<td>11.8</td>
<td>9.0</td>
<td>4.5</td>
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</tr>
</tbody>
</table>

Total number of offenders (100%) 46 9 55 131 13 144 177 22 199

**GREATER MANCHESTER—INDICTABLE OFFENCES IN THE 12 MONTHS ENDING MARCH 2011**

Percentages and numbers of offenders

<table>
<thead>
<tr>
<th>Previous offences</th>
<th>Male</th>
<th>Juveniles Female</th>
<th>Total</th>
<th>Adult</th>
<th>Female</th>
<th>Total</th>
<th>All persons Male</th>
<th>Female</th>
<th>Total</th>
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<td>18.4</td>
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<td>17.2</td>
<td>15.8</td>
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Total number of offenders (100%) 3,298 707 4,013 19,120 3,978 23,146 22,418 4,685 27,159

**MERSEYSIDE—PUBLIC DISORDER SUSPECTS**

Percentages and numbers of offenders

<table>
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<th>Previous offences</th>
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<th>Adult</th>
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<th>Total</th>
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Total number of offenders (100%) 24 2 26 36 0 36 60 2 62

**MERSEYSIDE—INDICTABLE OFFENCES IN THE 12 MONTHS ENDING MARCH 2011**

Percentages and numbers of offenders

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<th>Previous offences</th>
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<td>14.3</td>
<td>12.4</td>
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Total number of offenders (100%) 1,900 323 2,238 11,966 2,006 14,004 13,866 2,329 16,242
OTHER AREAS—PUBLIC DISORDER SUSPECTS

Percentages and numbers of offenders

<table>
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<tr>
<th>Previous offences</th>
<th>Juveniles</th>
<th>Adults</th>
<th>All persons</th>
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<tr>
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<td>16.7</td>
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</tr>
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<tr>
<td>50 or more</td>
<td>3.3</td>
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Total number of offenders (100%) = 30 2 32 61 2 63 91 4 95

1—For some areas the gender split has been removed (denoted by *) to ensure individuals criminal history information cannot be identified. Where this has been done, the gender split for the comparator data has been removed to avoid confusion.

Supplementary written evidence submitted by the South Yorkshire Police Authority

1. SAFER NEIGHBOURHOOD TEAMS

1.1 Safer Neighbourhood Teams (SNTs) were rolled out gradually over 2004–05 in South Yorkshire at a cost of around £5.6 million. On behalf of the authority, a variety of analysis and evaluation was completed, with the University of Sheffield conducting the main review.

1.2 There was a mandate for change in the policing style in South Yorkshire. SNTs had an effect on reassurance. The success factors that were concluded from the evaluations were:

— Reduction in crime and disorder.
— Demand reduction.
— Greater reassurance, accessibility, and visibility, reduced fear of crime.
— Long term solutions to community problems.
— Greater partnership involvement.

1.3 The SNT model was not about responding to live incidents but rather focusing on problem solving and building community relationships. This is something which the Police Authority wholeheartedly backed as it would ensure the strong relationships that members, in particular elected councillors members would spread to the police.

1.4 There are currently 56 SNTs throughout the county with nearly a fifth of South Yorkshire Police staff and officers working within them. The Police Authority fully supports their current programmes and initiatives which are aimed at reducing crime, preventing crime, and building community cohesion.

2. GRANT AWARDS TO COMMUNITY/THIRD SECTOR ORGANISATIONS

2.1 SYPA has run a grant making programme since 1994, multi agency groups and community organisations were given the opportunity to bid for funding under the scheme on an annual basis to a maximum of £25,000 per annum. Over a three year period several SYP led projects stood out as key projects which would deliver long term results, as such SYPA acknowledged this by guaranteeing their continued funding; (Crucial Crew mentioned in section 7 was one of these projects).

2.2 In 17 years of existence the SYP grant making programme has changed and been modernised, a reduced and more streamlined scheme exists to this day. Funding criteria over the last years has focussed on projects which have addressed issues relevant to identified policing priorities, with funding used to pump prime community activity. For example 2010–11 funding was awarded to small organisations and community groups tackling issues of youth nuisance and anti social behaviour, all projects had involvement from SYP officers or PCSOs. This provided the opportunity for positive experiences and engagement between young people and the police.

2.3 Following a review of the scheme in 2010 SYPA was determined that the grant funding would be used to the maximum benefit of policing and communities in South Yorkshire. Given funding cuts it was essential that projects could demonstrate a real impact on issues that affected SYP. Funding was awarded to a smaller number of projects with a service offering that covered the whole of South Yorkshire and included investment to provide additional dedicated restorative justice provision, support given to a local charity specialising in supporting young people at risk through running away and the 4 Change project which works to reduce crime and anti-social behaviour among young people aged between 10 and 17. The initiative, works by encouraging
positive life choices by providing an experience of prison life and changing perceptions about custodial sentences and uses ex-offender volunteers to deliver input to young people at the fringes of criminality.

3. MONTHLY PERFORMANCE VISITS

3.1 Members attend monthly performance visits conducted by ACC Territorial Operations strengthening their geographic ties with the areas they represent on behalf of the Authority. In advance of these meetings performance analysis from the force’s Business Change Directorate highlights exceptions in performance against Police Authority set targets and then at the visit, this will form part of the agenda for the ACC to question what is happening to address the exceptions. Members receive the same briefing and agenda in advance and have the opportunity to ask questions and contribute to the debate that occurs.

4. COUNCIL INVOLVEMENT

4.1 The accessibility to our senior police officers, the relationships between Leaders/Mayors, councillors and district commanders as well as neighbourhood policing and visible policing through PCSOs, pact meetings etc means that there is a relationship of trust between the police, partners, stakeholders and public like never before. Councillors working very closely with local police have ensured a better understanding and local district commanders are very helpful in assisting in council business. By councillors and the police working together it keeps communities at ease, that someone understands local people’s concerns.

4.2 Example: whilst the rioting was taking place all local councillors received an email from their local police Inspector/Sergeant asking for any intelligence on potential flash points.

4.3 The fact that the police were able to contact their local councillors to ask for this type of cooperation demonstrates the partnership work and trust that is typical of every day, not just when national incidents of this nature arise. Policing and relationships is about all year round/everyday, so that when the need arises the networks are there to be called upon.

4.4 In addition to this, SYP A hosts a strategic community safety meeting bringing together representatives from each of the four local authorities, Heads of Community Safety for both SYP and South Yorkshire Fire and Rescue on a monthly basis. The meeting looks at areas that can be addressed jointly; recent discussions have included tension monitoring processes and policing priority consultation activity. The meeting assists in maintaining and developing partner relationships and allows good/best practice to be shared across the county minimising duplication of effort.

5. POLICE AUTHORITY/FORCE COMMUNICATION

5.1 There was good, clear and open communication between the Force and Authority around matters relating to policing of the August unrest; including sharing of information around South Yorkshire operations and around the deployment of South Yorkshire officers in other force areas. The Chair of the Authority was in regular contact with the Command Team, Gold Command regarding policing in South Yorkshire. This meant that via the Chair the Authority could be re-assured about operational strategy in South Yorkshire and be able to give a joined up and cohesive response to press enquiries when called upon to do so.

6. INDEPENDENT ADVISORY GROUPS

6.1 SYP A, supported by SYP has operated Independent Advisory Groups (IAGs) since 1999. IAGs have been an important source of community engagement with diverse communities, playing a key role in helping both SYP A and SYP examine policies and practices to guard against disadvantaging any section of the community.

6.2 The IAG structure operates at a strategic level. The operation and accountability of IAGs flows jointly to Senior Command Team of the force and to the Police Authority.

There are two Core IAGs:
— Black and Minority Ethnic Communities IAG.
— Lesbian, Gay, Bisexual and Transgender Communities IAG.

6.3 Each Core IAG meets four times a year. The role of the Core IAGs is to act as a critical friend, advising the police on working with and delivering policing services to these communities.

6.4 The forcewide IAGs are permanent groups that meet on a regular basis. Membership of these groups is the same for each meeting and includes community members, agency representatives, the Force and the Authority.

6.5 To complement the forcewide IAGs, SYP A and SYP also operate what have been termed “theme based” IAGs. These groups are more responsive to specific and/or emerging issues. Theme based IAGs are short life groups that can be set up quickly and then are disbanded upon receipt of all the required advice. Membership will be different on each “theme based” IAG as it will be dependent on the issue being discussed.
7. Public Order Training

7.1 South Yorkshire Police Authority invested £7 million in a new state-of-the-art training centre and site for major incident teams in December 2010. It houses 100 Training Staff and over 70 Major Incident Team members from Barnsley, Doncaster and Rotherham. The new centre offers 60,000 sq ft spread over three floors and provides a unique flagship training facility to support organisational development.

7.2 The centre can also be used as a casualty bureau in times of emergency. This will allow the force to respond to major incidents without affecting other functions. This is particularly apt as the plans for this new training centre were born out of the flooding of one of the old training centres in 2007.

7.3 Asides from the Major Incident Team’s facilities the centre also has 20 classrooms, an immersive learning unit and conference suite.

7.4 The ability to train all PSU officers countywide in one building enables the training to be much more efficient. The previous centre locations were criticised for being small, out-of-date, and disjointed. The new centre allows officers to train in one place together through the use of state-of-the-art facilities.

7.5 The building allows all trainers to be located in one building, with opportunities to improve communication, increase resilience and enable trainers to be more multi-functional across the department.

7.6 Had riots sparked in South Yorkshire, in August, the force would have been more than ready to deal with the issues at hand.

8. Policing Priorities

8.1 SYPAs members place great importance on engaging with our communities in respect of the things they value and issues that impact on their lives. Consequentially throughout the year, the public in South Yorkshire are offered a variety of different ways to become involved, and have their say. This includes: postal and online surveys, meetings, focus groups as well as the previously mentioned independent advisory groups. This year SYPAs has and intends to continue to further develop its dialogue with the public to help inform and reassure them of the impact of any changes in policing, in response to cuts in funding. The public dialogue assists in setting priorities which reflect public concerns. Indeed, one of the Force priorities 2011–12 focussed on addressing antisocial behaviour and low-level disorder as well as other environmental and “quality of life” issues such as vandalism.

9. Lifewise

9.1 SYPAs has long supported the citizenship interventions delivered by SYP and partners to the young people of South Yorkshire and in 2004 agreed to underwrite and support investment to develop a permanent base for SYP to deliver its citizenship programme, a safety centre—Lifewise was created. Following support and investment of SYP and other funders, interventions such as the SYP Crucial Crew event were delivered in a safe, well designed facility, capable of providing a good quality input to young people. The Crucial Crew event, still running today, delivers a series of scenario based inputs to approximately 15,000 10 to 11+ yr children each year.

9.2 In November 2010 when a business case indentifying restrictions on the use of the centre which reduced its capacity to provide educational activity and diversionary programs in key demand times such as school holidays and bonfire periods was presented to SYPAs, members who appreciated the benefits offered by the centre supported a project to identify and develop new premises which would meet the current needs of SYP to deliver targeted intervention work to young people in South Yorkshire in these changing times.

9.3 Further demonstrating the joined up approach SYPAs and SYP have to addressing local concerns and priorities are the links forged between projects funded as part of the SYP grants programme and delivery in the Lifewise Centre with several of the projects contributing to SYP led targeted interventions.

Throughout the planning operationally by South Yorkshire Police, the Chairman of the Police Authority was consulted widely. There is a strong relationship between the authority and the force, and the chair would not agree to any officers being sent to the Met during the disturbances if he was not satisfied that we had the necessary resources in South Yorkshire. Below are some examples of what the force have done in communities and operationally across the county over the longer term and during the disorder period.

10. Strong Partnerships

10.1 Strong partnership structures exist across South Yorkshire. Each of the four CSPs is chaired by the local policing commander and the SYPAs are key players in driving partnership business to deliver community safety priorities. Community engagement is a key priority delivered through effective multi-agency teams which are locally based.

10.2 South Yorkshire Police deliver a large number of local initiatives to reduce crime within the city. There is a strong focus on engagement and education to build good citizenship, the focal point being the previously
mentioned Lifewise Centre which will expand and develop in the future. Bespoke programmes are also delivered in schools and communities—a few examples being:

(i) Operation Octave—a hard hitting presentation to teenagers regarding the dangers and consequences of becoming involved in gangs, focussed on gun and knife crime.

(ii) Operation Alliance—a community based multi-agency operation which engages local people to improve their local area and reduce crime and ASB. The operation has been very successful and delivered significant results in reducing crime and ASB.

(iii) Blast Off—a community engagement initiative to deliver football sessions to young people in Sheffield supported by PCSOs to develop strong relationships.

(iv) Console Kidz—a weekly club for 10 to 17 year olds in one of Sheffield’s deprived communities. The club diverts kids off the streets and encourages engagement with the police whilst taking part in console game activities.

(v) K-Neighbour—an ongoing initiative where PCSOs visit every household in a designated area to engage and provide crime reduction advice and reassurance to local people.

(vi) These are just a few of the many initiatives that South Yorkshire Police, supported by SYPA are involved in to promote good citizenship and steer young people away from becoming involved in crime and ASB.

11. OPERATIONAL DEPLOYMENTS

11.1 South Yorkshire has a history of being riot free when other large metropolitan areas have suffered from disorder. It is difficult to identify why this is but we firmly believe that our commitment to effective community engagement is a key aspect of us avoiding disorder.

11.2 We benefited from seeing the outbreaks of disorder developing in other parts of the UK, particularly London, and had a little time to develop our response and our policing approach. Decisive action was taken to put appropriate command structures in place and early deployment of local officers/PCSOs and partners into communities was crucial to providing reassurance and monitoring community tensions.

11.3 During the disturbances the force was very pro-active in engaging with local media and used local media, specifically Twitter and Facebook to ensure key messages were communicated to local people and inaccurate rumours were controlled. SYP were also very quick to point out the consequences of inciting or becoming involved in any type of disorder. Our local “tweet-deck” was very effective in communicating with the public.

11.4 SYP were also quick to praise young people for their common sense and restraint, making many appeals for calm direct to themselves and parents.

November 2011

Supplementary written evidence from Federation of Small Businesses (FSB)

The FSB has been asked to provide:

— A regional breakdown of the costs of the riots to the FSB’s members (if available) Q734
— Any suggestions the FSB has about good practice in relation to the police informing businesses about possible public disorder Q744
— Examples of positive working practices between the police and businesses Q749

A regional breakdown of the costs of the riots to the FSB’s members (if available) Q734

As much as the FSB would like to attach an overall, or even regional, breakdown of the estimated costs to business of the public disorder over the summer, this would be a very difficult cost to gauge. We have in mind not only the direct impact on businesses in the areas that were directly affected ie a number of London Boroughs, Birmingham, Manchester and Merseyside but the impact of reduced footfall to other local businesses and neighbouring areas also.

Some of the costs to business from our point of view are:

— Direct cost to business in terms of damage to premises and lost stock.
— Cash flow problems due to delayed insurance payouts with other bills to be paid e.g. VAT and business rates (for those not claiming relief).
— The impact of the rise in insurance premiums following any claims.
— Reduced takings due to lack of access to premises or for period when business was closed.
— Short to medium term affect of ongoing reduced footfall during clear up period and beyond.

Essentially, we think that the overall cost to businesses, taking into account all of these factors could be huge and very difficult to attach an estimate to.
CASE STUDY ILLUSTRATING COST OF RIOTS ON BUSINESS (AS OF 25 NOVEMBER 2011)

Type of business: Jewellers
Location: Manchester

How was your business affected by the riots?
External and internal damage. Theft of stock. Shop closure for three days for repairs. Display window smashed. Door smashed. Internal display cabinets smashed. Antique and modern jewellery display items not replaceable.

Estimated Value of above £20,000
Did you have to close after the riots or were you denied access to your premises?
If so, how long for?
Access denied overnight. Closed for three days.

Have you applied for any of the following:
Insurance payment: Yes. Has this been received? In part.
Riots Act fund: Yes. Has this been received? No.
Business Rates Relief: Yes. How many months? Six.

CASE STUDY ILLUSTRATING COST OF RIOTS ON BUSINESS (AS OF 25 NOVEMBER 2011)

Type of business: Men’s Fashion
Location: Whitgift Shopping Centre, Croydon

How was your business affected by the riots?
External and internal damage. Theft of stock. Shop closure for five weeks for repairs (shortage of glass) and re-stocking. Business computer taken, records etc destroyed/damaged. This affected ability to provide supporting evidence for claims.

Did you have to close after the riots or were you denied access to your premises?
If so, how long for?
Closed for five weeks.

Have you applied for any of the following:
Insurance payment: Yes. Has this been received? In part.
Riots Act fund: Has this been received? No.
Business Rates Relief: Yes. How many months? One month despite being closed for five weeks.

Cash flow badly disrupted. Being chased for payment by suppliers and HMRC. Footfall down as at beginning of November. Feel badly let down by Shopping Centre administration as focused on need of big businesses who have their own security staff. Centre not closed in time. Family business—bad effect on whole family including young children.

Police did not attend as crime scene until almost a week later by which time they had tidied up for safety reasons.

Any suggestions the FSB has about good practice in relation to the police informing businesses about possible public disorder Q744

The FSB considers that there are two levels of communication that would be useful for businesses should any possible public disorder happen in the future:

— **Strategic level communications with business groups:** similar to the way in which the Met Police set up their business stakeholder meetings with business groups in London and an associated email distribution list. This was very useful in having direct contact with officers involved in the police response and hearing about how the police and criminal justice system were dealing with offenders in the aftermath. Other forces across the UK should learn from this good practice.

— **Two further points to make here, and as we have previously suggested in our written evidence:** firstly, that the police joining up messages with other agencies such as the Fire and Rescue Service around arson risk messages would be very valuable in the future; secondly, there would be benefits around improved reporting to and sharing of intelligence with surrounding forces and those experiencing similar issues.

— **Local level communications with businesses on the ground:** The FSB would like to see greater use of tools such as social media and texting to communicate with businesses. These tools can be used to alert businesses of every day issues/threats and also warn them about any future large scale disorder and pass on advice. Several forces use social media to good effect in getting accurate messages out to both businesses and residents about the actual situation in their city or major town through closing working between IT and Communications sections, thus pooling expertise. This is reinforced with high levels of visible policing in those cities/large towns consider to be at risk supported by plain clothes. This gave reassurance and facilitated intelligence gathering leading to the breakup of groups before they got established.
In looking to the future regarding getting messages out we feel it is important to appreciate that in the event of trouble people, whether small businesses or residents, look to, and trust, the police and the information they put out. That is why the mixed messages that small businesses were getting caused concern and was one of the commonest sources of complaint at the time.

If every local Neighbourhood Policing Team gets out and talks to businesses and gathers mobile numbers or e-mail then that will give police a direct channel to communicate a very localized message to businesses. The delivery method will depend on local systems but the method to be used should be communicated widely to businesses.

The FSB Home Affairs Unit recently spent a day with Brighton Police and were struck by the number of good ideas that the Neighbourhood Policing Team had around business engagement. However, business engagement from our point of view, particularly in light of the current pressures around spending is about going that step further and actioning these ideas in full, i.e. not just having details on some businesses in the area but all of them and an active engagement strategy attached to that.

Some examples of positive working practices between the police and businesses Q749

In addition to some of the comments already made in this note, we would like to point out that a number of police forces in the UK have very positive working practices and engagement strategies with the business community. The issue is that this engagement has never been uniform and that there is no consistency around the country. From our point of view, the best type of engagement is where the force has captured the interests of the business community in at both a strategic level and at a neighbourhood level also. By this we mean:

At a strategic level:

— A commitment to the recording of business crime which is currently underreported (40% goes unreported) and crimes against business consists of up to a quarter of all crime in some areas. It is of great concern that approximately two thirds of forces do not record business crime as such and that some of the newer software coming into use does not enable this either. It seems to us that this would indicate that the police IT systems could be considered not fit for purpose. A crime is a crime regardless of who it is against and a crime against a small businesses has a direct personal effect on the owner and their family, any employees and ultimately on the economic well being of the locality if the business closes. It is not a victimless crime.

— The citation of strategies to address and reduce crimes against business in the local policing and Community Safety Partnership plans linked to business crime reduction strategies that outline planned engagement with the local business community.

At a local level:

— A Neighbourhood Policing Team that has mapped the businesses on its patch and gathered contact information.

— The NPT uses the business community as both an intelligence source in the local community and as a group to communicate too; using their concerns and experiences to inform local strategies.

— The NPT feeds back on local successes and initiatives to the business community which in turn encourages them to report and engage with the police.

— Joint self-help local initiatives between business and police such as the following:
  — Shop watch schemes in towns with communication by radio or text.
  — Country watch as recently launched in Hampshire.
  — Farm Watch in several rural forces with two-way messaging between farms and to police. In some areas such as Sussex this may have a subsidiary Horse Watch because of the cost of horses and tack.
  — Yacht Watch in sites where there are marinas eg Chichester and Brighton.
  — Shutting the Door on Rural Crime an innovative scheme by the 5 forces in the South East, Thames Valley, Kent, Sussex, Hampshire, Surrey who pooled expertise and resources and produced a DVD issued with the support of the NFU to farms and other rural businesses giving clear advice about protecting expensive equipment. This is being offered to other forces who can badge it.
  — Business Watch as recently launched in Horsham Division, Sussex which covers those business often omitted from more specialised schemes such as shopping parades, villages businesses, small industrial estates in towns and in rural areas such as converted farm buildings. The speed of take up has been rapid and it has largely been rolled out through Initial visits by PCSOs and then two way communication by e-mail. These areas often do not report crime because they feel no-one is interested and hence repeat visits occur as the perpetrators are not caught. This links to a more proactive approach to tackling crime and increased intelligence gathering and sharing with neighbouring Surrey police.
A good example of these two strands coming together well in the interests of businesses on the ground is in Essex where they have developed a Business Crime Strategy involving working with local businesses and a pro-active approach to which Divisional Commanders are committed. This positive approach is also reflected at a local level where businesses are involved in local consultation through Community Safety Partnerships (business representation on each one), Neighbourhood Action Panels and the provision of information and alerts on crime prevention at a local level. Such action has demonstrated that it has contributed to the reduction of overall crime levels in Essex, surely an objective that every force would want to emulate.

In Kent they have introduced a Business Crime Forum at which business crime issues are jointly discussed and business crime prevention initiatives developed. The FSB is meeting the other forces in South East to discuss setting up a similar Forum.

Thank you for the opportunity to put forward further comments.

December 2011

Written evidence submitted by the Association of Chief Police Office

1. INTRODUCTION

1.1 The Association of Chief Police Office (ACPO) is pleased to be afforded the opportunity to inform the Home Affairs Committee Inquiry into the recent Public Disorders. This report provides some detailed information on the role of ACPO during the recent unrest and responds to each of your questions in turn.

1.2 The Committee will appreciate that this remains a “live” operation and that mutual aid will continue to be provided to the Metropolitan Police Service until September to ensure that both the Notting Hill Carnival and a planned event by the English Defence League (EDL) are adequately resourced. With this in mind and given the complexity of the operation, full costs to the police service are not as yet available but where possible we have provided the Committee with some high-level indicative costs and statistics.

1.3 The recent disturbances both in terms of scale and the use of “chitter-chatter” via social media sites by the criminals engaged in the unrest, as opposed to formal intelligence meant that the police service was dealing with unprecedented rapidly moving events that required local operational commanders to make decisions on the ground in fast-time to ensure the protection of the public and of their own officers. There are endless stories of police bravery and of the courage of members of the public as well as members of the other emergency services. ACPO remains committed to ensuring that any lessons that can be learned from recent events are taken forward and has already commenced a post-event review.

2. ROLE OF ACPO DURING THE RECENT PUBLIC DISORDER/CIVIL UNREST

2.1 ACPO has a key role to play during times of domestic and international crises. The President acts as a conduit for intelligence to government through his attendance at Cabinet Office Briefing Room (COBR) and, in his role at COBR, acts as the senior professional for the police service using the intelligence he is provided with and his operational experience and expertise to support and advise Ministers on the impact of key decisions being made from a national perspective. In short, he is there to provide the national picture whilst individual chief constables (or in this case, the Metropolitan Police Service (MPS) Acting Commissioner) may attend (via electronic link if necessary) to provide a force perspective. The ACPO President has the support of all chief officers in this role and will undertake to negotiate the outcome of these key Ministerial meetings with his colleagues and ensure that relevant actions for the police service are undertaken. During the recent civil unrest, the ACPO President attended all the main Ministerial COBRs, whilst Chief Constable Tim Hollis, as ACPO Vice President and lead for Police National Information & Co-ordination Centre (PNICC), attended the Officials’ COBRs which took place in between Ministerial meetings. Other chief police officers continue to attend both Ministerial and Officials’ COBR meetings at the current time.

2.2 The ACPO PNICC is a constituent part of ACPO. It has a responsibility to support the 43 Home Office police forces as well as the Police Service of Northern Ireland (PSNI); a devoted force. It also carries out a liaison function with the three UK specialist police forces (British Transport Police/Civil Nuclear Constabulary/Ministry of Defence Police & Guarding Agency); the island forces (Isle of Man/Channel Island forces) and the eight Scottish police forces via ACPO (Scotland).

2.3 PNICC is best known for its co-ordinating role in respect of seeking resources (human/skill-based or equipment) in response to a request from a particular police force for support. PNICC acts as the conduit between the “host” and “donor” forces and passes relevant messages between the respective parties. PNICC performs two main functions:

— National mutual aid provision—when a force has a need for mutual aid and cannot fulfil that function from within its own resources, and where the capability of the ACPO region would not be sufficient, that force will call on PNICC to secure the required mutual aid assets.
— Support to the ACPO President at COBR—when COBR sits and the ACPO President is required
to attend, PNICC supports the role and carries out functions resulting from that particular national
crisis. This could include carrying out national research to assess the impact on UK policing, or to
gather information on the operational resilience of police forces and threats to their business
continuity.

2.4 Its ancillary responsibilities include:
— The carrying out of a number of national functions on behalf of particular ACPO national leads—
at present it is playing a key role in supporting the ACPO Olympic Business Area, the MPS and
forces with the operational policing plan and preparations for the forthcoming Olympics.
— Forming part of a support rota to the Foreign & Commonwealth Office and UK Disaster Victim
Identification in relation to significant events occurring abroad and affecting British nationals.
— Undertaking Electoral Commission crime reporting collation.

2.5 On the critical question of the role that ACPO PNICC played in terms of the recent public disorder/civil
unrest, it was activated with effect from Monday, 8 August 2011 in line with its two primary functions; national
mutual aid provision and support to the ACPO President at COBR. As has been said throughout the recent
unrest, the police service faced a unique set of circumstances. The scale of mutual aid required multiplied by
the number of forces involved required swift and effective action. ACPO PNICC rose to that challenge—
PNICC staff worked tirelessly to ensure that colleagues in all forces that had requested mutual aid had the
resources they sought and that the level of aid was sustained where the force considered it necessary. This was
extremely complicated given the number of forces requiring aid but no force failed to receive the resources
that it had requested.

2.6 In support of the ACPO President, PNICC worked closely with the National Domestic Extremism Unit
(NDEU) to ensure that the most up–to–date information and intelligence available could be conveyed to
Ministers at COBR in order that planning decisions across all relevant government departments could be made
in an informed and timely manner.

3. Home Affairs Committee Questions

Resources

3.1 What number of officers were deployed by each force between Saturday 6 August and Thursday 11
August?

This was a fast moving and dynamic situation—our first priority was the protection of life and then
property—and in this instance ACPO was primarily engaged on responding to requests for mutual aid to
support the MPS and other forces. The degree of granularity you are seeking in terms of officers deployed on
the ground in–force and supplemented by mutual aid is not available at the present time.

3.2 What is the total number of officers sent to other forces between Saturday 6 August and Thursday 11
August? Which forces were these?

ACPO is not in a position to provide you with the number of officers that were deployed—this is highly
complex given that a range of specialist units were also deployed. ACPO PNICC uses Police Support Units
(PSUs) as its currency; a PSU comprises 25 officers plus two medics—a total of 27 officers. Figure 1 below
is a summary of the overall number of PSUs provided to forces on mutual aid by date:

<table>
<thead>
<tr>
<th>Date/Period</th>
<th>Total No of PSUs</th>
<th>MPS</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.8.11</td>
<td>12</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>9.8.11</td>
<td>66</td>
<td>50</td>
<td>16</td>
</tr>
<tr>
<td>10.8.11</td>
<td>80</td>
<td>42</td>
<td>38</td>
</tr>
<tr>
<td>11.8.11</td>
<td>65</td>
<td>42</td>
<td>23</td>
</tr>
<tr>
<td>12.8.11</td>
<td>63</td>
<td>40</td>
<td>23</td>
</tr>
<tr>
<td>13.8.11</td>
<td>64</td>
<td>40</td>
<td>24</td>
</tr>
<tr>
<td>14.8.11</td>
<td>45</td>
<td>40</td>
<td>5</td>
</tr>
<tr>
<td>15.8.11</td>
<td>40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.8.11</td>
<td>34</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17–18.8.11</td>
<td>10</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>19–21.8.11</td>
<td>40</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>22–25.8.11</td>
<td>10</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>26–29.8.11 (NHC)</td>
<td>50</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>30.8–4.9.11</td>
<td>10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mutual aid commenced on Monday 8 August (when the MPS asked for support). ACPO PNICC was
effectively activated at 0930hrs that same day. The high watermark for mutual aid was Wednesday 10 August
when 390 PSUs (of which 80 were mutual aid) were deployed. Since that date, mutual aid has been scaled down for forces outside London and the MPS remains the only force to be receiving aid. Their request lasts until 4 September.

You will note that there is an uplift in aid for each weekend. The Bank Holiday weekend will be particularly challenging as on that weekend the MPS requires the most assistance just when elsewhere in the country there are multiple festivals and difficult football matches that also require policing. On 3 September, the MPS also has to police the EDL March in Tower Hamlets.

3.3 When and what information did ACPO receive from forces on the number of police officers they required to police the public disorders?

The answer to this question is partly covered within the response to the previous question. However, in more detail, ACPO was contacted initially at 0930hrs by the MPS with further requests for additional aid continuing throughout the day with significant numbers being sought for the MPS by the end of that first day of activation. A formal request for 50 PSUs for the MPS was received on the morning of 9 August.

Late on 9 August other forces began to request mutual aid having where necessary until that point made use of in-force resources and/or those in their local region. The maximum amount of aid provided per force/sourced by PNICC was as follows:

- Avon & Somerset — 3 PSUs
- Gloucestershire — 3 PSUs
- Greater Manchester Police — 14 PSUs
- Metropolitan Police Service — 50 PSUs
- Nottinghamshire — 5 PSUs
- West Midlands — 14 PSUs

In addition to this, other public order assets, such as, commanders, horses, dogs, medics etc were sourced for some of the locations detailed. The units were supplemented by those PSUs working in their own force area as well as forces that did not require aid making their own internal arrangements for appropriate levels of policing.

3.4 What advice did ACPO provide regarding police numbers, resources, and powers at the COBR meeting on Tuesday 9 August and on Wednesday 10 August?

This is a matter for record within government. COBR on both these occasions was chaired by the Prime Minister. However, the President would be content to provide an update during your first formal session in September.

3.5 What is the total number of officers who have suffered injuries during the disorders between Saturday 6 August and Wednesday 10 August?

A total of 299 officers have been injured (278—MPS/21—other forces).

3.6 What is the total number of emergency phone calls received each day from Saturday 6 August to Wednesday 10 August?

Specific numbers across all forces are not known at the current time but we are aware that there was a significant increase in emergency calls in affected forces during the time of the disturbances. We would be willing to provide specific information at a later stage but would be grateful for further clarification on what particular data the Committee is seeking; if we could understand the rationale behind this particular question it would assist to ask the right question of forces.

3.7 What is the total number of public disorder related arrests made each day since Saturday 6 August?

The pace and scale of the recent police response to the civil unrest, together with the arrest strategy and investigative processes that forces are engaged upon in conjunction with other agencies within the criminal justice system, are simply exceptional and unprecedented. The collaboration that has taken place between the relevant agencies has been phenomenal and will actively continue into the foreseeable future.

To provide you with indicative cumulative figures to date, please see Figure 2 below. It contains total cumulative figures as at 18 August 2011. Please note that the investigative part of the operation continues throughout all forces and so these figures change on a daily basis.
Figure 2

<table>
<thead>
<tr>
<th>Region</th>
<th>Arrests</th>
<th>Charges</th>
</tr>
</thead>
<tbody>
<tr>
<td>London</td>
<td>1,733</td>
<td>1,005</td>
</tr>
<tr>
<td>Others</td>
<td>1,661</td>
<td>660</td>
</tr>
<tr>
<td>Total</td>
<td>3,394</td>
<td>1,665</td>
</tr>
</tbody>
</table>

You should also be aware that whilst these are not final figures, the numbers to date far outweigh those experienced during previous disturbances in UK history.

TACTICS

3.8 Have ACPO members indicated that they require further policing powers and resources?

ACPO members have not indicated that they require further policing powers.

A range of legislation currently exists, which can be utilised to help resolve most public order policing issues. However, it is not the legislation which is of primary importance, but the context in which any legislation is applied coupled with the availability of sufficient trained and accredited staff to implement it effectively.

During the conference call with the Home Secretary on Wednesday 10 August, Chief Constable Meredydd Hughes (South Yorkshire), Head of the ACPO Uniformed Operations Business Area within which the remit for public order resides, stated that he had reviewed the ACPO Keeping the Peace Manual of Guidance and that it incorporated the whole range of tactical options at the disposal of the police service (e.g. vehicle tactics and baton rounds). He emphasised that the challenge was how the police service implemented the tactics in a fast moving and changing situation.

On the question of resources, all forces received the mutual aid that they requested. That fact that during the “surge” on Wednesday 10 August, the Service fielded 390 Police Support Units (PSUs) in total (just under 10,000 officers) demonstrated that we could mobilise to deal with such a situation. There was therefore no need to consider extra resources.

Looking to the future, the aim is that the Strategic Policing Requirement will define national capabilities and will specifically include the public order capability that the Service will require in the future. It remains to be seen if this will be congruous with the efficiency savings yet to come.

3.9 Would increased police powers have allowed officers to contain the spread of violence across the country earlier?

See previous answer also. A significant policing response, which if delivered swiftly, is the most effective means of containing the spread of violence and disorder. The key factor is not the number of suitably trained and equipped officers that exist in the Service but the ability to recognise the need to mobilise at an early juncture coupled with the means to ensure any subsequent mobilisation occurs quickly and is coordinated effectively. These recent events escalated in an unprecedented timeframe and there is an unavoidable lag in the deployment of extra resources once the decision to seek mutual aid is made. ACPO would therefore argue that on this occasion additional powers would not have had an effect but appreciates that it is hard to make a final judgement on this at the current time—the post event debrief may provide further information on this as will the inquiry being undertaken by the HMIC.

3.10 Did ACPO co-ordinate the sharing of experiences and tactics used by Chief Constables across the country prior to the conference call by the Home Secretary on Wednesday 10 August?

The ACPO Public Order and Public Safety Working Group has a number of established mechanisms through which learning from public order events across the country, including Scotland and Northern Ireland is collated and shared. It has a specific subgroup the National Operational Review Group (NORG) chaired by Chief Constable Sue Sim dedicated to this objective. Any key learning identified is also factored into revisions of the ACPO Guidance on “Keeping the Peace” and also into the underpinning training curriculum. The focus of these mechanisms is review “after” the event and do not lend themselves to sharing learning fast time while incidents are still occurring.

However, these mechanisms have enabled the establishment of an effective networking arrangement between public order practitioners, particularly on a regional basis. Given the period of time over which the recent disorder occurred, interaction between practitioners within and between regions will have occurred during which emerging problems and effective practice will have been discussed.

In addition, prior to the conference call with the Home Secretary, once COBR was sitting the ACPO President produced a daily update following each meeting to draw chief officers’ attention to key issues.

It is important to recognise, however, that the tactics that were being deployed by forces are not new. The “Keeping the Peace” manual of guidance that is developed by operational practitioners and signed off by chief constables contains a range of options for tackling a wide variety of disorder scenarios; a number of which were used during the recent disturbances. It is right and proper that we emphasise at this juncture that the
tactics to be utilised are impacted upon by the number of assets that you have at your disposal. As was seen by the disturbances in London, once there were significant officers deployed, the situation was effectively controlled. It is important also to note, once again for the record, that it was [and is] a matter for operational commanders to make the decision over which tactics to deploy.

Following the significant national mobilisation of public order assets across the country week commencing 8 August 2011 and the on-going support to be provided to the Metropolitan Police Service, we consider that now is an appropriate time to review what has happened and identify areas for improvement. This is normal business practice for ACPO following any significant major incident or event. Through the collation of relevant information, ACPO will be more able to respond to Ministerial questions and enquiries from other strategic stakeholders. It will also assist in the consolidation of learning, ensuring relevant issues are factored into the ACPO Guidance on “Keeping the Peace”, which is about to be subject to its annual review and also into the related training curriculum and our associated plans. Accordingly, a meeting of all regional public order leads—chaired by the ACPO lead for Public Order, Chief Constable Sue Sim (Northumbria)—has been arranged for later this week.

**Costs**

3.11 What is the total estimated cost to police forces of staffing the public disorders since Saturday 6 August (e.g. police overtime, cancelled leave)?

As has been stated earlier, this remains a “live” operation and at this stage, the Service is not in a position to provide you with the total estimated costs. The ACPO Finance & Resources Business Area is working now to produce the necessary information and to provide advice to forces to ensure we have a consistent methodology in place but this will take time given the complexity of the operation.

In addition to the mutual aid that was provided to a specific force, we utilised an element of the resources from Scotland as a contingency resource. As a result, they were not aligned to any particular force. The normal process in terms of where costs fall, is that the force that has requested aid will pick up the cost but where we have used the asset to provide a reserve capacity, this is not so clear cut. We will need to be mindful of the costs of these assets in particular when compiling our final costs. Moreover, additional costs for national units deployed over and above their day job to support the administrative infrastructure will need to be factored in.

However, to provide the Committee with some indicative costs whilst we work in the longer term to calculate more accurate full costs, we posed two relatively simple questions to forces and used 0700hrs on 15 August 2011 as a cut off point for the purpose of the exercise, given the operation still continues but to a much smaller degree.

Some very early estimates in terms of aggregated force costs are therefore available (these are very broad estimates and not all forces had supplied data by close of play on Friday 19 August 2011) but they will provide the Committee with an indication of the scale of the costs involved—though they are likely to rise:

- Cost of in-house policing within the force area (exclusive of the amount to be recharged for mutual aid) £42m
- Cost incurred in providing support between forces (not included in the above figure) £8m

As is stated above, the ACPO Finance & Resources Business Area is also working towards providing costs in relation to your original question. Early indications are that the response to the question (What is the total estimated cost to police forces of staffing the public disorders since Saturday 6 August?) taking costs again until 15 August, may well be in the region of £50-55 million.

None of the figures above include anything for Riot Damages’ claims or opportunity costs. All of the forces who have responded have provided significant caveats on the amounts and the figures are based on estimates until there is absolute clarity over mutual aid rates. There is a margin for error of approximately +/- 10 to 20%.

3.12 Are you confident that all costs incurred by forces for policing the riots (e.g. overtime, Riot Damages Act 1886) will be covered by the Government and will not come out of individual forces’ contingency funds?

With regard to the Riot Damages Act 1886, this is primarily a matter for government and police authorities. We have been given some reassurances by the Prime Minister but clearly the costs being claimed under the Riot Damages Act 1886 will need to be treated on a case by case basis to ensure they comply with the legal definition. Nevertheless, it would undeniably be helpful if there was a common approach being taken nationally. We understand that meetings are already taking place between the Association of Police Authorities and the Home Office. The subject of costs incurred and the full range of compensation schemes available have also been a topic of discussion at the Ministerial Group on Recovery. In addition, we have already written to forces to indicate that additional resources may be required to support the claims process under the Riot Damages Act through the production of police data to validate claims.

In terms of the broader policing costs, again this is a matter for government but ACPO was pleased to hear the assurances provided by the Prime Minister during his speech to Parliament. That said, it is also our understanding that the Home Secretary is keen to use the existing established system of special grants. Our
concern would be that the definitions used in existing processes may not result in forces being able to recover
in-force costs that accrued because of their wholly appropriate in-force strategy to ensure they were in a state
of preparedness. Moreover, special grants are discretionary and are normally used to cover public events like
party conferences, demonstrations or other unbudgeted policing costs. ACPO would strongly contend that the
disturbances in August are a special case given their nature, scale and geographic spread.

We appreciate, however, that we are at an early stage in these discussions and we will keep the situation
under review. ACPO Finance & Resources Business Area will continue to work on calculating the costs
incurred in conjunction with police authorities and to assist with the production of early guidance for forces.

4. CONCLUSION

4.1 The riots and disturbances of the week commencing 8 August were unprecedented and simultaneous
civil unrest of this magnitude has not been known in the UK in living memory. The nation and the police
service witnessed unparalleled and unforeseeable levels of criminality and violence but what we also saw were
extraordinary acts of bravery from police officers and our colleagues in other emergency services in extremely
dangerous and challenging times.

4.2 It is important to recognise that chief officers demonstrated fortitude and expertise, using their
professional judgement to take calculated risks to ensure that forces in greatest need received the aid they
required, working initially across regions and then nationally, in response to resourcing requests initiated and
co-ordinated by ACPO PNICC. It was a remarkable illustration of the UK policing model at its cohesive best.

4.3 A key issue, however, for forces in the aftermath of the disorder, will be the question of reimbursement.
The costs for forces (and those engaged nationally) will be significant both in terms of the cost of mutual aid
and in respect of opportunity costs, riot damage claims, and further in-force deployments. These costs have yet
to be fully calculated and we need to ensure consistency across the Service. In light of the economic climate
and the planned budget cuts for policing, as well as the unique nature of recent operational challenges, we
believe that it would be appropriate for government to think outside existing mechanisms to ensure that police
force costs are fully reimbursed.

4.4 Finally, one of the great strengths of British policing is that we admit when we get it wrong and if there
are lessons to be learned, we will learn them. The opportunity to reflect from that week is now upon us and,
as is normal business practice, the ACPO Public Order lead, Chief Constable Sue Sim will be holding a debrief
with all regional public order leads in the near future. Our operational debrief and the HMIC review will ensure
that we take forward any lessons to be learned in a pragmatic way. ACPO is determined to play its part so that
we can all learn what worked well and what was less successful.

August 2011

Written evidence submitted by the Metropolitan Police

Thank you for inviting me to the Committee last week to brief Members on the recent public disorder in
London. I was grateful for the opportunity to place on record my pride in the dedication and bravery displayed
by officers and staff that put themselves in harm’s way.

This was an unprecedented situation, unparalleled over recent years in the demand it placed on Metropolitan
Police Service (MPS) resources. Our main objective throughout the disorder remained to protect life and to
prevent injury, as well as to minimise damage to property.

We currently have 500 officers working in the investigation team. Forensics and crime scene examiners have
been working at over 800 crime scenes and we have been examining over 20,000 hours of CCTV footage.

At the time of writing, we have arrested over 1,900 people, over a thousand of whom have been charged. I
fully expect the number arrested to reach well beyond 2,000 shortly. These arrests are being made possible
with the support of Londoners who have come together to help us identify the looters and violent people that
damaged our city.

Individual officers have proudly told me stories of being offered cups of tea, meals, rest facilities or being
applauded as they walk down the street. It is a testament to the close relationship that has been built up between
the police and the people of London that even in the areas worst affected they are supporting us.

We will continue to work hard to find and arrest those responsible for the appalling violence we witnessed
on London’s streets.

You wrote to me on 14 August with a number of specific questions, which I have sought to answer below.
I should stress that we are still running a substantial policing operation with Notting Hill Carnival fast
approaching and a potential English Defence League (EDL) march on the following weekend. As such this
response should be caveat in that the review work is ongoing and we still have more to do in establishing
the timeline of events. I hope this is of assistance to the Committee and look forward to discussing this with
you further in September.
1. Number of police officers deployed each day in each London Borough since the first day of the disorders.

Given the unprecedented and fast-moving nature of Operation Kirkin (the name given to the police response to the public disorder) it is difficult to give you exact figures for the number of police officers that were deployed.

I hope the Committee will appreciate that, with police officers from across the MPS being sent to assist from other duties at very short notice, deployment records do not exist in every instance, particularly early in the disorder.

However, the following information will give the Committee a sense of the scale of the operation:

**Saturday 6 August 2011**

Approximately 8,765 police officers were on duty across London during course of the day. That figure includes every warranted officer, from local beat officers to specialist detectives, carrying out the full range of the Met’s duties. By 6pm, approximately 3,000 uniform officers were on duty across London.

The disorder in Haringey was initially responded to by the approximately 80 officers on duty in the Borough. That evening approximately 380 additional Public Order officers were deployed to Haringey to assist them (90 Level 1 and 290 Level 2 officers). In addition, approximately 100 Public Order officers from Mutual Aid requests were deployed over the course of the night.

**Sunday 7 August 2011**

Approximately 9,700 police officers were on duty across London during the course of the day, again with approximately 3,000 uniform officers on duty across London in the evening. I chaired a Management Board meeting on Sunday morning, which decided to increase the resources available to Haringey and to other Boroughs where we had information that disorder might occur.

Over the course of the evening, about 1,150 additional Public Order officers were deployed to assist local officers at various sites. Approximately 124 Public Order officers from Mutual Aid requests were also deployed.

**Monday 8 August 2011**

Approximately 20,200 police officers were on duty across London during the course of the day. In preparing for Monday evening approximately 6,000 officers from the MPS and other forces were deployed across London, including 1,900 public order officers (approximately 558 of whom were provided by Mutual Aid).

These resources were stretched by the scale of simultaneous incidents across London, and plans were put in place overnight to significantly increase resources. This included contacting Police National Information Co-ordination Centre (PNICC) and forces directly in preparation for the following day.

**Tuesday 9 August 2011**

Approximately 24,300 police officers were on duty across London during the course of the day. I chaired a Management Board early on Tuesday morning and took the decision to deploy 13,000 uniform officers—raised shortly afterwards to 16,000—to respond to disorder in London that evening. This included 3,750 public order officers (approximately 1,705 of whom were provided by Mutual Aid).

2. What is the total number of officers brought into London from other forces between Saturday and Thursday?

The following table details how many mutual aid officers were on duty on each day; as per my earlier comment the accuracy of these improves later in the week.

<table>
<thead>
<tr>
<th>Day</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sat 6 Aug</td>
<td>100</td>
</tr>
<tr>
<td>Sun 7 Aug</td>
<td>124</td>
</tr>
<tr>
<td>Mon 8 Aug</td>
<td>558</td>
</tr>
<tr>
<td>Tue 9 Aug</td>
<td>1705</td>
</tr>
<tr>
<td>Wed 10 Aug</td>
<td>1302</td>
</tr>
<tr>
<td>Thu 11 Aug</td>
<td>1302</td>
</tr>
<tr>
<td>Fri 12 Aug</td>
<td>1240</td>
</tr>
<tr>
<td>Sat 13 Aug</td>
<td>1240</td>
</tr>
<tr>
<td>Sun 14 Aug</td>
<td>1240</td>
</tr>
<tr>
<td>Mon 15 Aug</td>
<td>1240</td>
</tr>
<tr>
<td>Tue 16 Aug</td>
<td>1147</td>
</tr>
</tbody>
</table>

---

1 Public Order officers are defined as:
Level 1—the Territorial Support Group, who receive Public Order training every five weeks.
Level 2—officers who receive public order training every 18 months, and can be called upon to police public order events.
Level 3—officers with no specialist public order training or kit, who can assist with policing cordons etc.
3. When was the decision to increase the number of police officers deployed on Tuesday made? Was this before or after the COBRA meeting with the Prime Minister?

4. Who made this decision to authorise and implement the "surge"?

On the evening of Monday 8 August, I as Acting Commissioner, along with my Management Board, took the decision to significantly increase the number of officers deployed in this operation. Work was undertaken overnight and into the morning to scope the capacity.

This was presented to Management Board on early Tuesday morning and a decision to deploy 13,000—raised by me shortly afterwards to 16,000—was taken. I briefed the Prime Minister, Deputy Prime Minister and Home Secretary on this early on Tuesday morning, prior to that day’s Cobra meeting.

5. What is the total number of officers who suffered injuries during the disorders in London between Saturday and Wednesday?

282 officers have reported injuries resulting from the police operation. You will note that this is a higher number than was given to the media at the time. We have become aware of more injuries as officers report back to work after rest days.

As well as physical injuries, a number of officers have suffered from smoke inhalation. The officer injured on the 13/14 August was thrown across a room by an electric shock while retrieving CCTV footage from a shop.

<table>
<thead>
<tr>
<th>Date</th>
<th>Emergency</th>
<th>Non emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>6–7 Aug</td>
<td>88</td>
<td></td>
</tr>
<tr>
<td>7–8 Aug</td>
<td>48</td>
<td></td>
</tr>
<tr>
<td>8–9 Aug</td>
<td>123</td>
<td></td>
</tr>
<tr>
<td>9–10 Aug</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>10–11 Aug</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>11–12 Aug</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>12–13 Aug</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>13–14 Aug</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>14 Aug onwards</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>282</td>
<td></td>
</tr>
</tbody>
</table>

6. What is the total number of emergency phone calls received each day from Saturday to Wednesday?

The following tables detail the number of calls received up to Thursday 11 August and compares them with the previous week and previous year. The Committee will note that on Monday 8 August we received nearly 21,000 emergency 999 calls, compared to fewer than 6,000 on the previous Monday.

<table>
<thead>
<tr>
<th>During disorder</th>
<th>Date</th>
<th>Emergency</th>
<th>Non emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saturday</td>
<td>06 Aug 2011</td>
<td>7,653</td>
<td>6,884</td>
</tr>
<tr>
<td>Sunday</td>
<td>07 Aug 2011</td>
<td>7,802</td>
<td>6,989</td>
</tr>
<tr>
<td>Monday</td>
<td>08 Aug 2011</td>
<td>20,940</td>
<td>21,630</td>
</tr>
<tr>
<td>Tuesday</td>
<td>09 Aug 2011</td>
<td>9,711</td>
<td>21,375</td>
</tr>
<tr>
<td>Wednesday</td>
<td>10 Aug 2011</td>
<td>5,825</td>
<td>10,651</td>
</tr>
<tr>
<td>Thursday</td>
<td>11 Aug 2011</td>
<td>5,254</td>
<td>9,700</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>57,185</td>
<td>77,229</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Previous week</th>
<th>Date</th>
<th>Emergency</th>
<th>Non emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saturday</td>
<td>30 July 2011</td>
<td>6,979</td>
<td>6,887</td>
</tr>
<tr>
<td>Sunday</td>
<td>31 July 2011</td>
<td>5,274</td>
<td>5,509</td>
</tr>
<tr>
<td>Monday</td>
<td>01 Aug 2011</td>
<td>5,925</td>
<td>10,150</td>
</tr>
<tr>
<td>Tuesday</td>
<td>02 Aug 2011</td>
<td>6,074</td>
<td>9,462</td>
</tr>
<tr>
<td>Wednesday</td>
<td>03 Aug 2011</td>
<td>6,150</td>
<td>9,800</td>
</tr>
<tr>
<td>Thursday</td>
<td>04 Aug 2011</td>
<td>5,447</td>
<td>9,329</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>35,849</td>
<td>51,137</td>
</tr>
</tbody>
</table>

| Diff v previous week |       | 21,336    | 26,092 |
| Total Diff v previous week | 60% | 51% |

<table>
<thead>
<tr>
<th>Same week in 2010</th>
<th>Date</th>
<th>Emergency</th>
<th>Non emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saturday</td>
<td>07 Aug 2010</td>
<td>6,283</td>
<td>5,721</td>
</tr>
<tr>
<td>Sunday</td>
<td>08 Aug 2010</td>
<td>5,506</td>
<td>4,901</td>
</tr>
<tr>
<td>Monday</td>
<td>09 Aug 2010</td>
<td>5,957</td>
<td>9,979</td>
</tr>
<tr>
<td>Tuesday</td>
<td>10 Aug 2010</td>
<td>5,040</td>
<td>8,712</td>
</tr>
</tbody>
</table>
When I briefed the Committee on 16 August, I was asked about our response to 999 calls during the disorder. I undertook to provide the Committee with more details.

### Average time to answer (seconds)

<table>
<thead>
<tr>
<th>During Disorder</th>
<th>Date</th>
<th>Emergency</th>
<th>Non emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saturday</td>
<td>06 Aug 2011</td>
<td>7,653</td>
<td>29</td>
</tr>
<tr>
<td>Sunday</td>
<td>07 Aug 2011</td>
<td>7,802</td>
<td>22</td>
</tr>
<tr>
<td>Monday</td>
<td>08 Aug 2011</td>
<td>20,940</td>
<td>75</td>
</tr>
<tr>
<td>Tuesday</td>
<td>09 Aug 2011</td>
<td>9,711</td>
<td>7</td>
</tr>
<tr>
<td>Wednesday</td>
<td>10 Aug 2011</td>
<td>5,825</td>
<td>7</td>
</tr>
<tr>
<td>Thursday</td>
<td>11 Aug 2011</td>
<td>5,254</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>57,185</td>
<td>24</td>
</tr>
</tbody>
</table>

The Committee will note the pressure our 999 call handlers were put under, particularly on Monday 8 August.

7. **Total number of arrests made each day since Saturday 6 August by Borough?**

   At the time of writing (Tuesday 23 August) the MPS has made 1,920 arrests. 1,098 of those arrested have been charged. I fully expect the number arrested to reach well beyond 2000 shortly.

   It is not possible to provide a breakdown of these arrests by Borough. Our records detail in which Borough offenders were processed in to custody. Going back over each arrest to double-check it took place in the same Borough would entail a significant amount of work at a time when our emphasis is on learning lessons in preparation for the future.

### Tactics

8. **Does the Metropolitan Police Service (MPS) require any further policing powers and resources?**

   9. **Would increased police powers have allowed MPS officers to contain the spread of violence across London earlier?**

      As I have already mentioned we are undertaking a series of reviews, one of which is focussed on causality. At this moment in time there is nothing to suggest that additional powers would have assisted us or improved our response.

      Our main objective throughout the disorder remained to protect life and to prevent injury, as well as to minimise damage to property. It was the simple scale and disparate nature of the disorder which reduced our capacity to make arrests. The police officers on the ground had to take difficult decisions between providing continued protection to the public and fire brigade crews and going in to arrest offenders. Nonetheless 450 arrests were made over the three nights.

      Clearly it is not sustainable to maintain the unprecedented resources we put on London’s streets last week. It took a huge effort on the part of the Met and other forces, and we are grateful to them for the assistance they gave at short notice.

10. **Did you share the experiences of policing the public disorder on Saturday, Sunday and Monday with other Chief Constables prior to the conference call by Home Secretary on Wednesday 10 August?**

    The MPS was in contact with Chiefs from other forces throughout the period of disorder.

    As we discussed with the Committee on 16 August, ACPO (Association of Chief Police Officers) were of great assistance in co-ordinating requests for help via the PNICC system. I understand that ACPO are providing you with details of this in their written response to you.

### Costs

11. **What is the total cost to the MPS of staffing the public disorders since Saturday (e.g. police overtime, cancelled leave)?**

    The estimated total cost of staffing the public disorder (Operation Kirkin) since Saturday 6 August to Sunday 21 August 2011 is £74 million, inclusive of £10 million in respect of the criminal investigation (Operation Withern), as detailed in the table below:
The additional costs of Operation Kirkin represent £34 million of which £23 million is overtime (inclusive of £4 million Operation Withern overtime) and £9 million of mutual aid costs for the supply of officers from other forces.

Opportunity costs (ie the benefit loss to the MPS of an officer being deployed away from their normal duties to these duties) for Operation Kirkin are estimated at £40 million, of which £6 million is in respect of Operation Withern.

12. Are you confident that all costs incurred by the MPS for policing the riots (eg overtime, Riot Act 1886) will be covered by the Government and will not come out of the MPS’s contingency funds?

13. Have you received any information from the Home Office confirming that they will pay these costs following the Prime Minister’s statement to the House on Thursday 11 August?

As of today’s date there has been no confirmation that central government will agree to cover all of the costs associated with the outbreak of civil disorder. Therefore there is no guarantee that some of these costs will not come out of the MPA/MPS contingency funds.

14. Are you confident that all costs incurred by the MPS for policing the riots (eg overtime, Riot Act 1886) will be covered by the Government and will not come out of the MPS’s contingency funds?

I hope this information is of help to the Committee in its inquiry. Please do contact my office if the MPS can be of any further assistance prior to September.

23 August 2011

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Cost element  £m
Additional costs consisting of:
Overtime  £23m
Mutual Aid  £9m
Support Costs  £2m
Total Additional Costs  £34m
Opportunity Costs  £40m
Total  £74m

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Written evidence submitted by the Independent Police Complaints Commission (IPCC)

Thank you for your letter dated 12 August 2011 in relation to your inquiry into the public disorders. You have asked a number of questions in relation to the IPCC’s investigation into the death of Mark Duggan. I have consulted with the Commissioner responsible for this investigation and my responses are set out below.

When were the IPCC first notified of Mark Duggan’s death and the need for an IPCC investigation into his death?

The Metropolitan Police Service (MPS) Directorate of Professional Standards called the IPCC on call Senior Investigator at 7.20 pm on Thursday 4 August to inform him of a fatal police shooting that had happened in Tottenham at approximately 6.15 pm. IPCC investigators were deployed and the first reached the scene of the shooting at approximately 9.00 pm. IPCC investigators also attended the post incident procedure at Leman Street Police Station.

The IPCC independently investigates all fatal police shootings so an investigation was launched immediately.

When did the IPCC first contact the family of Mark Duggan?

At 11.00 pm on Thursday 4 August, an IPCC deputy senior investigator spoke to a Metropolitan Police Service Officer to get a handover briefing based on information currently available. He was told that an MPS Family Liaison Officer had been in touch with Mr Duggan’s next of kin.

The IPCC appointed a Family Liaison Manager (FLM) on the morning of Friday 5 August. Our FLM spoke to the MPS Family Liaison Officer to establish what had been done so far and he was given contact details for Mr Duggan’s partner, who the MPS Family Liaison Officer had been liaising with until then.

The IPCC’s FLM spoke to Mr Duggan’s partner that day. He introduced himself, explained the role of the IPCC and made arrangements for family members to view Mr Duggan’s body at Haringey Mortuary the next day. He was told that Mr Duggan’s parents were not up to speaking to the IPCC.

On Saturday 6 August, two IPCC Family Liaison Managers spent two hours with numerous members of Mr Duggan’s family and friends, and facilitated the viewing of Mr Duggan’s body and formal identification. They explained the role of the IPCC and established that Mr Duggan’s partner would be their single point of contact in order to avoid confusion as best as possible. Other members of the family were told that, if they had any questions or information for the IPCC, they should pass them on via the single point of contact and likewise, that the IPCC would pass on all updates in the same way. The IPCC were told that Mr Duggan’s parents did not feel up to being there. A further meeting was arranged and in the meantime Mr Duggan’s partner was
provided with IPCC contact details and told that she could call at any time if she, or any other members of the family, had any questions.

The IPCC Commissioner responsible for the investigation met with family members on Sunday 7 August and spoke to Mr Duggan’s mother on the phone, who advised she did not want any direct contact or meeting at that time and wanted liaison through Mr Duggan’s partner.

Is it the responsibility of the IPCC to inform the next of kin of a death of a relation?

No—this is never the responsibility of the IPCC.

Will the IPCC be investigating why the Duggan family first heard about the death of their son when the news was broadcast on national television?

The investigation will predominantly consider the circumstances surrounding the police contact with Mr Duggan and the actions of the officer firing the shots. Further issues for inclusion in the terms of reference are still under discussion with community/family representatives.

Will the IPCC be investigating why it took five hours before a senior police officer was made available to answer questions of protesters outside Tottenham Police Station on Saturday 6 August?

See above.

How many IPCC employees are currently working on the Mark Duggan investigation?

Currently there are twelve IPCC investigators working on this investigation but they are also supported by a range of staff in other functions such as the Media Team, Investigations Support Team and Intelligence Unit. The investigation is being led by an IPCC Commissioner. Resources will be kept under review and adjusted accordingly throughout the course of the investigation.

When do you anticipate the IPCC concluding their investigation into the death of Mark Duggan?

It is always difficult to give an accurate timescale so early on in such a complex investigation. We have estimated to the Coroner however that we expect the investigation to take four to six months. We will publish the findings of our investigation in due course. We are however usually unable to publish our investigation reports until after any criminal/coronial proceedings are complete.

I hope that the information above is of some assistance to the Committee’s inquiry. I understand that you have requested the IPCC provide oral evidence on 6 September 2011. We are happy to do so though I am sure you will understand that given that this is an ongoing investigation, we will be limited in terms of what we can discuss at the session.

22 August 2011

Written evidence submitted by the Federation of Small Businesses (FSB)

The Federation of Small Businesses (FSB) welcomes your inquiry into the police response around the recent disorder. The FSB would like to put forward a number of points about the impact of policing tactics and priorities on the business community in some of the areas affected.

BACKGROUND

The FSB, as you know, is the UK’s leading business organisation with over 200,000 members across the UK. Small businesses are already frequent victims of crime and aggressive behaviour, leading in many cases to lost trade, loss of confidence (of staff, customers and the wider community), increased insurance premiums and, in some cases, business closures. Two thirds of businesses have been a victim of crime over the last 12 months at a cost to each business of £2,900 per year. In particular, aggressive behaviour and intimidation, vehicle damage and criminal damage/vandalism were already at the top of members’ crime concerns. The recent unrest was yet another blow to this sector trying to help rebuild the economy and create jobs.

The FSB believes that a higher profile should be given to the policing of crimes against business and that this would help to remove the impression many have that this type of crime, even local small businesses, is somehow a victimless crime. Local people, whether as owners or employees, are the victims. In addition there is a knock-on effect on the whole local economy, even when it does not involve such large scale disorder, on which everyone livelihood depends. A closed business cannot offer employment or provide services.

POLICE RESPONSE IN SOME OF THE REGIONS AFFECTED

Our concern has been for some time the mixed picture in terms of police response and support given to businesses as victims. Recent events highlight that the response to businesses at a local level could be much
improved. It was clear that there were big issues in some areas around the speed of response in clearing rioters from the streets and that the fact that the disorder went on for not one, but a number of evenings stopping businesses from trading.

**London**

The Met Police have a positive approach to engaging with small businesses. The roll out of Neighbourhood Policing Teams (NPT) happened first in London with members very much valuing the advice and support they get from the police at a local level. Although members in some areas such as Hackney and Tottenham have told us they would value greater support from the police through more proactive contact from the police.

The Met Police have also had positive policing initiatives in place such as business policing models and initiatives but our approach is that there will never be any real progress by the Met Police in addressing crimes targeted against business or in the police response to businesses until the Met agree to recognize and record crimes against business in their policing plan which is underpinned by a business crime strategy, helping reduce business crime and crime overall.

The FSB’s National Chairman visited an FSB member affected recently in Croydon who had good security systems in place and contact with the police before the incident but it seems that enough police were not out in force to prevent the rampage on his shop within the Whitgift shopping centre in Croydon. Clearly, these are issues that the police need to address in the future.

On the whole, communications from the Met Police to the business community were excellent with a business stakeholder group quickly mobilized and daily email briefings following on the back of this. However, businesses did receive conflicting advice as to whether to vacate shops with some shops being told to evacuate and nearby business units having no contact with the police in this regard at all.

It is important for future planning that communications are reconsidered in light of recent events. Messages outlining that small businesses “should employ security guards” is not helpful and many should have been told to shut up shop rather than take the risks with staff. It is important that businesses receive integrated advice not just on crime prevention but on arson risk too so it is important that the Met is in a position to link up quickly in the future with key agencies such as the London Fire Brigade. The Met should set up an ongoing business network or stakeholder group that it can use in case of future events to contact key business groups quickly. It is important to maintain these good communication links, particularly in the run up to the Olympics in 2012.

**North West**

**Manchester**

Feedback from FSB members in affected areas in Manchester tells us that the day to day relationship between businesses and police on the ground is good on the whole but that clearly the police simply were not out in sufficient numbers to prevent the disorder. Businesses reported organised looting with vans backing up next to the shops, loading up and driving away with the core of the rioting mob being directed on to the next target.

In the area immediately around Market Street in Manchester some businesses were lucky and said that their shutters were just strong enough and or their stock was not appealing enough to target although two jewelers were badly hit. One of these businesses moved goods into the safe then got out as they were too scared to stay any longer. One business was trading again the next day while waiting for the shutters to be replaced and the other jewels who were badly hit. One of these businesses moved goods into the safe then got out as they were too scared to stay any longer.

Positive aspects to the events in this area include the fact that hoards of people turned out the morning after to help with the clean up and that Manchester’s Northern Quarter, being a distinctive and active business area, businesses mobilised themselves by calling a meeting and making plans to support each other and when to re-open etc. On the whole, Manchester police have a reasonable approach to tackling crimes against business although we think that more could be done in collaboration with the local council. Members comment that areas targeted already had issues around lack of rubbish collection and the overall street quality environment; a disappointment given the business rates that businesses pay. There is clearly a need for Councils and Police to join forces through Community Safety Partnerships and address an array of issues of concern to businesses.

**Merseyside**

Merseyside Police produced some useful advice for businesses which the FSB circulated to businesses in the area. Businesses report to us that contact with local Neighbourhood and crime prevention teams is reasonably positive with good advice. However, engaging forces at a more strategic level to address crimes against business issues has proved more challenging. We appreciate pressures on budgets but think that given that crimes against business represent up to a quarter of all crime in some areas, we think that action is important particularly at this economically difficult time.
Birmingham

West Midlands police have had a positive response to crimes against business over the last few years with the West Midlands Business Crime Forum being one of the leading Business Crime Forums in the country, chaired by an FSB member. However, it was clear that for more than one night, the police were overwhelmed by events in the centre of Birmingham.

We recognize that Birmingham was victim to serious disorder where three deaths occurred. Whilst we entirely appreciate the need to allocate resources to the most serious crimes, it is important to still ensure that the business community can rely on the protection of the police if similar events were to happen again in the future.

In Birmingham City Centre, the area around Broad Street was particularly affected by the disturbances. Whilst a large number of the businesses along that strip are parts of large chains and hotels, there are a number of small businesses, in particular fast food outlets aimed at the night time economy. Businesses have reported that they felt particularly vulnerable from criminal damage and a broken shop front window saw the business affected unable to operate and therefore losing much needed revenue until essential repairs were carried out.

The FSB has a very good relationship with all four Police forces across the greater West Midlands (West Midlands Police, Staffordshire Police, West Mercia Police and Warwickshire Police) with FSB representatives across the whole geography covered by these four forces holding regular meetings with Police representatives on the all important issue of business crime. However, it is rather concerning to see the marked differences in recording of business crimes between the four forces. The FSB would like to see a more consistent approach to recording in order that we can feel assured that business crime is monitored accurately and allocated the necessary resources.

The FSB works very hard with its members across the Greater West Midlands to try and encourage them to take a pro-active approach to protecting their business. We feel that the responsibility for keeping a business safe rests also with the business owner and we ensure they are armed with sufficient information on how they can put in place relatively easy steps to help prevent crime, rather than waiting for a reactive situation which requires the attendance of the Police.

Future Focus on Crimes Against Business

Overall the message from the areas affected across England is for more of a consistent approach in the way that police forces deal with crimes against business and engage with the business community. Developing this relationship is important particularly considering that 40% of businesses do not report crime against them because of a lack of faith in the system. Clearly, official crime statistics do not demonstrate the full extent of the issues.

The FSB is keen that the opportunity is now grasped to address these long standing problems and ensure that every police service in England and Wales takes a pro-business approach, recognising that businesses are a core component of local communities and include them in planning. It is important that Home Office and Association of Chief Police Officer (ACPO) join together to encourage all forces to record business crime and use more informed intelligence to address crimes against business through local policing plans and underpinning this through a local business crime strategy. This type of crime makes up a quarter of all crime in some areas and police forces that have developed good engagement with businesses, such as Essex, can demonstrate that crime can be reduced. We want crimes against business to be addressed by majority rather than the minority of forces.

We would also like to see the police encouraged to give sensible guidance to businesses around security systems including shutters and CCTV; essentially not that such security solutions are suitable for all businesses and the recognition that shutters can give the impression of the area as a “no go zone”. The FSB is looking to provide balanced information to businesses which they can use to make a decision that is relevant to their individual business.

Future Funding

We are live to the debate around police cuts and the impact on front line services. The FSB is keen to ensure that levels of funding to the police are maintained and kept under review over the coming months. It is important that funding for NPT and the professional support required to prepare good quality cases is maintained during the renewal stage to regain the confidence of businesses. It is all the more important that elected police commissioners give strong credence to the voice of the business community which we fear will be lost at a local level given that businesses will not have a direct vote.

Thank you for the opportunity to put forward our views. We would be available to give oral evidence and would be willing for this written submission to be placed in the public domain.

September 2011
Written evidence submitted by Ministry of Justice (MoJ)

INTRODUCTION

1. This memorandum sets out the wider criminal justice response, in particular the response from Her Majesty’s Courts and Tribunals Service (HMCTS) and the National Offender Management Service (NOMS), to the outbreak of rioting and looting that occurred in August 2011.

2. The Criminal Justice System (CJS) responded swiftly, fairly and properly to the sudden outbreak of rioting and looting. Applying a number of contingency measures, including some extended sitting, it was effective in contributing to restoring order quickly. It is too early to draw definitive conclusions about how the CJS performed when operating under such extreme pressure. This memorandum sets out some emerging lessons that may be applicable in future emergencies. It also provides a brief overview of the existing CJS reform programme.

KEY STATISTICS

3. The outbreak of rioting and looting resulted in a large number of cases coming before the courts very quickly. Under normal circumstance charged defendants who are held in police custody do appear before the courts the next working day after charge, but the significant difference here was that thousands had been arrested and needed to be dealt with. Outlined below is management information received from the courts, covering all cases deemed by the courts and prosecutors to be related to the disturbances between the 6 and 9 August. Current figures are the earliest sample and firm conclusions should not be drawn from them until the fullest facts are available. Updates can be obtained at www.justice.gov.uk/publications/statistics-and-data/ad-hoc/index.htm

Outcome of initial court hearings:

— 1,630 suspects have had an initial hearing at a magistrates’ court based on the data available at midday on 5 September. The majority of these hearings were in London (66%).

— For those cases where the age is known, 346 (21%) were aged 10–17 and 1,284 were adults. From the information currently available around 91% of defendants are male.

— For those cases where the defendant is currently on remand, 66% were remanded in custody. By comparison in 2010, 10% of people brought before magistrates’ courts were remanded in custody.

— As cases are being progressed HMCTS will also be collecting any data which has yet to be received centrally on age and initial outcome of hearing.

Sentencing:

— Magistrates’ Courts—Of those cases where the defendant has been convicted and sentenced, 45% received a custodial sentence, with an average custodial sentence length (ACSL) of 5.1 months.

— Crown Court—The number of cases appearing before the Crown Court are increasing. As at 5 September 79 offenders have been sentenced—71 have received an immediate custodial sentence with an average custodial sentence length of 18.9 months.

How did the CJS respond?

4. We should acknowledge that staff across the CJS, including the CPS, Prison staff, The Probation Service, the Police, the courts, members of the judiciary and the defence community were willing to work extremely long hours through the crisis. While this cannot be sustained for long periods, for a short period it was vital to allow the CJS to respond to the initial volume of work.

5. Secondly, to ensure that cases were heard as quickly as possible and were able to be progressed through the system, a number of contingency measures were deployed across the system. These measures allowed cases to be accelerated, relieving pressures on police cells and ensuring rioters were not simply released back out on to the streets. Steps taken included:

— Where there was demand, magistrates’ courts were open 24 hours and seven days a week in London to receive defendants in real time. They have remained in constant contact with police to identify any further pinch points.

— Duty solicitors were “on tap” ready to advise their clients promptly.

— Additional resources were allocated in prisons to staff reception desks out of usual hours.

— The CPS, working with the police, resourced up to ensure that all necessary information (including estimates of damage/value of goods/victim’s impact statements/requests for compensation) was prepared at the earliest possible opportunity. This enabled the courts to make progress within one or two days (or even in some cases hours) of arrest/charge.

— CPS identified at an early stage relevant case-law on sentencing for riot.
Working in partnership with the judiciary, cases were listed as soon as practicable. This meant that the first Crown Court riot sentences were imposed within seven days of the public disorder and 79 had been sentenced within 28 days.

NOMS and the Youth Justice Board ensured there was sufficient capacity and flexibility within the secure estate to hold adults and young people remanded and sentenced to custody.

What worked well that we should consider building on?

6. We will not be in a position to assess fully the effectiveness of the CJS response until a higher number of cases have been completed and we are able to compare the conviction and appeal rates to our normal performance and the overall time it has taken to resolve cases. However a number of lessons are beginning to emerge. When operating in an emergency we should build on:

- **Joint working:** Whilst we must recognise that much of the success of the CJS response came from the good relationships that already exist across CJS agencies, the scale of the challenge led to a strong sense of joint working across the system around a common purpose. Action was well coordinated across agencies with far better communication than is the norm.

- **Gold Command:** An extended NOMS Gold Command, covering all MOJ operational functions, co-ordinated the response across the CJS agencies and senior officials from all agencies were represented. This was the first time Gold Command had been used in this way and it worked well. MoJ is building on this success so that Gold can be even more effective as part of future contingency planning including in preparation for upcoming challenges such as the Olympics. This includes some process improvements, such as the creation of a centralised police cell allocation process in London, but also raising awareness across CJS agencies of the role of Gold in a contingency situation. In the first 24 hours of the crisis it proved extremely difficult to get clarity on what cases were ready for court and when they would be arriving—that would be a crucial area for improvement.

- **Overnight court opening:** Courts were open over night in the aftermath of the disturbances to be available to deal immediately with those cases that were ready to be brought before the court. Even since courts have been available as soon as a case is ready for trial or sentence. As well as being a powerful symbol, this allowed us to deal with a high volume of cases in a short space of time and ensure police could clear police cells. While over night courts will continue to feature as part of contingency planning, they are not likely to be a sensible or cost effective way of operating in normal circumstances. HMCTS is developing more robust contingency arrangements should overnight courts be required in any future emergency situations (eg Olympics).

- **Transparent data/openness:** In previous CJS crisis situations we had conflicting numbers produced by different agencies which led to media confusion and a lack of trust that the CJS had the situation under control. Through MoJ’s Chief Statistician co-ordinating and assuring the quality of all data collection and release, we had a commonly understood and recognised information picture trusted by the press and other agencies. We plan to build on this with an ambitious set of transparency releases over the coming 9 months on sentencing, courts and re-offending and expanding police.uk to include justice outcomes. The level of coverage of riot proceedings was unprecedented, and journalists were welcomed at the overnight court sittings. The Crown Court judiciary have also published a series of sentencing remarks to help explain their approach (www.judiciary.gov.uk)

Judge Gilbards (16/8/11) R v Carter and Others:

“This who choose to take part in activities of this type must understand that they do so at their peril. It must be made equally clear, both to those who are apprehended and to those who might be tempted to behave in this way in the future, that the court will have no hesitation in marking the seriousness of what has occurred and it will act in such a way in the present case as will, I hope, send out a clear and unambiguous message as to the consequences to the individual. It is a message which I trust will deter others from engaging in this type of behaviour in the future. The people of Manchester and Salford are entitled to look to the law for protection and to the courts to punish those who behaved so outrageously.”

CURRENT REFORM AGENDA

7. In addition to the initial lessons learned above there is already an established CJS reform agenda and the lessons from the disturbances reinforce the need to progress some of the key elements of this agenda, in particular:

- **Digital working:** The progression of cases relies too heavily on paper and physical media being passed between agencies and defence. This can be slow and cumbersome; and can increase the risk that vital information is not available at the right place at the right time. The Police, CPS, HMCTS and MoJ are developing plans to move to digital working across the CJS to reduce the number of steps in the process and reduce the number of times information has to be captured or compiled for different purposes.
— **Streamlined Case Administration:** In addition a number of administrative functions are replicated across the Police, CPS and HMCTS, particularly around the creation and management of the case file. Plans are being developed to integrate these functions to improve both the timeliness and quality of case preparation. As part of this work we will also be extending postal charging and requisitioning to all areas which provides a quicker and more efficient way of instigating criminal proceedings.

— **Exploiting video technology:** The CJS could make more effective use of video technology. Plans are being developed to exploit video technology routinely across the CJS wherever it offers a more cost effective alternative to the physical movement of people or greater protection to victims and witnesses, provided the interests of justice are protected. This includes video links between the courts or offender managers and prisons or police cells. Additionally it includes links between the courts and remote sites from where victims and witnesses can give evidence. HMCTS is already acting to improve the courts video link infrastructure (with a particular focus on the inadequate equipment in the Crown Court).

— Other measures which will be developed as policy options in the light of considered judgments of the full picture of what was achieved when it is available.

*September 2011*

**Written evidence submitted by London Borough of Waltham Forest Council**

Waltham Forest Council launched its pioneering Gang Prevention Programme as a reaction to community concerns about the impact that gang-related activity was having on the borough. We believe that the successes of this programme have relevance to the terms of reference of the inquiry.

The London Borough of Waltham Forest is located in the north-east of the capital. According to a population count exercise, the borough’s population is 247,500; 42% from a BAME background. Waltham Forest was ranked as the 15th most deprived local authority in the country, and the 6th most deprived in London.

The south of the borough stretches deep into inner London and borders the London Boroughs of Hackney and Newham; underpinning Waltham Forest’s status as one of the Host Borough’s for the 2012 Olympic and Paralympic Games and highlighting the fallacy of regarding it as an outer London borough with outer London issues.

The borough suffered over 70 incidents of looting and vandalism during the riots. To the west the borough shares a border with Haringey, and the retail park at Tottenham Hale that suffered significant damaged during the riots is just across the borough boundary. The employment rate, 63.5%, is below the London average, 68%, whilst the unemployment rate, 12%, is over three percentage points higher than the London average, 8.9%.

Whilst large improvements have been made in GCSE-level education over the last five years, the borough is still below the London average for GCSE and A-Level results.

The pan-London crime data shows Waltham Forest’s rate for all notifiable offences is 119 per thousand. This is significantly above the London average, 105 per thousand.

The influence and innovation of this programme can be seen in the invitation that was extended to Waltham Forest Council to present information to the Inter-Ministerial Group on Gangs set-up in the wake of the public disturbances.

**Executive Summary**

This document will address topics within the terms of reference outlined by the Home Affairs Select Committee. It will have a particular focus on responding to the following area of inquiry:

(a) Police relations with the communities where violence took place before the riots, including similarities with and differences from previous public disorder events.

(b) The role of organised groups in promoting disorder.

Despite the significant disruption, Waltham Forest Council’s believes that the borough was less affected by the disturbances than surrounding boroughs, and boroughs with similar deprivation and crime profiles.

We think that a major explanatory factor for this is the successful working partnership between the police, the council and the local community that has been established in Waltham Forest. This is encapsulated in its innovative Gang Prevention Programme.

**Timeline**

Incidents of public disorder and looting were reported across Waltham Forest on the late evening of Sunday 7 August and the early hours of Monday 8 August. From the morning of the 8 August onwards there were no disturbances or incidents of note.
The disorder took place primarily in three areas: Chingford (Mount and Cork Tree retail park); Leyton (Mills and Bakers Arms); and Walthamstow Town Centre.

In total 72 business premises were affected. Only one business had ongoing issues that meant they were unable to open (as of 6 September). In total 134 crimes were reported.

By 9 September 71 arrests had been made for crimes related to the riots. Of these 37 were borough residents.

Further analysis suggests that approximately four-fifths were aged over 18, and only in one-in-three had a connection to social housing.

The latest figures suggest that across London 3,345 crimes have been linked to the disorder. This has resulted in 1,510 people being arrested and 1,135 charges being made. Across London a total of 65 Waltham Forest residents have been arrested for disorder-related offences.

Theresa May noted in her oral evidence to the Select Committee that 19% of those arrested are believed to have gang affiliations.

This fact is not reflected in Waltham Forest, where only one person out of the 65 Waltham Forest residents arrested across London is thought to have been affiliated to a local gang.

The other telling issue is the fact that after the early hours on Monday 8 August, the borough did not suffer any major disturbances. This is surprising given the public disorder that took place in the evening of Monday 8 August and through into Tuesday 9 August in a number of our neighbouring boroughs, including Hackney, Newham, Barking and Dagenham, Barnet and Enfield.

ANALYSIS OF ISSUES

Waltham Forest Council has been a leading authority in recognising that organised crime, often involving young people from deprived communities, is an issue that local authorities have a responsibility to tackle.

Waltham Forest Council recognises that the impact of gang-crime on local communities and the life-chances of the people involved mean that the issue is not just the responsibility of the police, and requires the input of multiple partners if a successful solution is to be achieved.

In January 2011 Waltham Forest Council launched the “A Better Way” anti gangs strategy. This has received cross-party political support, involves buy-in from all public sector and community & voluntary sector partners. It also ensures that community members are at the centre of the process and provide their perspective on the credibility and sustainability of our approach.

Waltham Forest Council suspects that the reason that Waltham Forest did not suffer from the same levels of public disorder that was seen in other areas was due to the integrated links that has been established between the Council, the Police and local communities built in the eight months prior to the riots.

These integrated links meant that local police had access to early intelligence received from within the communities. This allowed the police to organise early and prevent worse violence being seen in the borough.

The links built between the community and the police within the borough may explain why there were no stand-offs between rioters and the police during the disturbances in Waltham Forest.

A strong community reassurance programme was enacted after the first night of rioting in Waltham Forest. These actions included:

(a) A robust and visible police presence taken forward in coordination with a variety of community engagement techniques;
(b) Organising a meeting with the multi-faith forum within 24 hours of initial events;
(c) Senior council staff and elected members visiting areas most affected, followed up to a meeting to which all affected businesses were invited;
(d) Community reassurance events were held on the Thursday, Friday and Saturday of that week in those areas most affected. Those events were led by the Community Safety team but included staff from a number of partner agencies, as well as officers from other relevant areas of the Council;
(e) Meeting with main housing providers to discuss and agree shared approach to tenancy enforcement against tenants involved in disorder; and
(f) Continuous community updates on the Council’s website, with advice and messages form the police and wider agencies.

We believe that the validity of our approach is underpinned by (i) the fact that disturbances were limited mainly to one night; and (ii) evidence currently emerging from the court papers of those arrested for riot-related activity suggested rioters came from predominately deprived areas.

According to analysis carried out by the Financial Times on the addresses of 300 suspected rioters, it is suggested that two-thirds lived in the poorest one-fifth of the city. Waltham Forest (ranked as the sixth most
deprived in London according to the Indices of Multiple Deprivation 2011) should be considered in the poorest one-fifth of the city.

Waltham Forest Council believes that the Gang Prevention Programme has been a driving force behind the level of disorder experienced in our borough.

**WALTHAM FOREST’S GANG PREVENTION PROGRAMME**

The Waltham Forest Gang Prevention Programme has been crucial in building an understanding of the threat of organised crime, and the individuals who perpetrate organised crime.

It studied multi-agency models that were developed in America and a subsequent model that was piloted in Strathclyde. However it is not a carbon-copy of these projects and has been tailored to ensure that it reflects the specific needs of the local population.

The model involves building an intelligence-led profile of those who pose most risk to the community, in neighbourhoods that have been identified as the most affected. This information comes from multiple agencies and from the local community. It acknowledges that there are a number of trigger events that could help to identify someone involved in gang culture, or a young person who is at risk of entering gang culture.

The model focuses on enabling long-term cognitive and behavioural change amongst those individuals and their families.

This change is enabled through incorporating a range of actions that stress the existence of a clear and persistent offer of support, through education, training, work, health and housing, balanced against an understanding that there is clear consequence for continuing criminal behaviour.

This action against criminal behaviour is closely coordinated between the partner agencies. This allows the Programme to target the individual using all the enforcement mechanisms at their disposal, across civil, criminal and tenancy enforcement.

This provides a clear and understandable choice to the individual between accepting the range of help that is available to them or instead expecting significant disruption to the daily routine through the interventions of multiple public sector agencies.

Waltham Forest Council recognises that this type of intervention work requires a long-term commitment. This is why the Council has committed significant resources, almost £1 million of new money this year alone on top of the £900,000 paid to the Mayor of London for extra police in the borough, to ensure the implementation of this programme and have been working hard to ensure that central Government departments commit the funding necessary to implement the programme in full.

Initial results are encouraging, with serious youth violence declining by almost a quarter, gun crime falling by over 30% and knife crime and personal robberies recording double-digit percentage decreases. The cost of each family intervention is estimated at around £21,000. Across all public agency partners this reflects a potential saving to the public purse of £2.3 million.

It has received favourable coverage in the national media, including articles in The Guardian, The Times and The Financial Times. The Times described it as “best practice” whilst highlighting its multi-faceted approach and the fact it has received support from both sides of the political spectrum.

**Recommendations**

Waltham Forest recommends that the Home Affairs Committee:

(a) invites Waltham Forest to give oral evidence to the Committee on its experiences during the public disturbances, in so far as the Committee believes it to be of relevance;

(b) explicitly states that there was a link between organised criminal groups and the targeting of certain areas during the disturbances in London;

(c) explicitly looks more widely at gang-culture and the mechanisms by which younger people from deprived areas are drawn into gang culture, the impact that this has on their families and the responsibilities local authorities and other public authorities have towards this;

(d) looks to the London Borough of Waltham Forest as a key contributor to any future debate over gang culture in Britain; and

(e) consider the value of a site visit to Waltham Forest to view the innovative programme first hand.

Waltham Forest recommends that central government and the Inter-ministerial Task Group:

(a) views the Gang Prevention Programme as a pilot for tackling inner-city youth violence and gang culture; and

(b) commits the funding necessary to ensure that the full scope of the scheme can be enacted.

Waltham Forest recommends that local authorities:

(a) recognise that it is not just the responsibility of the police to tackle gang crime;
(b) recognise they have a significant role to play in identifying the threat of gang-related crime and use their position in the local community to coordinate the actions of multi-agency partners; and
(c) look to the model established by Waltham Forest as an example of good practice of local government leadership and working together to tailor solutions appropriate to the needs of the local area.

*September 2011*

**Supplementary written evidence submitted by Her Majesty's Inspectorate of Constabulary (HMIC)**

On Tuesday 29 November, I gave evidence to your committee regarding the August disorders. In respect of the training provision to public order officers (at Level 2), I outlined the nature of some of the training and the tactical limitations in view of the types of disorder seen over the Summer.

Leading on from this, Alun Michael asked the following question (802):

“Presumably, that will also involve more training for the sergeants and the inspectors who will be managing them?”

I answered in accordance with HMIC’s findings thus far:

“As we sit here, the only force, ironically, that have that training, for inspectors who lead this, are the Met. There is no national product for the inspectors who need it elsewhere.”

This was certainly the picture amongst the forces reviewed. At the time of the disorders, the Metropolitan Police was the only force providing this training, the others having done so but at various times in the past.

To give the Committee a more complete picture of the additional training provided for inspectors and sergeants—who have to lead the police units on the ground—I have asked that a wider survey be conducted across the forces in England and Wales.

This has identified that at least 11 other forces do already provide some form of training, but there is inconsistency in approach and content, with a few forces providing very formal training and others providing no more than basic level 2 training. The result is a patchwork of capability.

The National Policing Improvement Agency has developed a new PSU Commander training module which forces will be able to deliver, should they choose to do so, from early 2012. A number of forces have said that they are waiting for this before they implement a training programme.

Four forces have not responded, although two of these are likely to implement a substantial programme.

I hope this additional evidence is able to assist the Committee in considering its findings.

*13 December 2011*