



House of Commons
Home Affairs Committee

The Work of the Commissioner of the Metropolitan Police

Oral and written evidence

11 October 2011

*Bernard Hogan-Howe QPM, Commissioner of
the Metropolitan Police*

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The Home Affairs Committee

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

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Oral evidence

Taken before the Home Affairs Committee on Tuesday 11 October 2011

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Mr James Clappison
Michael Ellis
Lorraine Fullbrook
Dr Julian Huppert

Steve McCabe
Alun Michael
Mr David Winnick

Examination of Witness

Witness: **Bernard Hogan-Howe QPM**, Metropolitan Police Commissioner, gave evidence.

Q1 Chair: Could I call the Committee to order and ask all those present to declare any interests that are not in the Register of Members' Interests?

Alun Michael: My son is chief executive of the North Wales Police Authority, for avoidance of doubt.

Chair: Thank you, Mr Michael.

Commissioner, can I welcome you most warmly to your first evidence session before the Home Affairs Select Committee, and congratulate you on your appointment. Were you surprised to get the job?

Bernard Hogan-Howe: First of all, thank you for your congratulations and those of the Committee. I was delighted to get the job and I intend to enjoy every day of it, although I am sure it will be quite a challenge. We will see what happens over the coming weeks and months, but I just feel very honoured to have this great position.

Q2 Chair: Of course you take over at a time of great challenges for the Met. The last two Commissioners resigned. The Met has been criticised over the phone hacking issues. There are cuts to your budget. There are other issues coming up, for example the Olympics. As you take up your position as Commissioner, what is morale like at Scotland Yard?

Bernard Hogan-Howe: I think in these circumstances it is quite a challenge. I have to say the officers that I speak to, and the staff, remain the people that I think I have always known in the police service, which is they are determined to make a difference and every day they go out and do their best in difficult circumstances to fight crime and to help victims. So I see that same spirit and I don't see any change in that. When I talk to people obviously they have been concerned about leadership issues. They also have other concerns, which are about pay, about pensions and many other things that will challenge them directly, rather than some of the more esoteric things that perhaps we might talk about today in leadership and strategic direction.

I am always a great believer that if you provide a positive, constructive lead and you give a very clear direction you can bring people with you. I am sure the 52,000 people in the Met can respond to that challenge and so that is what we will do. So yes, there will be challenges but they are able to be directed in

what I would think is the right direction, a positive way forward, which is about fighting crime.

Q3 Chair: You are going to reshape your team, because one of your Assistant Commissioners, just after your appointment, announced that he was leaving the top tier of your management team. When do you think you will be able to fill all the vacancies that are currently there?

Bernard Hogan-Howe: Chair, at the moment, you are quite right, Assistant Commissioner McPherson announced his retirement. He will have left by just before Christmas. As you are probably aware, Assistant Commissioner John Yates will leave by 7 November, so there are two Assistant Commissioners to be selected in the next few weeks. We have had an advert out. We have a significant number of very good applicants, and I expect by Christmas, first of all, new people will have been selected and I am hopeful that they will be in post, so by the beginning of the new year we would have a team that will take us forward over the next few years.

Q4 Chair: You said Assistant Commissioner Yates was going to leave on 7 November. Our understanding was that he has actually resigned. Why is he still in post?

Bernard Hogan-Howe: For the full details of that I think you would have to talk, if you don't mind, to the police authority, because they have been involved in the negotiations around that, but my understanding is that the announcement was made that his resignation, his retirement, would be effective from 7 November.

Q5 Chair: Is he still coming into Scotland Yard and doing his duties or is he on garden leave?

Bernard Hogan-Howe: He is certainly not at work at the moment and we don't anticipate he will return to work before 7 November. It probably wouldn't be wise, given that he is retiring at that time. So no, he is not at work at the moment.

Q6 Steve McCabe: Just on the same thing, I am looking at the display we have of the senior management and I wondered if I could ask about the

status of the Director of Public Affairs, Mr Fedorcio, currently.

Bernard Hogan-Howe: As you may know, the Independent Police Complaints Commission is carrying out an investigation into allegations that have been made against Mr Fedorcio. They are investigating whether gross misconduct did take place. The decision was made that it would be unwise for him to remain at work while that investigation was taking place, not least of which is that some of the witnesses involved work in the department for which he is responsible. I think that was quite a wise decision. It seems to me that the next stage is to complete that investigation and I hope you will understand that I can't say an awful lot more because that investigation is ongoing. We hope that fairly quickly we will hear the outcome, but of course it is entirely in the hands of the IPCC.

Q7 Chair: We are going to come on to specific issues but can I just raise two issues that are currently in the public domain? The first concerns the lost diary of John Stevens. Apparently the Met has lost his diary, therefore it cannot disclose contacts between John Stevens and others and News International. How is it possible to lose the diary of a former commissioner over a five-year period? Was it done in similar circumstances to the lost diary of the Home Secretary when she was in Glasgow? There seems to be a pattern emerging of lost diaries.

Bernard Hogan-Howe: I think to be fair they are two slightly different issues. My understanding was that in terms of the Home Secretary a document was left behind at the Police Memorial Trust event, which was unfortunate and action has been taken to make sure that does not happen again. I think in terms of Lord Stevens' diary, I have asked to make sure that we carry out a very thorough investigation to find out where it is, because sometimes things can get misplaced. We are talking about now, I think Lord Stevens was Commissioner something of the order of four years ago, and even in the present organisation—
Chair: 2005.

Bernard Hogan-Howe: Sorry?

Chair: In 2005, he ceased to be —

Bernard Hogan-Howe: Yes, so it is a bit longer. Sorry, my mistake.

Q8 Chair: Was this a physical diary? Is it not kept electronically?

Bernard Hogan-Howe: I have asked for two things. First of all I have asked for a senior police officer, a detective, to find out where those documents might be. It seems to me exactly what you said, there are two alternatives; one is an electronic version and number two is a written version. So I have asked to make sure that we search everywhere we can to discover where those documents could be.

Q9 Lorraine Fullbrook: Commissioner, can I ask, businesses and companies are asked to keep their files for seven years plus current financial or five years plus current financial. What are your requirements?

Bernard Hogan-Howe: Generally it has been in the past six years really because of the civil litigation

issues that could follow, and we need to maintain documents for that reason. I am told that policy has changed and it is something of the order of two to three years, but we can let you have the details of the policy if you would like that.

Q10 Lorraine Fullbrook: So you have six years plus current financial or just six years?

Bernard Hogan-Howe: Sorry, what I am saying is generally I would always say in a police organisation they expect six years. When I asked the question around this, around the diary, I was told that policy changed relatively recently to be shorter. I suspect that the reason for that is to prevent storage problems, but I don't know. I haven't got to the bottom of it yet.

Q11 Lorraine Fullbrook: Are you going to change it back to six years?

Bernard Hogan-Howe: I will when I have confirmed that what I was first told is accurate. I am going to get to the bottom of the facts and I am quite happy to share that policy with the Committee. It is one of the things in the first few days I am trying to get to the bottom of, but it is important for me.

Q12 Chair: If you could write to us when the diary is located, or if it is not, that would be helpful.

Could I now turn to questions concerning the Official Secrets Act and *The Guardian*, which was originally raised by my colleague Mr Winnick who will ask you questions on this? Can you just tell us your involvement? We did ask when we wrote to the Met that you could give us an update of what happened. Your personal involvement presumably was quite minimal because you were on holiday.

Bernard Hogan-Howe: It was. I was aware in a general way of the production order, which is what was first of all thought about in terms of trying to get evidence. I was aware that that was being considered but beyond that I took no practical involvement after that. The only thing I want to make clear today, because it is vitally important, in terms of the officers who are investigating the series of offences that we are talking about I am not going to abandon them and leave them to take responsibility for what later turned out to be a changed decision. I think they were honestly trying to carry out a very difficult investigation and they were trying to do it thoroughly. As you know with this Committee and other Committees in Parliament and through the press, people have been rightly testing of the Met about their integrity and about how rigorous they have been in some of their inquiries. I think they have been trying hard to do the right thing. The question in this case is whether balance was exceeded.

Q13 Chair: Do you accept there was a mistake?

Bernard Hogan-Howe: I think it was. I think the only final thing I would say is of course we got a lot of feedback that it was the wrong decision, through newspapers, through politicians, so we changed. We stopped what we were doing and we changed our decision to be rewarded by headlines the following day we had had a screeching U-turn on the road to wherever. I suppose that is the nature of the beast, but

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I don't think it is fair to say that, first of all, we were doing it wrong. We listened, we stopped doing it, and the criticism I think is a bit unfair. If we had been inflexible we would have been wrong. We changed our view. We listened.

Q14 Mr Winnick: At what level was it decided to have a production order, as it is described I believe, which would involve, and did involve, the Official Secrets Act? You were on holiday, so on what basis was that decided?

Bernard Hogan-Howe: I know that it wasn't decided at chief officer level. If I tried to give you a better answer than that I would be inaccurate at the moment. The only thing I would say is, in terms of the Official Secrets Act, I think it is something that is being quoted a lot in the press but as a matter of fact this was not an application of the Official Secrets Act. What happened was in the normal production order process the official secrets potential within the production was mentioned, but that is a whole world different from saying we made an application under the Official Secrets Act, because we did not.

Q15 Mr Winnick: Can I put it to you, Commissioner, that the reason why the Official Secrets Act was involved—in the explanation that you have given, you did not deny that the Official Secrets Act was part of the production order that was made against the newspaper—was because the journalist sources were protected in law and, therefore, there was no alternative but to use the procedure that we have just been mentioning?

Bernard Hogan-Howe: That is not my understanding. It is an interpretation, which I understand you could expect, but that is not my understanding of what happened. The investigating officers in the case did take legal advice before they made this order. It was only later when we got a QC's advice as part of our reflection on the decision-making that in fact that decision was changed. Just to confirm what I am saying, my understanding is that the order was not made under the Official Secrets Act. It was just one of the things that were mentioned as a potential for justification.

Q16 Mr Winnick: That is your explanation. Even though you were on holiday, one would have thought you would have been contacted. Didn't it occur to anyone that a newspaper, which to a large extent exposed the phone hacking scandal and also took to task, if you like, the Met for not pursuing the matter—I don't think that is in question—was itself the subject of a police inquiry, as I said, where the Official Secrets Act was involved? Didn't anyone in the Met realise what the outcome would be?

Bernard Hogan-Howe: I think the thing to start with in terms of this particular investigation was that if you bear in mind what has happened, we have Operation Weeting, which is looking into whether or not journalists and private detectives were phone hacking, and what was critical in that investigation—or one part of the investigation you are aware of—is whether or not the journalists from time to time gained private information from police officers, potentially for

payment.. There is a whole leg of the inquiry that is about that. So it is a great irony that in the middle of this inquiry potentially a police officer has leaked to a journalist. I think that is where the concentration was. It is very important in any police inquiry to keep the investigation discreet. Secret might be too strong. Therefore, I think that is where the focus of the attention was, to stop the leak from the inquiry. I know where eventually the leak went but of course, as with other cases, at the beginning people didn't know where the leak was going.

Q17 Mr Winnick: At what level was it decided to stop the procedure and withdraw the order in question?

Bernard Hogan-Howe: I think already the DAC—that is Deputy Assistant Commissioner Mark Simmons—has probably stated that when he was aware of the challenge, when he was aware of some of the decision-making, then he took—

Mr Winnick: Aware of the challenge; what do you mean, sorry?

Bernard Hogan-Howe: First of all, there was public challenge. I think politicians and journalists were challenging of the decision, so he was aware of it through that and then, secondly, through the internal processes that any investigation has. As he asked questions he wasn't persuaded and that is what led to the new decision.

Q18 Mr Winnick: Wouldn't the position really be that the Met realised it was making a complete ass of itself, bringing discredit on the organisation, and therefore decided, rightly, to withdraw the order?

Bernard Hogan-Howe: I don't agree with your terms. Those words would fall into the same category of the screeching U-turn. It is always easy afterwards to be very critical, I think, in the terms you just put it, of other people's decisions. I don't think that is a fair interpretation of somebody, a police officer, who was working hard to get to the bottom of an investigation. All he was going to do, if you remember this, he was going to put an order before a court in law, which was possible, which a judge would have had the power to turn down. So he didn't have the power to give the order. He had the power to apply for it, and that is what the law is there for.

Q19 Mr Winnick: One final question on this, from me at least. You are the new Commissioner, new leadership hopefully, and leading on from what the Chair asked to some extent, has the right lesson been learnt over this?

Bernard Hogan-Howe: I believe that what has been learnt is a broad point I think that Mr Winnick made earlier, which is obviously we have to keep this investigation in a broad context. It started out back in 2006, with what could have been seen as simply journalists hacking phones. It has developed into quite a constitutional issue. To be fair, in the middle of that, the police officers remain police officers. They are doing their best but sometimes judgements may be wrong.

Chair: Indeed. We will come back to that later on. Mr Michael has a quick supplementary on this.

Q20 Alun Michael: It really follows on that last point. This was a decision that was subject to very public challenge, as you said, from Members of Parliament, journalists, organisations of the press and the media. Have you reviewed the way in which such orders would be used? Obviously what is important is that the same principles are applied, whether it is something that is in the public domain or whether it is something that doesn't command that sort of attention.

Bernard Hogan-Howe: We have in this particular case because, for the reasons that Mr Winnick said, of course we wouldn't want a similar challenge to arise in the future. There aren't too many occasions when we would try for this type of order against a journalist or a lawyer, many areas in which there is sensitive information. So we have reviewed it in this case. I don't anticipate we will need to make this type of order often. I think we are all considering the results of our experience recently and I am sure we don't intend to make a similar approach.

Q21 Chair: One of the features of the evidence that was given by Mr Yates and others was that they were very closely in contact with the CPS. This seems not to have happened in this particular case. You took internal legal advice from a junior barrister. You then got advice from a silk. Should there have been a closer relationship with the CPS? Should you have gone to them and asked them for their advice?

Bernard Hogan-Howe: That is one of the things that, on reflection in looking at this particular case, would have helped possibly to come to a different conclusion, but we have to take responsibility for our decisions and there was legal advice gained. We can hardly say that the barrister was unqualified. He was very clearly qualified. But a closer working relationship with the Crown Prosecution Service usually pays great dividends for both.

Chair: Indeed. Let us move on now.

Q22 Dr Huppert: Your role is an unusual combination of two things. You are the top police officer for London and you also have a national responsibility as well. There have been a number of questions about whether it is appropriate for the Met to have both of those roles because they work differently. Do you have any view on whether it would be sensible to separate those two out, and how would that affect the appointment of future commissioners? Would that mean that Londoners would get more of a say and the Home Secretary less of one?

Bernard Hogan-Howe: What I have said up to now, and I stand by, is that I am open minded. I think the Government has announced there will be a review, post-Olympics, to consider whether counter-terrorism should be moved from the Met's responsibility and then moved into the new National Crime Agency, the new head of which was selected yesterday. It seems to me, first of all, in time that seems sensible; wait until the Olympics are out of the way. All I would say is that I am open minded to that possibility. I think by the time we get there what we should have all done is to work our way through all the arguments, because there are significant arguments both ways. We have a great tradition of the counter-terrorism approach in

this country working very well. So I think before we disturb that then we should consider it.

The second thing, presumably, is there will be costs. Certainly when the police are involved we always ask for an extra bit of finance to do these things. So is the money available? I suppose the final question will be do the risks outweigh the benefits, because there are benefits now and we want to make sure that there is a transition. The final thing might be whether or not we are in the middle a terrorist campaign when that decision is being made. I am open minded. I don't think it is wise to be prejudiced and say I know what the answer is, so I think it is worth considering all the arguments.

If it was to move, and if it was to move outside the Met, there is an argument for saying that the Home Secretary would have less direct involvement in the leadership of the Metropolitan Police. It seems to me there will always be a link. The Metropolitan Police accounts for 23% of the police service in this country. It is a significant player in any terms. If it goes well here it goes well for the country and vice versa. Secondly, we do police the capital. It is the seat of government; it is a seat of commerce still. So whatever happens here tends to often be a national, sometimes international, event. It seems me the Government would have an interest so I think it is going to be hard to believe that that interest will completely go, although even after the last few years we have seen it has diminished as the new police authority came along and a new relationship was formed.

Q23 Dr Huppert: If there are serious disagreements in what you ought to be doing between the Home Secretary's direction and that of the Mayor and the MPA—I assume your job is to try to make sure there aren't those problems—ultimately which way would you go? Who do you see as your ultimate boss?

Bernard Hogan-Howe: I am not going to try and answer that very easily. It is a hypothetical one, in a sense, and I can't think of any immediate dilemma that we have, but at the end of the day I am my own boss, in the sense that operationally I have certain responsibilities. I have duties to the law and I have to hold my head up and think that I am making the right decision. So if it is an operational matter I think it is very straightforward and I don't think anybody is arguing against that.

Beyond that, it seems to me as you approach each issue then adults sit down and talk and usually you can work your way through things. If there was a discrepancy you would have to look at the various powers of each. The Home Secretary has certain powers, the Mayor, and the police authority as still exists, the chair of the police authority has certain powers. So I would work my way through it as we came to each problem. I don't foresee it as a real dilemma. It doesn't seem to have materialised in all the time we have had a Home Secretary and a new police authority. I accept the dynamic will change, possibly post January when a single person stands for the Mayor.

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Q24 Alun Michael: I had some experience of that relationship during my time as Deputy Home Secretary, but your two predecessors have had difficulties over the accountability, particularly in relation to the Mayor of London. In the current situation—and you were very open about being prepared to look at the situation in the timescale that the Government has set down—the people of London in a sense have a voice through the Mayor of London, but you have responsibilities, as Commissioner, that are very important for the whole of England and Wales, and indeed further than that. Doesn't the relationship with the Mayor appear rather restrictive in relation to the current arrangements?

Bernard Hogan-Howe: I am not sure. I think theoretically there is a possibility, I accept that, but it seems to me if I was challenged by the Mayor of London about not doing something or needing to do more of something and I said, "Counter-terrorism is a big part of my job and therefore you don't understand and I'm not going to do it because we have all these other responsibilities around the country", I would be pretty foolish. It seems to me that, fundamentally, the majority of our job is to keep London safe and the people who visit here, one part of which is counter-terrorism, and there is another responsibility about co-ordinating counter-terrorism around the country. So I think how we use those powers is important, but I haven't seen really where a previous commissioner or previous mayor or Home Secretary has ended up with a terrible tension around that. I think the common theme has been to keep the people of the United Kingdom safe, and I think we all need to keep our focus on that.

Q25 Michael Ellis: Good morning, Commissioner, and congratulations on your appointment.

Bernard Hogan-Howe: Thank you.

Michael Ellis: I want to ask you about your principal challenges facing the Metropolitan Police. I think you said relatively recently that you were going to cut costs, which is clearly a priority. How do you think you are going to do that? How are you going to set about that? That is my first point to you.

Bernard Hogan-Howe: First of all, I probably couldn't give you too much detail. I think we are now day 15. So we have set in train some work to define those costs. I think one of the things we are going to have to do is to share more things, first of all within the Met. There is some evidence that there is investment in different parts of the Met that if we shared things together we could spend less money on. I think there are some things to look at in terms of tiers of management. I am a great believer in shared services, things like personnel, finance, IT, which might mean not only sharing within the Met but potentially sharing across different public services across London or different police services across the country. A proposal that is about to be put into place is an air support wing for the country too.

So there are many things I think that will help. The final thing I would mention is you are aware obviously of Tom Winsor's first review that came out. It is now in negotiations but it is expected to deliver some savings that will be helpful. Then there is part 2 of his

review, which I think is expected in January, and that may also give us some further opportunities.

Q26 Michael Ellis: Is it fair to say that you are not content with the situation, which Her Majesty's Chief Inspectorate of Constabulary have referred to, that only about 12% of police officers are available and visible to the general public at any one time, the sort of statistics that we saw at the start of the riots in August where there are over 30,000 police officers in the Metropolitan Police but only 2,000 or 3,000 were on duty? You are not happy with that state of affairs, I take it?

Bernard Hogan-Howe: One thing I would highlight to the Committee is that in that same survey that was carried out Merseyside Police, which is the force that I led, were at the top of that league table, if it be a league table, at around 17%. Now, 6% doesn't sound much if you have 11% for the Met but actually 6% is nearly half as much.

Q27 Michael Ellis: So you are going to push the Met up to those sorts of stats, are you?

Bernard Hogan-Howe: I had better not make too many great promises, but my fundamental point is that we can do more with the people we have. One thing I have to say publicly, and I did say this at the time, is that I think in a way the stat is misleading. To say 11% of what sounds like 100% sounds like a very low number. Of course, if you are on shifts, on a five-shift system you probably never have more than 20%. So I think we have to bear that in mind.

Q28 Michael Ellis: But still there is a big difference between 11% and 20%, as you yourself saw—

Bernard Hogan-Howe: I agree and I acknowledge that. I am always keen to be fair about these things and I think if you send a misleading account by 11% all we do is turn people off, because they will say, "That's just nonsense". If you have shifts you have to take that into account. That is my only point.

Q29 Michael Ellis: Furthermore on tactics, I think you were quoted as saying that you would use "Spooks-style tactics" to tackle crime. What did you mean by that? How are you going to go about that?

Bernard Hogan-Howe: I did not say "Spooks-style tactics" but that is how it was interpreted by the newspapers. All I said was where we have—

Q30 Chair: Could you tell us what those are? Some of us don't know about these.

Bernard Hogan-Howe: I think what I was talking about is there are techniques that we have, which we maintain as secret for the very reason that if we didn't do that then we wouldn't be very effective, that generally apply to the more serious crimes, as you might expect given the level of intrusion. My point would be if you have a middle tier of criminality and if those criminals are getting involved in, for example, murder, shooting people, stabbing people, they now fall into my category of serious crime. If we are not careful we only concentrate on counter-terrorism and drug dealers when in fact these other people need similar attention, because it helps and it works.

Q31 Chair: One of the other principal challenges for you surely will be personnel issues and getting more diversity into the police force. You suggested that people who have not been constables should be able to apply for the top jobs, and you feel that that will increase the number of women and ethnic minorities. What is the basis of your assessment that that will happen?

Bernard Hogan-Howe: I think, first of all, if we are able to fish into a pool of people who are more representative of society than we are at the moment we have a better chance of recruiting talented people who represent society better. An example would be the undergraduate community. I think there is a higher proportion of women than men. Minority groups are better represented than in the rest of society. So it seems to me if we targeted that group then we might have a better chance and we would get really good talent. There are many other occupations and professions that have better diverse representation than the police.

Q32 Chair: Give me an example of another profession that has done what you suggest and resulted in getting more women and ethnic minorities in top positions.

Bernard Hogan-Howe: The challenge might be is there any other organisation that has not done that. There are very few organisations that do as the police do, which is you recruit from the bottom and then you take 15 to 20 years to get to the top. The military might be one but of course they have an officer class, which I am not arguing for. So I can't think of many organisations where they expect you to start at the bottom and then take 20 years to get to the top. They have a very quick progression. So my point is that, first of all, I think there is a pool of people out there who we could target and get in who are very talented. It is not the only route. The main thing we could do is to make sure that the talented people in our own organisation don't take 20 years to get to the top either. There is some great talent there that gets trapped going through the hierarchy and sadly gets inhibited and flattened out by the time it gets there. So I think both routes are valuable and can help, because the sad fact is we could wait a generation to see the representation we all want, and I think that is unfortunate.

Q33 Chair: Our next witness is Bill Bratton who you met this morning before you came to give evidence to us. Do you think we could learn from the American experience and perhaps learn from Mr Bratton? Maybe you could appoint him to one of your Deputy Commissioner posts.

Bernard Hogan-Howe: We were talking about it this morning, but I am not sure. I think he is tied up at the moment. I have to say, first of all, and I need to say this very clearly, because I have said it to Bill and I have said it in other places, but I repeat it here. He has my respect and it seems to me he should have our respect, because in three different places in really challenging circumstances he made a difference, whether it be New York, Boston or Los Angeles. So he has my respect. Some of the ideas he started in

policing I have taken and used myself. I thought there were two things he has really brought. One is he challenged the notion that crime always has to rise, and taking us back 10 or 20 years I would say that in public forums often we accepted that it always had to rise. He challenged that and then did something about it. The second thing he did was to say if the police do their job well they can make a real difference to crime too, and I thought the spirit of that and some of the things he achieved are remarkable. So any ideas he has we will use and we will work together in the future.

Q34 Lorraine Fullbrook: Commissioner, I would like to ask you, following on from the riots in August, prior to your appointment and following an answer you gave to Mr Michael about keeping London safe, what are your long-term strategic proposals to make the Metropolitan Police more effective and efficient and, indeed, restore confidence in the force by the public, if indeed you do think your relationship with the public has to improve?

Bernard Hogan-Howe: Were you thinking in particular around the riots or generally to include them?

Lorraine Fullbrook: There are two issues that have come up from witnesses that we have had on the riots, which were the actions of the police on the nights of the riots and the effect it had on the public and the public's perception of the police on the nights of the riots. So you must have a strategy to take that forward and be more effective should that happen again, and indeed for policing across London.

Bernard Hogan-Howe: I agree. First of all, we have an interim plan and I think there is a longer term plan to develop. The first thing for me is that we need good intelligence to tell us if there is a problem, and that means talking to people who we respect, and presumably the community respect, and I think that is the first thing we need to review. The second thing is when they tell us things then we need to listen and do something about it. The final part is we need to mobilise our resources to effectively respond to any particular threat. I think all three of those are things we are now reviewing whether or not we could have done that better. I am sure we can do that better in the future.

The second thing is that we need to look at our tactics and make sure that we are far more flexible than we appeared over those three days. There is a review going on and various inquiries that will hopefully establish the facts and then draw some analysis from what happened. I am not going to be arrogant enough to say I know exactly what happened over the three days, but it does seem to me that on the Saturday there was a riot. There was anger and there was a response against the police and that led to some serious disorder. Then the press carried those images and on the Sunday and the Monday people believed they would get away with it and continued to do it. So I think what is sure for me is you have to respond very rigorously at the beginning to stop it getting out of control, because at the end of the day we have 30,000-odd police and we have 8 million population. So it is vital that that control is maintained.

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So those would be the principal things, but fundamentally we need more officers available and they need to have more options in terms of the flexibility of their response.

Lorraine Fullbrook: If I may Chairman, just go on?

Bernard Hogan-Howe: Chairman, could I just add one thing—sorry to interrupt—is that I think the other thing that I think the Met has done very well, we are now up to 2,800 people arrested, of which 1,700 have been charged. So the relentless follow-up, even if they thought they got away with it on the night, CCTV and many other options give us an opportunity to follow up on that and we will not stop with that.

Q35 Lorraine Fullbrook: Can I ask about two specific things that came out from witnesses who have given evidence to the Committee? One was that on the night there were not enough riot-trained officers to be deployed, and the other thing was that the intelligence seemed to be lacking as to you could not predict what was going to happen next, or you could not project what was going to happen next.

Bernard Hogan-Howe: I think that is certainly the initial analysis that we have. So what we have done immediately is, first of all, to look to see if our sources of intelligence are the right ones to do for us now. Assistant Commissioner Lynne Owens, who I think gave evidence to this Committee a few months ago, is carrying out that review and her first interim report will be available on, I think, 14 October with a view to a final report being available before Christmas. I think it is down for 24 December so that will be a read over the new year period. That will be a more intense look at some of the challenges we faced. I agree with both the points you make about the intelligence, about the number of officers. If you have neither you are on the back foot, and that is what we saw.

Q36 Mr Winnick: The relationship with the public, Commissioner, did you see a recent article about a fortnight ago from a journalist who said his house had been burgled? He was full of praise for the way in which police officers and others came to express their sympathy, to get information and the rest of it, but at the end of it he said—perhaps you would hardly agree with him—that the police did not have much of a clue how stolen items are processed and the rest and he did not have much confidence that the culprits would be caught and brought before the courts. Do you have any comments on that?

Bernard Hogan-Howe: I am with him and against him in a way. I suppose I am with him in the sense that our job is to detect crime where we can, but there are three ways you detect crime. You either—

Q37 Mr Winnick: You saw the article did you?

Bernard Hogan-Howe: I did. I am going to go on to where I thought he was a bit unfair, but I thought he had a point in the sense that I agree that professionally if there is evidence there then we should catch the culprit. So in that sense he was disappointed and so am I, but of course there are only three ways to catch people. You either catch them doing it, they leave forensic samples at the scene, or someone tells us who

did it. If none of those things are in place, in a murder we have to invest tens of officers to try and get to the resolution, and 97% of our murders we detect.

Just to say the second bit I did not agree with. I thought it was a bit unfair because in the past we have seen journalists' accounts of dealing with victims of crime and they said no one came, when they came they weren't very caring, they never followed up, but I thought there was lots of evidence in there of doing that and I don't think he gave the correct weight to that side.

Mr Winnick: You could always write to him on what happened after.

Bernard Hogan-Howe: It will be week 6, I think, but it is a fair point.

Q38 Alun Michael: When you were Chief Constable of Merseyside you implemented a style of policing called "total policing" and it is referred to on your website as a focus on crime, victims and professionalism, which one could refer to as a rather vague and high level description. Your website also says that it led to crime down by a third and a 26% reduction in anti-social behaviour. What worked there? What was the essence of the approach you adopted and what bits of it worked?

Bernard Hogan-Howe: I think there were probably three or four things, really. The first one is communicate the simple idea, which is that the police are here to fight crime, which I strongly believe in. We do many other things but that is the core mission. The second one was to set clear targets and then to monitor and see whether you were doing the things that you said you were doing, and one of the things Bill Bratton did was around CompStat. Well, I took that and we did it, and that was a great help. The final thing was to get different parts of the organisation to do the same thing at the same time, so to react as a team. So if you looked at, for example, taking uninsured vehicles off the road, right across Merseyside two days out of 28 we all did the same thing together. Say in St Helens they did it on a Tuesday, in another place they did it on a Thursday, and then they waited three months to do it again. So it was a relentless drive of, first of all, attention to detail and, secondly, that we as a team reacted. It had a bigger impact than doing it individually.

Q39 Alun Michael: Obviously it is a bigger challenge, a much bigger police force in the Met. Do you intend to apply elements of that total policing approach in your tenure here?

Bernard Hogan-Howe: In short, yes. I would be foolish if I thought that you could just take the stuff we did in Merseyside and land it here. I think it is going to take a bit of sophistication, but I think the underlying principles work. In Merseyside we had six basic command units, each based on a local authority area. If you look at London it has 32. It has one in the middle called Westminster that has huge differences. We have to do it looking at the local environment in London, but the underlying principle is that we can have an effect on crime by attention to detail and making sure that we consistently do the things that

work. I think that is a great opportunity that is untapped.

Q40 Alun Michael: The final point is you referred in the evidence to the effectiveness of Bill Bratton's approach in relation to CompStat. I have seen that myself and I understand exactly what you mean. That obviously depends on properly understanding and properly analysing what is happening in order to make sure that you are setting the right targets. To what extent is analysing what happened, for instance in relation to the riots where different things seem to have happened in different boroughs, at the heart of your approach?

Bernard Hogan-Howe: It is vital, because I think without that analysis you are just throwing tactics out and hoping they work. The CompStat process does two things for me. One is to get your management information in the right place, because people don't want to keep coming in the room when they don't know their stuff. Secondly, you get leaders who know what to do in their job. So they don't want to keep coming into that room saying, "I'm not sure what to do next" or "It is just because it started raining", which is not a good answer. Somebody who actually is committed and passionate about doing something about crime, if they are able to say, "We've tried 15 things" and someone can suggest a 16th and go away and look at it, that is fine. I have never been someone myself who thinks that this job is easy, and it is always easy to ask questions, but the great theatre of CompStat drives people outside the room to get the job right. They are paid to do a job and I would expect that is what they do.

Q41 Lorraine Fullbrook: Commissioner, are you a zero tolerance police officer?

Bernard Hogan-Howe: Not really, and I think even Bill Bratton said that he didn't recognise that zero tolerance. My point, which I agree with Bill about, is that if you pay attention to small things the big things fall into place. I will give you a simple example. Well, probably two actually. If you accept that one of the ways to detect crime is forensic links between the scene of the crime and the offender, then if you don't examine every scene and you don't discover every fingerprint and DNA that is left, it is a great opportunity missed. Every suspect who comes through the back door into the cells you have a lawful right to take their DNA and fingerprints and if you don't do it you let someone down. Without those two vital parts of that tool we will not detect as much crime, so my point would be we had better make sure we do both really well.

Q42 Lorraine Fullbrook: The reason I asked you if you are a zero tolerance police officer, most of us in this Committee have anti-social behaviour issues. We don't have high level crime or serious crime in our constituencies, and the biggest thing that affects people's lives is anti-social behaviour. I am surprised that you say that you are not a zero tolerance police officer because it is the small things—as you say, the broken window syndrome I think you were describing—that start the high level crime, and I am

surprised to hear you say that you are not zero tolerance.

Bernard Hogan-Howe: I suppose I have to be careful that I am not arguing on the head of a pin. What I do accept is that if there are minor things, whether it be broken windows or unsocial behaviour, what you don't do is ignore it. I suppose the only thing I challenge a little—and I think this is Bill's point—is that when it comes to zero tolerance what it doesn't mean is that you will lock everybody up and put them in prison. It doesn't mean that every offence will lead to a—

Q43 Lorraine Fullbrook: That is not what I am suggesting. What I am suggesting is if you accept low level crime there comes a point that it is unacceptable to the public, and you serve the public.

Bernard Hogan-Howe: There we agree. To give you the best evidence that I agree, in fact in the time that we are talking about we reduced anti-social behaviour by about a third while we were cutting crime, and it was on the principle you describe, which is we don't ignore anything. We concentrate on the repeat offenders, the repeat victims and the repeat locations, and you can make a difference around anti-social behaviour by that approach. So it may be we are arguing on the head of a pin about zero tolerance, but I think sometimes that carries with it a certain cache, which is about being dictatorial, quite reactionary, and I am not in that school. I think you wisely approach each problem and work your way through it, that is all.

Q44 Chair: Going back to your answer on the riots to Mr Michael. Some of us were in Liverpool and I had the pleasure of meeting your successor as Chief Constable, Jon Murphy, and he was very proud of the fact that they didn't really have riots in Liverpool. The way in which he dealt with it he said would have been very similar to the way in which you would have dealt with the problem, which is that he was also abroad. He saw this on television and immediately contacted his deputy and he had police officers on the streets of Liverpool on the Monday. So although you don't want to second guess the reviews that are going on, was that not the right approach to immediately put out sufficient police officers on the Monday?

Bernard Hogan-Howe: Yes, and I don't think in any of my answers I have challenged that. I think the only thing, having talked to Jon and to his team, is that interestingly in the gang work we had done he thought that that had contributed to reducing the numbers of people on the streets over the period of time we are talking about. Secondly, I do know that he accepts, as do Merseysiders, that the volume of people involved were nothing of the order that we saw in London. But the principal point of getting officers out on the street, dealing with it quickly, I would not argue with.

Q45 Chair: That did not happen in London. That is the point.

Bernard Hogan-Howe: I am not challenging that. I am not disagreeing.

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Q46 Chair: So the tactics in Liverpool were right and the tactics in London were wrong?

Bernard Hogan-Howe: I am not disagreeing with that point. I don't think anything I have said today is inconsistent with that. The great benefit, of course, is they had 24 hours' notice.

Chair: Indeed.

Q47 Steve McCabe: Commissioner, I wonder if you can help me with the figures in the "Policing London Business Plan", which seem to have perplexed a few people. Does the target strength for 31 March 2012 of police officers mean there will be 500-plus, nearly 600, more officers in the Met, or is that simply a budget figure?

Bernard Hogan-Howe: That is certainly the intention. Obviously I wasn't here when that target was set and the budget was set around that intention. We are still waiting for the outcome of negotiations between the Mayor and the Government about what our budget will be from next year onwards. Our police numbers next year will depend on the outcome of that.

Q48 Steve McCabe: A rightful interpretation of the business plan at the moment is that you hope to have nearly 600 more officers by 31 March. Between 2012 and 2014 you stand to lose about £267 million. What impact is that going to have on the number of officers?

Bernard Hogan-Howe: Certainly if the money disappears then generally what it means is we will have less people, and I think there are projections that are made on the basis of the loss of about—

Q49 Steve McCabe: So how many?

Bernard Hogan-Howe: I can't give you the exact number at the moment. I know that the budget change is about 15% over that period of time you are talking about, so we will have to look at the mix of staff. As you will probably appreciate, my predecessors were planning towards this and I am going to have to get my head around it for the future, but generally it would mean if that 15% gap wasn't filled we would have to have less people.

Q50 Steve McCabe: I guess I am asking because I understood there was £42 million extra budgeted for your nearly 600 more officers, and if you are losing £267 million that would suggest to me at a very crude level that we can expect to see something like nearly 4,000 less officers. Is that a reasonable assumption to make?

Bernard Hogan-Howe: I don't think I can give you any real guidance on the numbers. There are two things. One is that broadly the Met is made up of two-thirds police and one-third police staff. So you have to decide in what proportions you would lose them. Secondly, as we said earlier, there are other opportunities to cut costs and we can take those. Finally, obviously the Winsor recommendations will have an impact on even if we have a certain number of officers how much they are paid. So I can't give you an exact number but I do appreciate the nature of the challenge and it is one of the things that we are negotiating now with the Mayor and with the Government to see how we will be in the coming

years, and obviously one of the things we all need to do is keep London safe during the Olympic period.

Q51 Steve McCabe: Of course. Let me ask you another question about the business plan. I notice the business plan proposes increasing the number of civilian police staff for the period up to 31 March 2012, at the very time the Home Office are telling us that the savings are to be made in fact in back and middle office staff. Why has that decision been taken?

Bernard Hogan-Howe: I am not quite sure about that. What I do know is that over the last 18 months—

Q52 Steve McCabe: I am quoting from the table that is in the business plan and it says that there is an increase from 13,494 actual strength at 31 August for police civilian staff to 14,806 projected by 31 March. I just wondered what the philosophy was of increasing civilian staff in the face of the very strong warnings from Home Office Ministers that we need to cut back in middle office staff.

Bernard Hogan-Howe: What I was trying to say was I am not saying what you are saying is inaccurate, I am just not sure about the numbers because I don't have the figures in front of me.

Q53 Steve McCabe: I meant the principle.

Bernard Hogan-Howe: I think the second thing is that what we need to do is obviously work within the budget that has been set, and I presume that the numbers were set expecting a certain level of budget. So why those numbers are going in the way you have just described I can't give you a straight answer, because it does sound counterintuitive.

Q54 Steve McCabe: Let me ask you about specials. They are projected to increase over the same period by almost as much as your actual officers. Will that target be real, will that be achieved, and if so how are you going to do that and how are you going to avoid the charge that we are substituting specials for real officers?

Bernard Hogan-Howe: I think, first of all, it looks as though that target will be achieved. The recruitment drive is going really well. There are only two ways at the moment for people to become a police officer in the Met, which is either to be a community support officer and become a police officer or become a special and then become a police officer. So it is vital we keep that stream of people going, but it looks like we have a high level of interest so I think we will meet the specials target.

That challenge that you have just put is one that the Police Federation have often put over the years, but I am not sure it is a fair challenge. The police service is based on policing the community by consent, and it has always been a great strength, both of uniformed supporters, specials, but we also have a lot of people who don't wear uniform who support us as volunteers as well. I think that is a great strength. They don't stop us employing police officers; they are an aid. Of course originally they were created for civil contingency purposes around the war, which was the reason they were first created. They are a great opportunity to work with the community and help us

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in times of great national emergency. So I don't think the argument that in fact it stops us recruiting police officers is fair. It is a great strength for us building the strength through the community.

Q55 Steve McCabe: Commissioner, I appreciate that you have literally just taken up your post. We are told that the business plan is going to be a centrepiece of planning policing, and it is where police and crime commissioners, as they are rolled out across the country, will play a very influential role. How much credibility should I attach to the existing business plan, given the answers you have just provided about numbers and not being sure about how much money you have and whether you will have to review this number or that number or why it should come down or other things? Is this plan credible at the moment?

Chair: If we could have a brief answer to the question.

Bernard Hogan-Howe: Okay. Certainly my experience of large organisations, particularly in the public service, is that in the year you are forever revisiting budgets and what appeared to be a good idea a year ago you have to keep revisiting. So there is no such thing as a perfect plan, sadly. It is a bit frustrating for all the people involved, but you do have to keep going back to these things, not least for the reason that in the present circumstances of the recession public finances are tight so people may come back in the future and expect more. So I don't think it is fair to challenge it as a bad plan. I think it is fair to say that we are looking at that and as a new Commissioner I am looking to make sure we make best use of £3.5 billion of people's money.

Q56 Mr Clappison: Commissioner, congratulations. You mentioned a few moments ago your experience of tackling gang crime in Merseyside. I wonder if I could ask you for your global thoughts about how to tackle gang crime in London and how much of your experience in Merseyside will be useful in doing that?

Bernard Hogan-Howe: I think there are some similarities but it is not entirely the same. I think the gangs are different, so we have to be careful not to just transplant what we did in Merseyside. But some of the strengths of what we have seen in America, some of the strengths of what we have seen in Strathclyde, Merseyside and in London is that two things working together in harmony have a powerful effect. One is to identify those people in the gangs and then enforce the law around them in a very tight way, you may say zero tolerance, but just to make clear that any opportunity to enforce the law around them is taken. The other one is to say if you are prepared to take a different form of life, a productive form—particularly when you talk about young people and you are looking at employment, you are looking at housing, you are looking at education—is that if all the partners work together and say, “We are going to give you a difficult time. If you want to change your lifestyle there is an opportunity here”. So it is vital those two things work together. I have called for a meeting on I think it is 31 October, where we are getting the leaders of the local borough councils in London, the Home Office, and others are going to

come along, so that we have a coherent plan across London, not just in one borough, not just in five, but in far more so that over the next six months I expect that we will make far more progress.

I think the final thing I will mention, which is in response to Alun earlier, which is around once you have a plan then, in a CompStat style, make sure it is getting delivered week in week out, day in day out, and not just leave it to hope that in two years' time it will have had an effect.

Q57 Mr Clappison: So you will be looking at the local government and the national government departments to actually do something and produce results? As well as just saying, “We have a plan. We are all part of this”, you want to see results coming from it?

Bernard Hogan-Howe: Yes, but I think I would like to characterise that in, I hope, the right way, which is already I have had a lot of letters of congratulation on taking up my post. A significant number were from the leaders of the boroughs within London, and those boroughs most affected by gangs and those boroughs most affected by some of the disorder we saw were the ones who were eager to work together to make a difference, and I think we have to build on that great opportunity and create a plan. It is not about me saying they should do things. No doubt they will have list of things for me to do, but I think together it is a great opportunity in time. It was a terrible series of events we saw but we have to build on that opportunity.

Q58 Chair: Can I ask you finally and briefly about the phone hacking. You set up the independent review when you became Commissioner. I am looking at a matrix now of all the phone hacking inquiries. There is the Elizabeth Filkin inquiry, the IPC inquiry, the judge-led inquiry, the MPS Operation Weeting inquiry, the MPS Operation Elveden inquiry, the Siobhan Caldwell inquiry and the HMIC Roger Baker inquiry. Is that enough?

Bernard Hogan-Howe: Actually, Chairman, I think you missed out a few. We have had a look and we have found that there are 30 inquiries at the moment. We included your Committee, but there are 30 inquiries looking at the issue of phone hacking from different perspectives. I entirely understand why that is the case. What it does mean, in terms of the Met, is that all those different groups expect us to provide information, which we are quite happy to do.

Q59 Chair: Indeed. You were appointed to give a fresh start but you come with a lot of baggage: the baggage of phone hacking; you have Mr Yates who has resigned but is still there; you have Commander Dizaei who is in post but not working. When are we going to clean all this up so you can carry on and do the job that you were appointed to do, which is the policing of London?

Bernard Hogan-Howe: First of all, I am sure we will work our way through it. I am confident in the people of the Met and the team that we have and the team we will develop that we will work our way through the various problems. I have been previously in the

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Met between 2001 and 2004, and you have probably seen the Met for a lot longer than I have, but I don't think there has ever been a time when it has been quiet. There has always been a challenge to be faced and we need to make sure we are up for it. So there will be things to resolve but we will work our way through them, and I think by confident leadership, a clear plan, and sticking to our core mission we should build the trust of the people of London.

Q60 Chair: In 12 months' time when you appear before us again, after the Olympics, what would you

like us to have judged you on? What are your benchmarks? What would you like to have said you have done in the last 12 months?

Bernard Hogan-Howe: Probably three things, really. I hope the trust of the people of London, where it has been damaged, has been restored; secondly, to have cut crime; and thirdly, to have made best use of the money the public give us so that if we need to make cuts we make them but we keep the organisation fully focused on helping people and keeping them safe.

Chair: Commissioner, can we wish you the best of luck? Thank you for coming.

Supplementary written evidence submitted by Mark Simmons, Deputy Assistant Commissioner

Thank you for letter to the Commissioner dated 11 October. He has asked me to respond on his behalf.

My response to the four questions, you raise are as follows:

- The Metropolitan Police Authority are responsible for contractual matters relating to Association of Chief Police Officers' rank officers. On 18 July 2011 Mr Yates announced his intention to resign from the Metropolitan Police Service. Since that time he has been on a period of leave and has been engaged in handing over his responsibilities to his successor. The Metropolitan Police Authority and Mr Yates have agreed to his formally leaving office as at midnight on 7 November 2011.
- I can confirm that Mr Fedorcio is currently on a period of agreed extended leave whilst the Independent Police Complaints Commission investigation is conducted. He is on full pay.
- I can confirm that Commander Dizaei was reinstated to his position in the Metropolitan Police Service as a result of a decision by the Police Appeal Tribunal on 29 September. On 30 September he was suspended from duty following a decision by the Metropolitan Police Authority's Professional Standards Cases Sub-committee.
- No, there are no other officers or staff in position but on leave with pay.

28 October 2011

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