



Home Affairs Committee

Oral evidence: The work of the Metropolitan Police, HC 312

Tuesday 23 February 2016

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Members present: Mr Keith Vaz (Chair); Victoria Atkins, James Berry, Mr David Burrowes, Nusrat Ghani, Mr Ranil Jayawardena, Tim Loughton, Stuart C. McDonald, Naz Shah, Mr Chuka Umunna, Mr David Winnick.

Questions 56 - 181

Examination of Witness

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

Q56 Chair: Could I welcome the Metropolitan Police Commissioner to the normal session that we have with him on a twice-yearly basis? Can I refer all those present to the Register of Members' Interests where the interests of members of this Committee are noted?

James Berry: Can I add that I have worked at some point as a barrister for all of the police forces, including the Metropolitan Police, and also taught for the College of Policing?

Chair: Sir Bernard, I should really start with the No. 1 issue that is burning in the minds of the Commons and Members of Parliament at this moment. Are you for staying in or coming out of the European Union?

Sir Bernard Hogan-Howe: Well, that would be one of the easier ones this afternoon, I suspect. You will not mind if I do not get involved in that, but I am sure it will be a very interesting debate over the coming months.

Q57 Chair: Excellent. I thought you would say that. Spoken like a true commissioner. Good, because the Mayor, of course, has taken a particular position and he is the Police and Crime Commissioner. He presumably did not discuss that position before he announced it?

Sir Bernard Hogan-Howe: Not at all, Chairman, not at all.

Q58 Chair: Can I also begin by congratulating you on your extension to your contract? There was much speculation the last time you were before us and the Home Secretary has written to the Mayor saying that she is giving you an extension for a year.

Would you have liked longer in order to complete the work that you began five and a half years ago or are you happy with one year?

Sir Bernard Hogan-Howe: I am happy with it. First of all, Chairman, I am proud of the fact that it is a Crown appointment and that the Queen has agreed to extend my appointment until September of 2017. Although it is for one year, it is one year commencing in September of this year, so it is about 18 months from now. That is quite a long time.

I think I have said here and I have said to everyone who has asked me in the Met for the last four and a half years I would like to stay for up to seven years, and I have always used those words carefully. I do not think you should declare when you are in a leadership position, certainly for the police, when you are leaving. It may be for someone else to decide when you do leave, but the danger is if you declare that date, then the final period, say for a matter of 12 months, you can end up losing power. For me, I think it is wise to preserve some mystery about the end point. The thing that I think has been persuasive in this discussion is, of course, the mayoral election in May of this year. It seems to me very reasonable that when the new mayor is elected, of course, they would want a view on my period of office and that seems very reasonable.

Q59 Chair: You did not want to be in the same position as the Prime Minister, who has announced that he is standing down before the next election? You wanted to have a little bit of mystery still attached to your post?

Sir Bernard Hogan-Howe: Well, this is my second opportunity to not answer that question. I think I will stick with where I am. I can only speak for the police. I just think in leadership terms if you reveal too early when you leave, then the danger is that the decisions that you make in that final period are contaminated by the possibility your successor may come to another conclusion. I think for us it is wise to preserve that mystery.

Q60 Chair: Sure. Anyway, on those timings, you would have stayed a total of seven and a half years because you have done five and a half years so far. You will have done just about seven by—

Sir Bernard Hogan-Howe: It will be six, to be fair.

Chair: Six, but if either of the candidates who are the frontrunners for the mayorship say to you, “We would like you to stay even longer than the extension given by the Home Secretary” would you stay?

Sir Bernard Hogan-Howe: I would certainly consider it. I am sure it depends an awful lot on personal chemistry. I do not think it is wise for police chiefs to change on the re-election of a PCC or a deputy mayor or a mayor, come to that. I think the police ought to be beyond party politics. It is unwise to just change just because of a mayoral change, but I think you have to make sure that you can work together. It depends on what that person’s plans are. They may have plans for obviously the next three to four years and none of us knows operationally what might be happening. If something awful was happening at the time, I would not want to abandon what I am doing and it may be they did not want that to happen either. It is a mature decision that will be reached over the next few months post the election that will take place in London in May.

Q61 Chair: Sure. We are going to cover a number of topics. The first one is Operation Midland and we want to concentrate more on process than on detail. We do not want this to be a re-examination of either things that have gone in the past or in respect of detail because I think the process itself reveals a number of interesting points that the Committee is concerned about and has been concerned, especially in our recent report on Paul Gambaccini. We have made a number of recommendations, some of which have been followed. One of those was that you should go and see Lady Brittan and that the Metropolitan Police should apologise to her for the way in which they have handled matters, in particular the fact that Lord Brittan had died before he had been informed that you were taking no further action. Were you able to see Lady Brittan?

Sir Bernard Hogan-Howe: I was. What this Committee decided or recommended was one of the things taken into consideration about whether to apologise. We would have done it a little earlier but I am afraid we just could not arrange it any earlier. We started trying to arrange it around November of last year, could not arrange that, so it has only just been possible these last two weeks. Yes, that took place last week.

Q62 Chair: The form of your apology, which, of course, has also been the subject of speculation and it is much better to hear it from you direct, did you apologise for the action taken by the Met or just the failure to inform her husband before he died? What was the nature of the apology? Was it a full apology that I think she and her family expected?

Sir Bernard Hogan-Howe: It was certainly a full apology for the fact we had not advised Lady Brittan early enough of the fact that her husband was not to be prosecuted. At the very least in April of 2015 that was possible. We still had not done it until I think it came to September of 2015, so for that delay I apologised. I think she has said since that she accepts that apology although she had some more questions, which I did my best to answer in that meeting. Where I could not answer them, then obviously I have agreed to do our best to answer those questions at a later date.

Q63 Chair: Of course, you have had the Dorset report since we published our last report. Has that allowed you to consider carefully the mistakes that had been made by the Metropolitan Police in respect of this and perhaps other cases? Have you all learnt the lessons of what went wrong?

Sir Bernard Hogan-Howe: We have. I think you have seen the outcome of that review, not the actual full review because we have kept that confidential for the reasons that we may go into. Certainly, I think that report concludes that, in fact, it was a valid investigation. It was carried out well. There were issues in it, as with any inquiry, that could have been handled differently and those have been acknowledged and we can always talk about those. Fundamentally, it thinks that that inquiry was carried out well. What I accept is that in terms of Lady Brittan she should have been told earlier.

One point that I would make here, because it may become relevant in other cases particularly, is that generally neither a spouse nor a partner nor anybody other than the suspect has a right to know about the fact that someone is under suspicion, is under investigation, nor the outcome of that investigation. If you were to think of any member of this Committee, if they were under investigation we would not tell their partner, whether they are alive or they are dead. It is a private matter. In this case, we think that would have

been a bit foolish because, of course, Lady Brittan was very well aware from the public discussion about this. It would have been rather foolish to pretend that she was unaware since she was clearly aware, not as a result of what the Met had done but as a result of what the press had published.

Q64 Chair: Everyone knew, of course, because it was very much in the public domain, so I think the issue of privacy in that case does not apply. Turning to the case of Lord Bramall, which has resulted in you asking a judge, Judge Henriques, to look at what has been done by the Met, why, with your vast experience—you have been there, as you say, for five years; you have been working in the police force since the age of 22; you occupy the most important job in policing some would say in the whole of Europe—did you not feel able to look at this yourself and say, “We have made these mistakes and this is what we are going to change in the future”? Why did it take somebody else, and why were you or Patricia Gallan, who reviewed Operation Midland in April 2015, not able to do this?

Sir Bernard Hogan-Howe: The first reason is, as I have said elsewhere, had I confirmed that I thought that things had gone perfectly, this Committee and many other people may well have thought, “You might well have said that, wouldn’t you?” We had a succession of events and this Committee has reported on two of them—Lord Brittan and obviously the other things that you have looked at in terms of high-profile cases. It seemed to me it has got to the point where we needed an independent look. Sir Richard had actually looked at the Lord Janner investigation and on that occasion he was checking out whether or not the police had done too little. The allegation here is that the police had done too much. I did not select Sir Richard. The process is that I approach the Lord Chief Justice, he looks at the list of retired judges, and he was one of those people who was mentioned that we could contact. That is what has allowed us to go forward.

First of all, I think having independence brings value to what we are looking at. Secondly, a lot of what I may know as part of the briefings I get about an investigation is not what I can put into the public domain. If I turn around to this Committee and I turn around to the press and say, “I know some other things that might explain the length of the inquiry, it might explain some of the actions that were taken in it” you might say, “That is all very fine for you to say but how do we know that is true?” It seems to me, for a second reason, we can share that information with Sir Richard. He may or may not be persuaded by it but at least he will have an account from which he can form a balanced view.

Q65 Chair: Sure, but we are not going to see the results of that, are we?

Sir Bernard Hogan-Howe: I am just going on to the third reason, which I think is quite important. We had actually had two internal reviews in the Metropolitan Police of this very operation.

Q66 Chair: Does that include the Gallan review in April?

Sir Bernard Hogan-Howe: No, there were two reviews carried out by reviewing officers within the Met. That is usual for a very serious thing. If you look at a murder, then there are time periods, within 48 hours, within a certain number of days. We do that for a serious thing and we also do it for things that are long running or, frankly, it includes things that are difficult. We get peers to review what is happening: are there lines of

inquiry that have been missed; in the complexity of something have things been missed? All those three things caused me to think that we needed someone else to have a look and it seemed to me a retired High Court judge would command respect, would have access to all information and, going on to your final point, so far as was possible could share all the information he received. Now, people say, “We do not see all the report” but no one saw the report that he provided for the DPP but he made very clear his criticisms of the police in that case and so I think he could in this.

Q67 Chair: You will see this report? You and only you will see it?

Sir Bernard Hogan-Howe: Certainly, the Metropolitan Police will see it. I will see it as part of that.

Q68 Chair: Sure. The Home Secretary will not see it?

Sir Bernard Hogan-Howe: No, generally she would not get it.

Q69 Chair: Will you be publishing perhaps the key findings and recommendations rather than the report itself?

Sir Bernard Hogan-Howe: Certainly, in the same way that we shared the Dorset review with this Committee and those findings were then published by you.

Q70 Chair: Let us go to some practicalities and some stuff that has been in the public domain for a while. Do you still stand by the statement of Superintendent Kenny McDonald that the witness in that particular case or the complainant in that particular case made allegations that were credible and true, and in future will your officers not be making statements of that kind?

Sir Bernard Hogan-Howe: No, we do not stand by it. I think we made that clear a few months later. We believe he misspoke. If he had stopped at the word “credible” I think everybody would have accepted that, but to go on and use the word “true” is wrong for an investigator and we accepted that.

Q71 Chair: When Superintendent Sean Memory stood outside the home of former Prime Minister Edward Heath and called for information, you were very clear and you said victims deserve anonymity and the suspects deserve it, too. This will not happen again presumably?

Sir Bernard Hogan-Howe: No, although the two are not directly linked—

Chair: No, they are not linked.

Sir Bernard Hogan-Howe: —because, of course, we are not talking about anonymity in the case of the DCI. It was about the issue of “true”. I think the point there was whether it was wise to stand in front of the deceased’s home and make that appeal.

Q72 Chair: You thought that was wrong?

Sir Bernard Hogan-Howe: It did not seem wise, but I try not to comment too much on others because I am sure they will find opportunity to comment on us at some stage.

Q73 Chair: Looking at the process, this Committee has taken evidence on a number of different cases, the Gambaccini case being one, the Brittan case and the others. Do you think that over the last few months there has been an attempt by the Metropolitan Police to in some way compensate for their failure to investigate more thoroughly the Savile case and, as a result, you have had a number of high-profile cases where perhaps in the past they would not have done the kinds of things that they have done? For example, in the Bramall case, sending 22 police officers to the very small village of Crondall in Hampshire to go into his property, move his very ill wife from room to room and start to investigate in such a public way a case against a man of 90 where subsequently there was found to be, as far as we could see, no true evidence to support it? In the case of Lord Sewel where the next day after it appeared in the Sunday papers battering rams were used against his property in order to let Metropolitan Police officers in, or in the Gambaccini case, or the case of the mansion in Berkshire where a police helicopter appeared and police officers rushed in? Do you think that there was an element of the police as a whole trying to compensate for perhaps past failures and just overdid it in respect of the process, not necessarily the detail but the process in which some of these cases were dealt with?

Sir Bernard Hogan-Howe: I hope not. I am sure that is one of the things that Sir Richard will consider. I will try to disengage the general point you are making from the individual cases that you then went on to, some of which are nothing to do with the Metropolitan Police, I think you will accept.

Chair: Sure, yes.

Sir Bernard Hogan-Howe: I think it is partly what is in the public domain about how the police are reacting to historical claims, although I think in Lord Sewel's case that was not a historical claim, neither was it a sexual offence. It was to do with, I think, an allegation of drug abuse. The general point is obviously the police have to be shown to react and I think this Committee considered it on the last occasion you met with Pat Gallan and DAC Rodhouse. Do you treat everybody the same, broadly, or should you treat people who are either famous or known in a different way? We would say generally we have to treat them the same. The allegation over the last 30, 40 years, in fact, is there was a time when that was not the case, it is said, and, in fact, it is the very reason that Justice Goddard is now conducting a public inquiry, a series of allegations against not only high-profile people. I think she has five strands of her inquiry, one of which is about Westminster. There are other strands, but a fundamental issue is: were things ignored? There is no doubt the police have had to react seriously and, in fact, if you look at Sir Richard Henriques' inquiry into the review of the Janner case, then that was one of his conclusions that it was not taken seriously and people were ignored and, in fact, things were just covered up. That was the whole thrust of it.

Chair: Indeed.

Sir Bernard Hogan-Howe: I think it is not unlikely that the police have reacted by dealing with things thoroughly. In terms of the cases you have mentioned, and particularly Lord Bramall for which I am particularly responsible—

Chair: Yes, just going to the figures—

Sir Bernard Hogan-Howe: —this was the point about the number of searchers. The idea behind the number of searchers is not to warn the local people or anybody that, in fact, we are carrying out a search. The number of searchers is a function of the complexity of the search. First of all, we want to do it quickly and, of course, if we have a few searchers it will take longer. If the property is large, then it will take longer and, of course, if we are looking for very small things, which we do often. If you are looking for discs and you are looking for digital data more and more or you are looking for documents, any house contains a lot of this. Finally, I would just mention that, of course, if we do it incompletely, we do not take up a floorboard, we do not look in a sofa and we put them back together in disrepair, we will be criticised for that, too. I would only say that the number of searchers, which Sir Richard will look at, was not to do with trying to alert anybody to the event but it was to do with doing something thoroughly and efficiently.

Q74 Chair: In that particular case, you had 22 officers. There were probably more officers on that raid than there were people living in the village of Crondall. Mr Jayawardena probably will tell us; he is the local MP. Do you think that there is an element, taking the quote from the letter of DAC Steve Rodhouse to us, that the police have become more concerned with media criticism and public cynicism? You yourself are over 40 years or so in the police force. The police are answerable to the law, aren't they, not to the media or, indeed, even to public cynicism? This is a very serious departure that you all should be concerned with media cynicism.

Sir Bernard Hogan-Howe: First of all, it is under 40 years, not over. In terms of the fundamental point you make, I agree that, in fact, what we have to do is to do our job without fear or favour according to the law. A search was carried out. It was done thoroughly. Nobody can dispute the thoroughness of it. It is said that in that locality the number of searchers alerted the local population, therefore others, to what was happening. On the whole, we do not concern ourselves too much when we are investigating murder, robbery, rape, with the concerns of the suspect about how many searchers we put into it. If we were only to concern ourselves about the number of searchers when people are more likely to be reported in public, then I think we would be guilty of doing the very thing that this Committee would urge that we do not, that we treat people differently.

Q75 Chair: Sure. You can let us know how many times you have searched a property in the last year where 22 officers have turned up then?

Sir Bernard Hogan-Howe: No doubt, yes, and more on occasions because if the property is large or there are multiple suspects or they are looking for something very detailed, then we will.

Q76 Chair: Let me just be clear. The media criticism and public cynicism in your view should play no part in an operational decision taken by—

Sir Bernard Hogan-Howe: No. From what I saw of the transcript of that event, then Assistant Commissioner Gallan got it right when she—

Chair: No, this is not her quote. This is from Steve Rodhouse.

Sir Bernard Hogan-Howe: No, I know, that is why I am going on to say when she spoke I thought she got it right, and I think Steve then came back to this point it was more about public confidence. It was not what you have described and, I agree, should not be the guide of police action.

Chair: That is very helpful.

Sir Bernard Hogan-Howe: If we are to have public confidence in the police, and this Committee comes to us regularly talking about this, it has to be something that I and we have to be concerned with.

Q77 Chair: Indeed, and you have always been very open in coming to this Committee. One final point before other members will come in: your recent spat with Tom Winsor. Thank you very much for the letter that you have sent today, which is very clear, which we will publish as he has published his letter. What you are telling us and what you have said in your article in *The Guardian* is different from what you said in 2014, which is that victims should always be believed—sorry, that the inspectorate advocated that policy that victims should always be believed. You are telling us, and you have said this in your article of 10 February, “A good investigator would test the accuracy of the allegations and the evidence with an open mind. This is a more neutral way to begin than saying we should believe all victims.” That is right, is it?

Sir Bernard Hogan-Howe: That is correct. To be clear, although the chief HMI and I have a difference of opinion about their policy, it is their policy at the end of the day. I think his view is that in 2014 they suggested that we ought to institutionalise the belief of the victim for the report of the crime but thereafter it should have no effect. My point is it must have some effect. We cannot just say this is a discrete entity that never affects the investigator. Therefore, it has to be considered.

I also accepted the point that one of our own senior officers in one of these cases—I think it was in the Savile case—went outside in front of the yard and said, “We will believe you”. I think what has happened over the last 30 or 40 years in quite properly an area we all agree on—we want victims to come forward and know that they are going to be listened to. We will accept what they say at face value and then we will investigate. I think what it has gone over to is this “belief” word, and I think the “belief” word is immaterial. Whether I believe you as a victim is immaterial. That is the thing for a court to decide. Of course, there it is beyond reasonable doubt insofar as the suspect is concerned. For me, I think it is time to review that. That is what the debate is about.

Q78 Chair: Sure, and you have asked for this debate. You have very openly said today that Superintendent McDonald should not have said the word “true” because that was a matter for the courts?

Sir Bernard Hogan-Howe: To be fair, I think we have said that before, but I am reiterating it myself today.

Q79 Chair: It is a matter for the police to interview people and treat them neutrally as part of that investigation?

Sir Bernard Hogan-Howe: Yes, because I think otherwise you cannot face the suspect. If you sit with a victim and say, “I believe you” and then you turn to the suspect and say, “I believe the victim. Give me your account” it seems to reverse the whole polarity of what should happen in a court.

Chair: We will go to Mr Jayawardena first as he is the constituency MP.

Q80 Mr Ranil Jayawardena: Thank you, Chairman. Before I turn to Lord Bramall’s case, just picking up on the Chairman’s last questions, how do you propose striking the proper balance between treating potential victims with respect and taking their reports seriously while also safeguarding the rights of the accused with the policy of innocent until proven guilty? It seems to me that if you are a public figure you are often guilty until proven innocent.

Sir Bernard Hogan-Howe: I would regard them as two issues, which are both mentioned in that *Guardian* article. The first one is that I would dispel the word “belief” and use the words “open” and “empathetic”. Of course, if you have a complaint, come to the police and feel that you are going to be listened to and that we will thoroughly investigate it, but not that I believe you. That is for me the test.

The second one is I would argue, and we may get on to it this afternoon, that much of the damage that has been done in these cases for famous people has been done because their names have been published. We do not put their names in the public domain; the press decide to do that. We always share the name at the point of charge. I think that is the appropriate time to share it and then you can be held to account in a court. The victim has the protection throughout the court process, which I do not object to at all. In these cases, particularly the historical cases, they take a long time to investigate, one of the very things that we are being criticised for but I would argue inherent in the nature of the type of cases we are dealing with. I think if you are going to deal with both of those things, they would help particularly in these cases. It is a live debate because obviously up to now it had been possible to publish the name of somebody prior to charge, although we will not put that in the public domain.

Q81 Mr Ranil Jayawardena: You agree that it is totally unacceptable that if you are a public figure you are guilty until proven innocent in the court of media and public opinion and you do stand by your recommendation that anonymity should be offered to suspects?

Sir Bernard Hogan-Howe: I believe so, yes. We would say generally, but particularly in the case of sexual offences and particularly where it is an historical investigation.

Q82 Mr Ranil Jayawardena: Moving on to Lord Bramall’s case, if police forces were forced to apologise to every accused person who had charges against them dropped, I appreciate it would create a very difficult and potentially unfair precedent. However, many in this place and outside feel that the Metropolitan Police do owe Lord Bramall, my constituent, an apology for the particularly heavy-handed approach that was taken towards him during the investigation: 10-hour dawn raid, over 20 officers searching his home, the length of time that it took to notify him that he would face no charges, and everything in between. What is your response to that?

Sir Bernard Hogan-Howe: First of all, we would express regret, regret but, of course—

Mr Ranil Jayawardena: That is not an apology.

Sir Bernard Hogan-Howe: I was going to go on to say not an apology. I have expressed regret. I think there are difficulties you first articulated in making apologies to suspects, which I would differentiate from—I have a list of the number of apologies I have issued over the last four and a half years, usually for historical events. It is not the fact that we are arrogant and we do not want to apologise for a failure, but certainly in the case of suspects there are different things that we have to consider. Point 1 is it may be that further information comes to hand later and if I have apologised for something that eventually is charged, that is a rather odd conclusion. We also have the complexity that if there are multiple suspects in one case and, in fact, on one occasion we think this person is entirely innocent of anything that they were accused of and, on the other hand, it just fell short of a charging standard—

Mr Ranil Jayawardena: What will you do—

Sir Bernard Hogan-Howe: If I may just develop this a little? We have the difficulty: do I apologise to one that is entirely innocent in my view or, alternatively, somebody that might just have failed the sufficiency test. I think we have to consider that. If we made an error, of course I will accept it, but I have already explained to the Chair that we have already had some internal reviews. We have information that is not in the public domain that I have to take into account, and whatever Sir Richard discovers and whatever he concludes in his judgment, of course, I will respect.

Q83 Mr Ranil Jayawardena: What will you do differently right now in light of this case to make sure that that is properly balanced going forward?

Sir Bernard Hogan-Howe: The first thing is that we have said that we will address the issue of belief and that is something that is entirely in our gift. No. 2 is that we are putting in more support around the investigators. Bear in mind you have had people in front of this Committee, detective chief inspectors, who in my view do not deserve that sort of public scrutiny. It is okay, I am paid to do it, it is my job, but I think junior people are coming under a huge amount of pressure, not necessarily by Parliament but also by the press, and they are trying to carry out what should be a private and confidential investigation. One of the things we are putting in place with the national council of chiefs is some kind of support mechanism around the SOs in these cases because I think they are pretty hard both by historical nature and big issues being involved in the case. We are going to do something there. Of course, we have improved generally the overall supervision. In the feedback from the Dorset review, there was some feeling at the beginning there was not enough intrusive supervision. It improved later, but again that is something that we can do something about.

Q84 Mr Ranil Jayawardena: It would be very helpful if you could write to the Committee with some information around that support that you are providing the investigating officers. If I could just move on then to some of the existing processes you have, the Metropolitan Police is governed by the victims' charter, which requires it to update victims on the progress within specific timescales. One of the issues in Lord Bramall's case is the length of time that it took for him to be updated. Would it be sensible for the Metropolitan

Police to reduce delays in informing suspects of progress by having some sort of comparable charter, some comparable timescale set out so that people have some certainty?

Sir Bernard Hogan-Howe: It is a fair point. One of the things that we discovered in the Lord Brittan case was sadly where a suspect dies during investigation and before they are told about the outcome, in fact, we missed an opportunity to advise Lord Brittan's legal adviser, which would have been a very reasonable step that we could have taken and did not, probably because it is such a rare event we missed it. That is our fault and we need to do something about it in the future.

The point you make about getting comparable timelines for suspects as well as for victims I think is reasonable. One of the things we are looking at with others is that, of course, we have a duty under the victims' charter to keep the victim or witnesses updated on the progress of the inquiry. What we have also found in some of these investigations is that some of the witnesses and victims have relationships with press agencies. Now, as we keep the victim updated, it leads to the potential for compromising that confidentiality. I can put it no stronger than that. I think it does not necessarily help confidentiality and we all have to consider what that means if we constantly keep victims updated about arrests, where a search is, because, of course, the victim, having made the allegation, usually knows the location, the details of the suspect. I am not saying in these cases that has caused it, but it certainly has not helped.

Q85 Mr Ranil Jayawardena: What has the cost of all these investigations been?

Sir Bernard Hogan-Howe: I could always let you know in total. I think at the moment so far as the Midland case is concerned, by November of last year, which is the last time I have details for, it was around £1.8 million, which is around, if it helps, 20 officers.

Q86 Mr Ranil Jayawardena: My final question, Chairman: do you think it would be appropriate at some point to identify the value for money that the Metropolitan Police has derived from these investigations in the way that you have approached this in the past where people have been believed, statements have been taken as true, quite apart from whether they are or not, and to review then how you go forward with similar investigations in the future given that this must be hurting your front-line policing?

Sir Bernard Hogan-Howe: I think the point about value for money is not for the police, it is for the public. I am not being pedantic but that is the reason—

Mr Ranil Jayawardena: But you are responsible for the direction of operational resources.

Sir Bernard Hogan-Howe: No, I accept that. I am not going to walk away from that point, but the reason that we have these resources is for the public's benefit, not mine. We are going to have to have a debate about what we do about these historical cases, as they have had to in Northern Ireland. I think Sir Richard, having had the experience of looking at the Lord Janner case and now of whatever he discovers in this case, would like to propose some kind of code of practice in these historical cases to try to help us, CPS and others. He might propose that we put time deadlines on, or put more resources into it. The only place that will come from is the events that happened last night. If what we decide to do is put more resources into it, then the danger is where are they going to come from? What we

found in Northern Ireland was when the historical cases had to be addressed, then more resources were dedicated to that purpose and then they were rationed within that area.

That is something we can look at but I do not think we can have it both ways. We cannot have an excellent service for last night's events and an excellent service for historical events, not least as the historical ones are complex. If I just finally mention one thing, in these cases we are finding that witnesses are abroad, that memories have failed and that records are not available. If we properly want to show we have thoroughly investigated something, we have to check all that out before we say we are not taking it any further.

Q87 Mr David Winnick: Can I clarify from you, Commissioner, regarding the late Lord Brittan? Do we take it that all allegations made against him have been cleared or are there aspects that are being investigated?

Sir Bernard Hogan-Howe: The only thing I can say is obviously Lord Brittan is dead and no action can be taken against him. We have talked very clearly about this particular allegation that was talked about and then reviewed by the Dorset review. That is all I can say.

Q88 Mr David Winnick: Would it not be the position that Lady Brittan would like something more satisfactory if, indeed, there are no outstanding allegations, obviously which would have been investigated had he lived but would not have been pursued in the same way that the allegation of rape was not pursued because there was no evidence or sufficient evidence for a prosecution? Would that be possible for the police to make clear?

Sir Bernard Hogan-Howe: I do not think it is possible at the moment. I cannot really improve on my first answer.

Q89 Mr David Winnick: What is somewhat unsatisfactory is that the late Lord Brittan died in January 2015. It was some eight months later that his widow was notified in the letter from Deputy Assistant Commissioner Steve Rodhouse saying, in effect, that unless further evidence had become available no further action would have been taken in respect of that allegation, which was, of course, satisfactory for the widow to learn but bearing in mind that Lord Brittan had already died without that knowledge, are you saying it would have been impossible for the police to have clarified the position prior to Lord Brittan dying?

Sir Bernard Hogan-Howe: That is what we are advised. You may dispute that. I think you had this discussion when DAC Rodhouse and AC Gallan came that they were trying to clarify with someone in the CPS. Of course, although Lord Brittan was known to be ill, no one anticipated the date of his eventual death. Between November and January it is said that, in fact, the CPS could not—we did not get the advice from CPS. We didn't decide to tell him and, of course, then he died and then there was a long debate between the Met and CPS. So, in short, no.

Q90 Mr David Winnick: How long had the investigation taken place regarding the allegation made? It was one allegation, wasn't it, against Lord Brittan?

Sir Bernard Hogan-Howe: I think you have discussed this at a previous Committee. It first started from an allegation in 2013 but then, of course, there was no interview with Lord Brittan. It was only after the interview that obviously a file then was prepared.

Q91 Mr David Winnick: But you do accept that it is very unsatisfactory for Lady Brittan not being given this information while her husband was alive?

Sir Bernard Hogan-Howe: I say that it is unsatisfactory given the information post April of 2015, which succeeded his death in January of 2015, because April was the date on which the victim was advised that no further action could be taken. She could have been told then.

Q92 Mr David Winnick: You said in the course of your answers to the Chair that the police had been criticised previously about historical abuse cases for not taking action at the time or not sufficient action and now the police have been criticised more recently for being over-hasty. You made a reference to Lord Janner. Do you think the fact that Lord Janner had not been prosecuted was due to some extent at least to the fact that there were interventions, a reluctance of the police to investigate someone who was prominent in British political life?

Sir Bernard Hogan-Howe: I am not really in a position to comment on the Lord Janner case because it was not a Met case, but I do believe that when Sir Richard Henriques reported on the review for the DPP he came to a similar conclusion. I did not fully read that report, but I think that was the broad conclusion that, in fact, it could have been done better.

Q93 Mr David Winnick: Yes, to say the least. In the dispute or spat or whatever that you are having with Sir Tom Winsor, do you find it surprising that some of us who are laypeople have always worked on the assumption that if allegations are made they are recorded by the police and then an investigation would take place? The question of belief or otherwise is irrelevant. This is what the majority of people who are not police or perhaps lawyers or what have you have always worked on, certainly I have, that an investigation would be made with an impartial mind, to say the least. Why should there be this controversy whether or not someone is believed at the very beginning? I do not understand it.

Sir Bernard Hogan-Howe: To be fair to the HMI, when I worked there a few years ago it had been a period when the police were under-recording by a large amount things like sexual offences. What they would do would be to hear the account but not record the crime until they had fully investigated it. During that time, sometimes a victim might have withdrawn their allegation—there may be many reasons for that—so the crime never got recorded. What the HMIs have been trying to address is getting more accurate crime reporting, something I entirely support. What might be the problem with the word “belief” in the way you have described it is it could drive us to an indirect consequence that none of us could support.

Q94 Mr David Winnick: Can we work, then, on the basis that it is precisely what the Met and hopefully other police forces will do, if they have not done it before, which hopefully they have, but namely that if an allegation is made it is recorded as is to be expected and then investigated—to repeat myself in my previous question—with a total open mind so that justice is done and seen to be done?

Sir Bernard Hogan-Howe: Yes, and the other thing that might give you some comfort in that is that I have invited Alex Marshall, the chief of the College of Policing, to convene a

meeting with the national police council and other interested parties, including the Met, to see that we can get that writ live throughout the investigative practice.

Chair: That is extremely helpful, thank you.

Q95 Mr David Winnick: My final question: do you think, Commissioner, that on reflection over the Brittan case and Field Marshal Lord Bramall as a result—and you have defended the various actions as one would obviously as the Commissioner expect you to do—to a large extent the reputation of the Metropolitan Police has been damaged if only because there is a feeling, which perhaps you do not accept, that it could have been done better, more efficiently and not give the impression that it was not acting as one would expect a police force to do?

Sir Bernard Hogan-Howe: There is no doubt that people have raised questions and that is very fair. That is what we are here for, to be held to account. I have no problem with that. Frankly, I have had more letters and e-mails from people saying that, in fact, you should hold everybody to account in the right way as I have from people who say we have dealt with this badly. I think people want to be reassured that we are treating everybody, no matter their background, as we should as a police force, which is to hold them to account, investigate properly and do it efficiently and effectively as we would expect everybody else, but they should get no favours.

Mr David Winnick: No one disputes that.

Chair: Thank you, Mr Winnick. I think we need to move on. We need quick fire questions and answers, starting with Vicky Atkins.

Q96 Victoria Atkins: I have three areas of your evidence that I need clarification on, please, Sir Bernard. The first is your statement that, “We do not put names in the public domain”. I appreciate this is a different constabulary, but the behaviour of Wiltshire Police over the Ted Heath allegations flies in the face of that, as does the behaviour of a constabulary I am not going to name, nor am I going to name the person at the centre of the investigation, but we all know who I am talking about if I refer to the fact that they had apparently, allegedly, tipped off the BBC so that a helicopter flew over the property when police officers were searching the house. How on earth can the modern police service say with a straight face, “We do not put names in the public domain”?

Sir Bernard Hogan-Howe: Well, I can only answer for the Metropolitan Police. I cannot answer for the other forces that you have declared in those two cases, which are not the Met, to be fair. You could have argued that for all of us about Jimmy Savile. Everybody was quite content to accept that Jimmy Savile was and remains now responsible for many of the things for which he has never been convicted in a court.

Q97 Victoria Atkins: But he was dead when those allegations were made.

Sir Bernard Hogan-Howe: But so was Ted Heath.

Q98 Victoria Atkins: Well, I will come on to Wiltshire in a moment because, again, a piece of your evidence—

Sir Bernard Hogan-Howe: I am just making the simple point—

Mr David Burrowes: Is it acceptable to tip off the police in those circumstances?

Chair: Order, Mr Burrowes. Victoria Atkins has the floor.

Sir Bernard Hogan-Howe: I want to make a simple point that although I agree entirely—I am not disputing the point that the police should not put names into the public domain, whether alive or dead—it is more difficult when somebody is dead, I think we have to accept, because there are less risks about defamation, which is what guides the press. If we get to it, there was a particular case in the Met where I was pushed when meeting the Crime Reporters Association. They wanted me to name a very senior—that was a senior politician; this was a senior entertainer. They knew exactly who it was and they did not want to name him. They wanted me to support their allegation because they did not want to incite an action in defamation. That is not our role, but that is the sort of pressure we come under.

Q99 Victoria Atkins: Linger for a moment with Wiltshire Police, this weekend it was announced that that police force is going to spend I think up to a year and a half searching through Ted Heath's archives to determine whether or not an allegation or allegations into his conduct are proven. How on earth does that fit the police's duties to investigate crimes and, if necessary, bring them to prosecution?

Sir Bernard Hogan-Howe: I am only going to repeat my first answer, which is I honestly cannot answer for Wiltshire Police. I do not know the nature of the investigation. I will share the challenge we have had with some of our cases. You can look at the Jimmy Savile case as being a good case where often even if the suspect is deceased there are other people involved who can be prosecuted. You have to accept that there are sometimes cases where you discover evidence. I think in Jimmy Savile's case his chauffeur was eventually successfully prosecuted for a historical allegation and, indeed, the investigation discovered that as a result of looking into Jimmy Savile. I do not know about the Wiltshire case but I know that investigators do have to consider that possibility.

Q100 Victoria Atkins: But is there not a balance for, sadly, the victims who are suffering abuse now, today? Is there not a risk that in this focus on high profile dead celebrities that those poor victims that are suffering today get lost because the resources cannot support such an enormous task of searching through someone's archives?

Sir Bernard Hogan-Howe: You are right that there is this balance to strike, as I said to Mr Jayawardena, about how do you prioritise resources for historical events compared to contemporary events? But if you look to the number of officers at the moment looking into historical events—we have 32,000 officers—then the numbers involved are not going to cause the Met to fail. I cannot speak for Wiltshire because I do not know the numbers involved. We had the same allegation around hacking. We had all these officers involved in hacking. The Met did not fail during that period, we just got stuck into investigating hacking. We always have to prioritise difficult cases, but I am afraid I cannot speak on behalf of Wiltshire Police.

Q101 Victoria Atkins: Please do not misunderstand me, Sir Bernard, I am not for a moment saying that historic allegations should not be investigated when the accused is still alive and can be prosecuted. My point is where the accused is dead and cannot be prosecuted.

Sir Bernard Hogan-Howe: The only point I would make is the one I went to, which if, clearly, the suspect is dead and the allegation is only against them, then clearly, I do not think there is a good reason for police to get involved. There are only two things to think about: one is live suspects who may be linked to them, and the other, as in this case—we are talking here, for example, about a past Prime Minister—there may be a public interest in discovering the truth. Whether that is for the police to discover, or someone else, is another question.

Q102 Victoria Atkins: Two points now with Lord Bramall. You have used at least twice, the phrase, “There may be material not in the public domain” in relation to questions as to why the Lord Bramall investigation was handled as it was. Can I be clear, please, given that for this man—this innocent man who has not been charged, let alone had an offence proven against him—there was insufficient evidence to charge him let alone convict him?

Sir Bernard Hogan-Howe: What I was answering were questions about Operation Midland compared to an investigation into Lord Bramall. All I am saying, in terms of the investigation into Operation Midland, which involves other suspects and, of course, originated as a result of an allegation of three murdered boys, that in that case other information has come to light. I was making a general point in historical investigations. In looking at Operation Midland, I expect Sir Richard to look at all that the investigator has, not necessarily whether Lord Bramall still has questions hanging over him. If I have left you with that impression, that is the wrong impression. I was making those points.

Q103 Victoria Atkins: Thank you. It is important this is clarified. The third question is the search of Lord Bramall’s house where 22 officers were involved. When were the offences alleged to have occurred?

Sir Bernard Hogan-Howe: I am afraid I do not have the dates in front of me.

Q104 Victoria Atkins: In excess of 40 years, or just under 40 years ago?

Sir Bernard Hogan-Howe: I am afraid I do not know the dates. I will let you know.

Q105 Victoria Atkins: I ask this question: what were the 22 officers looking for, for an offence that was a historic offence?

Sir Bernard Hogan-Howe: We will not go into the detail; that is what Sir Richard will do. I would only advise you that—and I think this is in the public domain anyway—people often say, “Why bother searching for historical investigation? You will not find anything” but the sad reality is that we do. So if you were to look at the two cases, if you go back to the chauffeur in West Yorkshire, when they searched his property, the property he no longer lived in and which had had successive tenants, written on the fifth wallpaper down were the telephone numbers the victims had written on that 20, 30 years previously. If you looked at the entertainer Max Clifford, when he was arrested and a search was carried out on his property, in one of his bedside cabinets was discovered a letter from a victim which had been there for many years. One may think that this is quite an extraordinary thing to

have lying about and discover, but the reality is that unless we look, we do not know. I could offer many other examples where searching of places has discovered evidence about historical events.

Q106 Victoria Atkins: You went on in your answer to talk about digital devices and so on. You are surely not alleging that that sort of search was appropriate in these circumstances, given it was a man of 92 and the offences were in the region of tens of years ago.

Sir Bernard Hogan-Howe: I was explaining why, generally, searches may be of more than one person, and I said there were three—

Chair: Thank you. A final question—

Sir Bernard Hogan-Howe: If I may just explain this—it is very important—there are three factors: the size of the property; what is being looked for; and, obviously, how quickly we want to achieve the outcome. I am afraid I do not think it would be wise to linger over whether or not it was digital material or not.

Q107 Victoria Atkins: I was just using your words, Sir Bernard.

Sir Bernard Hogan-Howe: Yes, but I was explaining in general, not in Lord Bramall's case.

Q108 Victoria Atkins: My last question is, what has happened to DCI Settle?

Sir Bernard Hogan-Howe: Nothing has happened to him; he is still posted to the same part of the organisation.

Q109 Victoria Atkins: He is still investigating crimes as an officer of his experience and professionalism should be doing? Is that right?

Sir Bernard Hogan-Howe: In short, yes.

Q110 Tim Loughton: Sir Bernard, forgive me if I have missed it, but are you intending to apologise to Lord Bramall?

Sir Bernard Hogan-Howe: I cannot say any more than I am not at the moment.

Q111 Tim Loughton: You are not intending to?

Sir Bernard Hogan-Howe: I have said that at least four times today, and I have said it previously publicly.

Q112 Tim Loughton: Why did Lady Brittan merit an apology but not Lord Bramall?

Sir Bernard Hogan-Howe: I thought I had explained that earlier. The reason is because there was something to apologise for in our delay in telling her about the outcome of the inquiry and, in fact, in Lord Bramall's case—we will see what Sir Richard Henrique's review finds—at the moment there is nothing clearly to apologise for.

Q113 Tim Loughton: One of the criticisms which has certainly hounded you in the last few weeks has been the delay in telling Lord Bramall that there was no case to answer and that no further action was being taken by the police, and he had had the cloud of a possible charge overhanging him at an equally difficult time in his personal life when his wife was dying and is now dead. So, why are the two different?

Sir Bernard Hogan-Howe: I think they are quite different. As I say, at the moment we see no reason for an apology to be made. In fact, there was an inquiry, there was an investigation, the file had to be considered, and that seems to be a reasonable explanation for the delay in that, as you have mentioned. We are talking here about Lord Bramall. We could have talked about any one of a number of suspects where I am afraid they have to wait for the outcome of the CPS and the police investigation.

Q114 Tim Loughton: Yes, but the point here, Sir Bernard, is that these two very high profile cases in particular have dominated the headlines. The police in this country are likely to be investigating this year, according to Simon Bailey, no fewer than 70,000 cases of historic sex abuse, and a disproportionate amount of time, attention on you, and media headlines has been taken up with these two cases. The story became not one of proportionality, almost, about the way the investigation happened, but the fact that you were refusing to apologise. Do you not see that that threatened to undermine the entire competence and credibility of your force in investigating crimes such as this, which absolutely undermines the confidence of genuine victims and vulnerable people who have come forward?

Sir Bernard Hogan-Howe: I could not disagree more, really. I have explained numerous—

Q115 Tim Loughton: You could not disagree more?

Sir Bernard Hogan-Howe: No, exactly.

Tim Loughton: You do not think—

Sir Bernard Hogan-Howe: Just a minute, just a minute. I just tried to explain, and now give me a chance to explain. I have explained numerous times why, in this case, it is not possible to apologise for an investigation. We do not treat anybody differently by their background or only apologise to people who are famous. We apologise where there is good cause and we apologised to the association with the victim here, which is Lady Brittan. I think that is entirely appropriate. We expressed regret if there is any damage caused to Lord Bramall, or anybody else, come to that. But I have explained very clearly why we would not apologise to suspects and why there are reasons why you have to consider this differently to victims.

Q116 Tim Loughton: All right, but do you not see, Sir Bernard, that throughout all the media circus that has been around this—

Sir Bernard Hogan-Howe: The media circus.

Tim Loughton: Well, whether you like it or not—

Sir Bernard Hogan-Howe: What you mean is, you want me to be bullied into apologising, and that will not happen.

Q117 Tim Loughton: You think you are being bullied into apologising?

Sir Bernard Hogan-Howe: I am asking you whether that is what you think.

Tim Loughton: No, I am—

Sir Bernard Hogan-Howe: Because that is why you are talking about the media circus.

Q118 Tim Loughton: The point I am making is that a lot of your time and the resource of your force has been taken up with defending, and I think badly, the way you have handled this case, and that has undermined the credibility of what you are trying to do, in a very difficult job. All the way through this, which is what I find very curious, you are trying to say you should not have to apologise for this investigation. Nobody is actually attacking you or criticising you for undertaking these investigations. Absolutely right, if you are a field marshal, if you are a Prime Minister, you should be subject to absolutely the same degree of law. What you are being criticised for, about which you appear to be in denial, is the way this happened and the way it subsequently panned out that it was handled badly, that somebody was treated badly because of who they are, they were subjected to far more media attention because of who they are, and at the end of it things have gone wrongly and you are now refusing to apologise, and that becomes the story, which does not help anyone. That is not being bullied into apologising.

Sir Bernard Hogan-Howe: You have gone on for some time, but I do not think you actually made a point. The first point is that, I do not know where the criticism has come from, obviously the suspects have talked in this case, and that is quite unusual; we do not normally see press reporting of suspects' accounts of their investigation. It is unusual. In this case we have seen it, so we have heard their accounts. We have not really heard the investigator's account. We have probably heard some of the victim's account but not all of the victim's account. It seems to me, to have a rounded view of that, to have a mature view of whether or not this investigation has been carried out properly or not, is what Sir Richard Henriquez's role is for all of this. I would argue, for this Committee, as well as for the press, they do not know either. You think you do, you think you know what has happened; so does the press. But I would argue there is a more rounded case to look at.

It seems to me, at the very least, an investigator ought to have that comfort, knowing that somebody is going to have that mature look. That is all I argue for. I made clear over a number of years that the issue of apologising is not an issue for me and frankly, as you indicated really, it would be the easiest thing, would it not? Just to say, "Sorry", if I thought it would just ease the burden that you have described. But if I cannot find it is the right thing to do at the moment, then I do not think I can and that this the reason that I—

Q119 Chair: Commissioner, I do not think Mr Loughton is necessarily saying that. Can I refer you to—I do not know whether this is still in existence—the Metropolitan Police Service rule book of general orders?

Sir Bernard Hogan-Howe: I know what it is. It was, but I do not think it is.

Q120 Chair: I understand that the principles—having talked to a number of senior officers—are still the same. Section 23(25) says: “Where an individual is arrested and then released due to a lack of evidence, the desk sergeant has the authority to apologise.” The desk sergeant has the authority to apologise, and even offer them a lift home in police transport. Is that just a gentler, different world? Because we took evidence from Paul Gambaccini—he wrote a book about this—about a man who was kept under scrutiny for a whole year. The CPS managed to apologise to him. I am not sure whether the Metropolitan Police did. Because, you see, what he complained about is that, as Mr Loughton is doing, as this Committee is doing, is—and it goes beyond your position as Commissioner—a general debate, a debate you want to have—

Sir Bernard Hogan-Howe: I understand that, yes.

Chair: —which is, when you get things wrong, should you not just say, “We got it wrong; we are learning the lessons” and move on?

Sir Bernard Hogan-Howe: If we believe that is true, of course. It would be so easy, would it not? But I genuinely offer the Committee, and you will have to decide for yourselves, is if Sir Richard considers that is the case, then of course that is the point at which we will make that decision.

Q121 Chair: But is this something that you want Alex Marshall to look at, this whole debate?

Sir Bernard Hogan-Howe: It is about belief. That is about the issue of belief.

Q122 Chair: But do you think there is also a case to look at the issue of when is it right to say there is insufficient evidence and when is it right to say, “There is actually no evidence at all, this is a false allegation”?

Sir Bernard Hogan-Howe: One of the reasons why—and obviously I accept it, but we touched on it with Mr Jayawardena—is that the police are not in a position to say anybody is innocent, no more than they are in a position to say anybody is guilty. What we are in a position to say is there is currently an investigation and there is insufficient evidence.

Chair: Indeed.

Sir Bernard Hogan-Howe: This was the point I was trying to make about the spectrum of belief, if we get to the point where we think this did not happen, that is one alternative. But we are not the people who should judge whether someone is innocent, that is what the court is for. If I start issuing apologies along this spectrum and I get to the point where I think, “I am not very comfortable in issuing this because this person was very near to getting a charge” and then I do not say anything, I presume you assume this person was very near to a charge, not at the innocent end of the spectrum. I ask the Committee to consider this, it is not through avoidance or arrogance and it is not because it would be the easiest option, as Mr Loughton has very clearly pointed out, but it is because there is a more complex picture I think we all have to consider.

Q123 Chair: Sure, and as Mr Winnick said, maybe the public do not understand this and this is something that should be a matter of practice, something that the College of Policing should look at so that what happens in Wiltshire may be different to what happens in the Met, but the practice is the same. Practical guidance on these issues should be the same.

Sir Bernard Hogan-Howe: The only thing for me to wrestle with, and I will accept any questions, of course, from the Committee, is that the majority of the damage, I would argue, in this case, was caused by the publication of the suspect's details, and that was not a matter for the police.

Chair: Sure, of course.

Sir Bernard Hogan-Howe: The fact is, a lot of the damage that happened was to do with that publication and I argue that that should not have happened, either by the police doing it or anyone else.

Chair: Yes, and by your superintendent saying that the allegations were true and you have distanced yourself from what he has said. We do not want to go back on this. New points —because we do need to move on.

Q124 Mr David Burrowes: Just to follow up on, perhaps, a new point? You say you do not just apologise to the famous, the background is immaterial. How many times have you visited a suspect's relative, or indeed a suspect, to apologise for—

Sir Bernard Hogan-Howe: To the—

Mr David Burrowes: To any suspect, any person who has been subject to any investigations or indeed their relative, when there has been a delay in taking no further action? I must admit, in all of my 20 years as a criminal defence solicitor with many a suspect who may well have had a grievance in delays of NFA, I do not remember you visiting them to apologise.

Sir Bernard Hogan-Howe: You have to make a judgement in each case. I have a list here of the apologies. If you would like, we can share those with the Committee. They range from Stephen Lawrence's family, through to Andrew Mitchell, to Azelle Rodney. Some of these cases are London cases that you will be aware of.

Mr David Burrowes: You say it is material that—

Sir Bernard Hogan-Howe: I was just going to go on to say that what you have to do is to judge it, in the case, about the extent of a failure and, of course, the public interest in it. We arrest, I think, 250,000 times a year and we investigate 800,000 crimes. We will make errors along the way. We, as an organisation, acknowledge that in various ways. I suppose you have to make a judgement from time to time, what has been such an important thing that you have to show that you are personally prepared to learn from that experience. It seemed to me in Lady Brittan's case, and having met the lady reinforced the fact, I should have done it. She had been quite badly hurt and damaged by what had happened. It was not her fault, whatever happened. It certainly was not her that put it in the public domain, nor was it in some of these other cases that I could list. In many of these cases it has been families. If you look at the Kester David case, the Azelle Rodney case, the Sean Rigg case, I have been meeting families of the individual, often who is deceased.

Q125 Mr David Burrowes: In your comment in the “Today” programme in relation to expressing genuine regret to Lord Bramall and his family, it was based on whether Lord Bramall and his family have been damaged in this investigation. Do you believe they have been damaged?

Sir Bernard Hogan-Howe: I have not met Lord Bramall and I have not met his family, but I was going to go on to say that, from the reporting, clearly they had been upset and concerned by it. I cannot say to what extent the damage was.

Q126 Mr David Burrowes: You do not accept there is damage to them?

Sir Bernard Hogan-Howe: I did not say that. I said I did not know to what extent the damage was.

Q127 Mr David Burrowes: You made the point about supporting anonymity for suspects in reference to sexual offences. Aside from what Parliament can do in relation to that, what have you done to institute any codes of practice or guidance so that, in effect, you can do what you wanted to do, which is have an independent person, a judge, who provides a court order for publication of suspects’ details or the like?

Sir Bernard Hogan-Howe: Probably three things, really. Post the Leveson inquiry, the Met leads the way in terms of our involvement with journalists. The journalists do not like it because they say they are not getting stories. We have regularised the way that we meet journalists. I think that has been a big help. If you had asked me five to 10 years ago, people on this Committee would have looked askance about the fact that the police had not told the press, but I can sit here fairly confident that they did not. I may be proved wrong, I do not know, but I believe it is very unlikely in these days. So, I think those are two steps forward in terms of our culture and our relationships with journalists and that is a good thing.

The third thing is, I have spoken privately and professionally with the Attorney General and we are writing about this issue of anonymity, and I know that he will take it seriously. It is not the first time it has been addressed. It has been talked about before. The press will argue for maximum transparency; we, the police will argue for privacy.

Can I just mention one particular reason that I think this is really important? You will know this, as a lawyer, but in fact, the only bar that we have to pass for arrest is reasonable suspicion. The test for a charge is sufficiency of evidence to charge before a court. We know that reasonable suspicion is a relatively low bar. It allows an officer to investigate, it allows us to take all the actions, all the powers that we have, reasonably. We do not have to establish too much before we take that action on behalf of the public. It is, for me, and I think for us, too low a bar to publish that that person is under suspicion, and that would be our view. Unless, of course, either the suspect is going to be dangerous to other people, in which case we would tell the world that a murderer is out there trying to kill people, or—and this is where I argue that if you have anonymity you could go to a court and ask for an order—you could say that by publishing the person’s details, more witnesses may come forward. In some of these sexual offences that could be helpful.

Q128 Mr David Burrowes: Has there been any disciplinary action or internal action in relation to inappropriate disclosure of suspects' details?

Sir Bernard Hogan-Howe: In this case?

Mr David Burrowes: In any cases under your command.

Sir Bernard Hogan-Howe: I think if you looked around the Leveson time, there would certainly have been cases there, yes.

Q129 Mr David Burrowes: Since Leveson?

Sir Bernard Hogan-Howe: I do not think since Leveson. I am not saying it has never happened, but certainly that caused a cultural change. The press do not like it, but it is a step for the better.

Chair: If I can just remind colleagues, we have five police and crime commissioners waiting to give evidence after you, so if we could be as brief as possible?

Q130 James Berry: Just two areas, please. First, investigations into someone or an offence concerning a perpetrator who is dead, those individuals may be investigated by a public inquiry, a civil claim could be brought against their estate by the alleged victims, but they cannot be prosecuted in a criminal court, so why would you investigate someone or a crime that is alleged to have been committed by someone who is dead?

Sir Bernard Hogan-Howe: As I was saying to Ms Atkins, first, the possibility that other people are involved, so was it facilitated by someone else who is alive. The test is, are they alive? In this case, if you looked at the case of previous Prime Ministers or people who are very senior, I suppose the public want to be sure whether these allegations are true or not. I think there is an open question if the police do not do it who would establish that. Those are the two broad arguments.

Q131 James Berry: Do you inform their estate, their near loved ones, that that kind of investigation is taking place?

Sir Bernard Hogan-Howe: We would not, generally, on the same grounds of privacy. As I say, in this case with Lady Brittan, I felt it was important—given that it was in the public domain anyway, as the Chair mentioned—and it would have been foolish to not have acknowledged that.

Q132 James Berry: Would you, if you noticed it has come in the public domain by the newspapers, seek to inform the estate as soon as possible that there was in fact an investigation?

Sir Bernard Hogan-Howe: I hesitate to say yes, because you have to hesitate to know whether or not the person who put it in the public domain, what their motive was and whether it is accurate. That is the only thing I can say on that.

Q133 James Berry: Secondly, in terms of this issue of belief, it is right, is it not, that for many years there had been an issue, particularly with historic sex crimes, of people

coming forward to the police? One of the reasons they would give for not doing so is because they said it felt like or it would feel like the police, “Just do not believe me”. The police have done a lot, over the last five years in particular, to empower victims to come forward and to feel supported, and that you are effectively treading a tightrope in making the victim feel supported but also ensuring that you only deal with the evidence both for and against the allegation in a fair and level way.

Sir Bernard Hogan-Howe: Yes, that is why I say I think there is a fair debate. I argue that for investigators, that “belief” is too much. It is an emotive term, it is more than the evidence that we gather can bear. For those who want to support victims’ charities, social services, for them to be able to say they believe them, I hope it would help those people to come forward and be believed. For an investigator to say that, it probably says too much, as I said in my answer to Mr Winnick.

Q134 James Berry: I am aware of the officer, whose comments you have disassociated the Met Police from, probably did go too far. It certainly is the case that the new approach the police have taken over the last five years or so has resulted in a large number of people coming forward because they know that their allegations will at least be treated with respect and that the police are not afraid to go after anyone, no matter how high up in society or in entertainment, and so on, they are.

Sir Bernard Hogan-Howe: One of the positive outcomes of the inquiries into Jimmy Savile in Operation Yewtree was, across the country and certainly in the Met, over the last two years we had a 70% rise in the number of sexual offences reported, one quarter of which are historical. The test for historical is one year or more, but often very old. There is certainly some evidence that that has seen more confidence available. That is a good sign. What we already know is that 80%, broadly, of sexual offences are never reported, so we are eating into a very big part of the iceberg that is now coming forward. There is some evidence that confidence has improved. What the latest challenge has been is about whether or not the police are believing and therefore not giving an objective view as an investigator to the suspect, not about the victim.

Q135 Chair: Let us close Midland by just talking about Elveden, Weeting and Tuleta. You mentioned value for money to Mr Jayawardena. That cost £41.2 million. It involved 70 detectives, 60 arrests, 29 charges, but only one conviction. Do you think—

Sir Bernard Hogan-Howe: That is not correct.

Chair: I think Elveden was one conviction.

Sir Bernard Hogan-Howe: You put all three together there.

Q136 Chair: All right, the cost of the three was £41.2 million. Elveden resulted in one conviction. Do you have better figures for us?

Sir Bernard Hogan-Howe: Yes.

Q137 Chair: What are they?

Sir Bernard Hogan-Howe: To help the Committee, because not everybody will be as well informed, there were three different investigations. Weeting was into hacking, which was

journalists who hacked and the people who helped them. There were many convictions in those cases. There was the final one which was Tuleta, which was into what is known as “blagging”. They may remember that Gordon Brown’s child’s medical records were accessed in a blagging way, and there were convictions there. The ones in the middle are the ones that the press find more contentious. This was Operation Elveden, which was into public officials being paid sometimes very significant amounts of money, £50,000 in one case, to give confidential information: military, police, prison warders. Nearly all the people—I think nearly all, but we will give you the numbers—who received that cash were convicted.

Q138 Chair: I have information from yourselves that there was just one conviction.

Sir Bernard Hogan-Howe: This is really important. All the people who received the cash were convicted, only one journalist who offered that cash was convicted.

Q139 Chair: Could you write to us with those—

Sir Bernard Hogan-Howe: There are two reasons, I would say, for that. First is that the law changed in 2012, and in any case the juries found them not guilty. But, of course, it is an odd conclusion, is it not, that people who receive money have committed a criminal offence for which they go to prison, but the ones who gave it to them did not. What I am afraid the press have forgotten is that the only reason we commenced that inquiry was because their employer gave us the data on which to base it.

Q140 Chair: We are not doing this on behalf of the press. I am just—

Sir Bernard Hogan-Howe: It was raised, so I thought it would be important to mention it.

Chair: —telling you that the figure of £41.2 million, which is a lot of money to spend on these—

Sir Bernard Hogan-Howe: It would be but, of course, you remember, your Committee, and another Committee of Parliament, held two inquiries. Lord Justice Leveson held a public inquiry. There was a reason for that.

Q141 Chair: On Leveson, do you think that it is time for the second part of Leveson to commence?

Sir Bernard Hogan-Howe: I would not comment on that because I am not quite sure on the grounds on which the two parts were suggested.

Q142 Mr Chuka Umunna: Commissioner, I have three areas I want to cover with you, and the first is just picking up on the Chair’s early question on Europe. I am very interested in what you think about this but I am not going to ask you to express a view. What I would ask is just for you to provide a bit of information on how we work with European agencies. Sir Hugh Orde who, of course, is a former president of ACPO, said that the European arrest warrant lets us deport terrorist suspects back to their country of origin, Europol helps our police co-operate with their European counterparts, and EU data sharing measures allow our security services to access information on threats from anywhere in

Europe within minutes. Is there anything in that description factually that you would disagree with, or would you say, on all of those counts, you would agree with what Sir Hugh Orde said there?

Sir Bernard Hogan-Howe: I am not quite sure what context Hugh was talking about, but broadly I would agree. There is a context in which that has been set, but broadly that is accurate. Whether it is—

Q143 Mr Chuka Umunna: I suppose the point is, would you agree that these European Union agencies play an important role in helping us to keep our country safe?

Sir Bernard Hogan-Howe: Certainly. I would only add two things, and this is where I think the context is important. Some of those arrangements could be improved; they are not perfect, and of course we have equally good arrangements with other countries who are not in Europe, particularly the Five Eyes countries, so America, Australia, Canada, New Zealand, we have incredible relationships, and that is not a product of Europe. I do not want to get involved in whether Europe causes things to be good or bad, merely that bilateral arrangements work pretty well.

Q144 Mr Chuka Umunna: I just wanted confirmation that you agreed with the factual matrix that Sir Hugh Orde—

Sir Bernard Hogan-Howe: I just added a few more that I think might explain the context.

Q145 Mr Chuka Umunna: Can I take you to another international organisation? In 2008, the UN said that it wanted England and Wales to stop the use of harmful devices on children. Can you explain to us why your force is ignoring that advice and tasing children?

Sir Bernard Hogan-Howe: It only happens very occasionally. You may have the benefit over me, Mr Umunna, about the numbers but, from memory, these are very small numbers and usually where there has been a violent incident.

Q146 Mr Chuka Umunna: On the latest statistics we have, which are 2013, compared with 2012, the use of Tasers against children—

Sir Bernard Hogan-Howe: The definition would be under 18.

Mr Chuka Umunna: —increased by 38%, and was fired 37 times. Do you not think this paints a rather harsh and cruel picture of the way in which we police and deal with children in our country? Tasing children, Commissioner?

Sir Bernard Hogan-Howe: I am not sure that you wanted to give a poor context, but I think, fairly, you ought to accept—first of all, can you tell me the period, because I do not have the stats in front of me?

Q147 Mr Chuka Umunna: It is 2013 compared with 2012, going by calendar year?

Sir Bernard Hogan-Howe: All right. The first thing, if you break it down by age, you will find that in fact the majority are in the older bracket, and although they are described as children, we have seen an 18-year-old, 17-year-old, and sadly a 16-year-old, as either victims of or as having inflicted very serious violence. That is the nature of this city, as it

is, sadly, the nature of many of our cities and rural areas. They can be quite a violent group, and with a gun or a knife in their hand they have to be dealt with. Some of them, by size, are quite a challenge. Bear in mind, as I said earlier, that we arrest 250,000 times a year—we arrest many more than once—and I do not know the proportion of under 18s, but 37 times is a very small number. It is less than one a week. When I have been prepared for that question in the past I have brought in the individual cases and when I have explained the cases—

Chair: If you write to us.

Mr Chuka Umunna: *I was going to say—*

Sir Bernard Hogan-Howe: Can I just say when I explain the cases often people understand why they were used.

Q148 Mr Chuka Umunna: Could you write to us because one of the problems we have in this area, Commissioner, is that we do not get a breakdown of the use of tasers by ethnicity or age and I think it would be very helpful if you could provide that?

Sir Bernard Hogan-Howe: Of course. I will also provide the context.

Q149 Mr Chuka Umunna: Sure, but you were also talking about the age of the young people and in the five years to 2014—and I did not realise this until I had seen the statistics—the Met, if I am correct—and again if you could write to us on this I think it would be interesting to know—stopped and searched 300 under-fives. That sounds quite extraordinary to me.

Sir Bernard Hogan-Howe: It does. It is a bit unfair to ask me these questions without a little bit of notice but I will do my best.

Mr Chuka Umunna: You could always write, by all means.

Sir Bernard Hogan-Howe: But what I do know from memory, having had to answer similar questions with the Police and Crime Scrutiny Committee of the GLA, is that what often happens is that, for example, sadly we have known that sometimes people will secrete things on children that are illegal items; drugs, weapons. Often a search of an under-five is not whether they have committed an offence, it is trying to discover something that we have to search for and we have to record the fact we did it. So, that has been the explanation on the whole.

Chair: Thank you. If you could write to us with the answers.

Sir Bernard Hogan-Howe: In that period we will have searched probably 5 million people.

Q150 Mr Chuka Umunna: If I could just go to this issue that you have just touched upon there of serious youth violence and just concentrate on that. I have been extremely disturbed by what your officers are telling me locally. Just over the weekend I was notified of a shooting in the north of my constituency on the Friday, a stabbing in the south of my

constituency on the Saturday and a drive-by shooting just outside my constituency on Sunday. I have looked at the statistics you have collected. Over the last three years your gang violence indicator offences up 25%, serious youth violence up 13.4%. It seems to me, and it seems to be the view of officers locally, that we are approaching the same kind of situation that we found ourselves faced with when looking at serious youth violence and gang-related activity in 2008-09 when we had terrible numbers of fatalities among teenagers. Is that a picture you recognise? Would you agree with your local officers?

Sir Bernard Hogan-Howe: No. I do agree there has been a recent increase. There is no dispute, but if you look, for example, at the last five-year period I think we have seen a decrease of around a third and over the last six months we have seen an increase of about 15%. It is clear there has been an increase. I saw your article in this morning's paper, but I think we would want to at least check the period of time we are talking about. Percentages, as you may know, can be misleading. So, I agree with you, any shooting or stabbing is serious and I want to see less of them. There are too many, and our gangs command is doing some fantastic work but over the last six months we have seen an increase and I want to do something about that.

Q151 Mr Chuka Umunna: But statistics, just for the record, Chair, are for 2013, 2014 and 2015. Before that point, 2009 through 2012, there was a fall on both counts but according to the statistics I have from MOPAC we have seen those increases. Can I just ask you—

Sir Bernard Hogan-Howe: I think the important thing, as you know, depending when you start your base depends on what—

Mr Chuka Umunna: Sure, of course.

Chair: We must move on.

Mr Chuka Umunna: Can I just ask one final question?

Chair: Very quickly.

Q152 Mr Chuka Umunna: One final question on this, because one of the comments that was made by the Met in relation to—I do not know whether it was an officer or a spokesperson but certainly it was put out as a comment by the Met—is that one of the reasons for the recent increase that there has been speculation around is the reduction in the use of stop and search. I have to say, Commissioner, to me that seems quite a convenient excuse or reason in some respects for the increase in violence we have seen in recent months that because you have reduced stop and search and the Home Secretary has obviously put a lot of pressure on you as a force to use your powers more sensitively, where are you on this?

Sir Bernard Hogan-Howe: I think I have said publicly—I may not have said it here, I think, I cannot be sure—there are three causes of the recent increase in violence. One is the potential that we have done less stop searches and it has got to the point where you have to do more. We preceded the Home Secretary's decision that they not change stop search. I arrived in 2011. It was the result of my decision that we decreased stop search and for the first three years we not only reduced stop search, we arrested more people and we had less violence. We got to a point where probably that bottomed out. It is only one of the factors. Secondly, we arrested a lot of people with our gangs command. I am afraid I

think some of them have come out so they are now back on the streets and they are doing what they did before they went in.

Thirdly, as I think I have said before, some of our investigations have gone what I call long. What the gang squad have been very good at is arresting people quickly when they have been violent. The danger is of getting too much into them and of starting to go for the drugs supplier and that takes longer. So the three factors have played a part.

Chair: Thank you, very helpful. Stuart McDonald.

Q153 Stuart C. McDonald: A couple of questions from me about the most recent PEEL reports and obviously the Met was one of 18 forces marked down as requiring improvements. How do you go about responding to that report and how do you lift the Met's gradings to join the 24 good forces or even the one exceptional one?

Sir Bernard Hogan-Howe: I think one of the parts of the finding we accept, which is about our volume of crime investigation, it is quite a challenge in London to do quality of crime investigation. For example, we have lots of people leaving and entering. 28% of the people we arrest are foreign national offenders. These impose certain challenges for any investigator so I think that is one of the things we accept and we do need to do more about that. One of the things we are less persuaded by is on the protection of vulnerable people. It seems as though the majority of the HMI's report concluded we are doing a great job and it has judged us for the information that was held by others. I do not think that was very reasonable so we do not entirely accept that. But all that said we will go away and see what we can do and we will put a plan in place and improve.

Q154 Stuart C. McDonald: A further comment made by the inspectors was that good performance in preventing crime is at risk if neighbourhood policing is further eroded. Is that something you agree with? Are you taking steps to protect neighbourhoods?

Sir Bernard Hogan-Howe: It would be but we had "good", I think, for neighbourhood policing and I expect that within the next few months we will be able to announce putting more officers into neighbourhood policing in a way that people in London want to see. I do not know how we achieved it really, we put 2,600 more officers into neighbourhood policing and people seemed to see less of them so we have a plan to remedy that.

Q155 Chair: Quickly on diversity, the number of ethnic minority police officers you have is now 11.7%?

Sir Bernard Hogan-Howe: 12.3% as of this morning.

Q156 Chair: 12.3%, but you have only two ethnic minorities represented at commander level?

Sir Bernard Hogan-Howe: We had a discussion before I came in here, I would say I recognise three people of minorities but they self-declare.

Q157 Chair: Who are those three?

Sir Bernard Hogan-Howe: If I am not careful I would then find somebody who has self-declared another way but I think you have met one, Pat Gallan, Mak Chishty, I think, and there is one other officer who there may be some—I have to go with his view.

Q158 Chair: But you would be the first to say more needs to be done because if you look at the chief inspector position you have only had five ethnic minorities or maybe it has gone up since we had these statistics?

Sir Bernard Hogan-Howe: Certainly I accept that we need to have more people in from diverse backgrounds. On the recruiting side, I think particularly Mr Umunna has asked this question, over the last 18 months one in four of the people recruited are from minorities. We have tried two new methods. One is a residency test. Three of the last six years you have to have lived in London and the latest batch is about a language test. You have to have a second language. With the residency test we seemed to have achieved one in four and with the language test one in three. I think there is hope for the future but I accept that at the moment we could do with more leadership.

Q159 Chair: In the eight years I have been on this Committee commissioners have always come before us and they all want to do more and there is no doubt that you want to do much more to get more ethnic minorities in. Do you not think now is the time for you to appoint someone to specifically look at this problem and to see how it can be addressed? We always have these reports and inquiries after things like the issues we have talked about, Midland and other issues of that kind, but here is something that you can be proactive at. Get someone in there to give you a report. The Prime Minister has done this with the criminal justice system and the appointment of David Lammy. Do you not think something needs to be done to address this problem?

Sir Bernard Hogan-Howe: First of all, any ideas we have we will take so if there is somebody out there who can help us I would accept any help.

Chair: I am not volunteering.

Sir Bernard Hogan-Howe: I thought you might be but okay. We have had a mayoral advisor, Ray Lewis, to assist us, so we had one person in place to try to assist there. I have argued for 50/50 recruitment here and in other places, a statutory change that I still believe in. I think I can argue fairly that we are seeing change. 18 months of one in four recruits, the Met has never seen that. Although we do not represent London yet, at whatever it is, 38%, the rate at which change has been achieved I would argue is quite radical, particularly in the history of a bureaucratic organisation that we are. It takes time with 5% turnover a year to achieve change. So, if there are other ideas out there, somebody who will help then we would accept that, of course.

Q160 Nusrat Ghani: Sir Bernard, if I can draw your attention to prostitution, what is your view on shifting criminality to buyers of sex rather than those selling sex?

Sir Bernard Hogan-Howe: I would be a little wary for two reasons. First, I am not sure it is for the police to call for that to change. I think it is probably a political decision and politicians need to take a considered view. Secondly, of course, if you have an illegal transaction then there must be two parties to that illegal transaction. It remains true, and I

am sure this Committee knows, that for someone to be involved in prostitution is not illegal. What is illegal is the nuisance it causes.

The second thing that I think everybody should be really careful about is the organised crime it attracts, so the people who run these things are not nice people. They force their writ by violence. The human traffic as we have seen in huge numbers in London—women usually but also men—from Europe and the Eastern Europe parts. What we have to be really careful about is checking out the serious criminality. Over the years, in fact, we have seen far less women generally and men prosecuted for the simple act of prostitution but where they congregate together or there is a nuisance caused then we do still take action. I think you could still argue, finally, that in fact some of the people who pay for that should see more action.

Q161 Nusrat Ghani: Your concern about nuisance and criminality was tackled by Sir Byrne, who was I think an assistant of yours at one point?

Sir Bernard Hogan-Howe: Simon Byrne.

Q162 Nusrat Ghani: Simon Byrne, sorry, who believes that if you legalised brothels you would reduce criminality, you would cut crime, the sex workers would be much safer, they would have access to health care and personal security. So, would you then consider legalising brothels to support the sex workers?

Sir Bernard Hogan-Howe: That is Cheshire so I think they have to make their own decisions.

Q163 Nusrat Ghani: No, I wondered what you thought about that?

Sir Bernard Hogan-Howe: No, I do not think I would change my view. I think the problem you have is that we find at the moment that organised crime is attracted to this illegal trade and I am afraid it is not run well. If you decide to license it, which some people have argued for, some people would end up unlicensed and it would still be an illegal trade because they would not want the health checks and some of the other rigour that may go with that. I know that Cheshire have done it but I certainly at the moment wouldn't argue for change but if it is a political—

Q164 Nusrat Ghani: We have a problem. We have victims that might be engaged in being trafficked, we have issues of criminality and gangs, we have issues of sex workers being victims of not just violence but not being able to access health care, and there is evidence to show that in New Zealand and Australia if you legalise brothels all of that will be removed. You would still not provide any support to prostitution by legalising—

Sir Bernard Hogan-Howe: I would listen to the evidence. If there is clear evidence from other countries that it has worked and in fact the health of the people is better and it would reduce criminality overall then of course you would have to listen to that evidence. But often the evidence is partially explained. There is often some other issue in the background that still has to be dealt with and I think in this country wherever you put this type of activity there will be nuisance. If it your home and it is at the side of your home you will not be very keen. If it is your business you will not be very keen and we do not have big rural areas, so I think each country has to come to its own conclusion and America has

drawn a certain conclusion, Australia, but they are very big trades. I cannot imagine many places in London that would welcome this trade but I may be wrong.

Q165 Nusrat Ghani: What would you suggest to try to make this a little bit easier? What are your suggestions to improve the situation?

Sir Bernard Hogan-Howe: I am not suggesting anything. Those who are calling for it I think have to make the case but of course I am sure government and we would all look at the evidence where the research has taken place.

Q166 Nusrat Ghani: How would it make it easier to police prostitution?

Sir Bernard Hogan-Howe: I am not sure it would. At the moment we get involved because of the organised crime. We get involved because of the nuisance. We get involved because people are committing criminal offences. One of the things you have to look at, certainly at the moment, 80-90% of the women and men who are prostitutes have a drugs habit. That is one of the reasons I suspect they are involved in this trade so it is a complex problem. That has changed, I would argue, over the last 20 years. It did not used to be the case in the same proportion, so I think it is a complex thing that has to be considered carefully. I think to just merely legalise could end up with some indirect consequences we all might regret. You do have to go back to the question, if you decide to legalise where will it go? I do not think anybody is arguing for it to go near them.

Q167 Mr David Burrowes: I am just trying to catch up with the Fish Report. Chief Inspector John Fish apparently led a Met study into policing brothels in September. I have not seen it published and the outcome of it and that evidence would be very useful to the Committee. Could that be published to the Committee?

Sir Bernard Hogan-Howe: I have not heard or seen it but I see no reason why not.

Q168 Mr David Burrowes: It was in the Redbridge local news that he is doing it and it would be useful to the Committee. Secondly, while you say it is a political decision about where the balance is in relation to affecting buyers or sellers I take it that with the Territorial Police Guidance May 2015 it is still the case that the MPS recognises prostitution as a form of violence against women and girls.

Sir Bernard Hogan-Howe: Yes, on the whole it is, yes.

Q169 Mr David Burrowes: “The principle law enforcement effort”, it says here, “should always be against abusers and those who coerce people into prostitution”?

Sir Bernard Hogan-Howe: Yes.

Q170 Mr David Burrowes: “The objective is to instil increased enforcement actions on those who create demand and conduct operations against buyers”?

Sir Bernard Hogan-Howe: Yes, I do not think that is inconsistent with anything I have said because of course what we cannot do is to ignore what Parliament has decided is a criminal offence.

Q171 Naz Shah: I have two areas I would like to speak about. One is the MQM, Muttahida Qaumi Movement, and one is Islamophobia. Earlier this month the Met cancelled the bail conditions of six members of the Pakistani political party MQM who are being investigated for money laundering. In view of the following five facts: a British judge, Lord Bannatyne, found in 2010 that the MQM has killed over 200 police officers who stood up to them in Karachi; the US authorities have declared MQM to be a tier 3 terrorist organisation; your officers found a receipt in the home of a leader, Mr Altaf Hussain, for weapons including mortars, grenades and bomb making equipment; in October last year Altaf Hussain threatened to play football with the skulls of security personnel in Karachi; and members of the House of Lords have told the BBC that criticising the MQM risks their lives and puts their children at risk. Given all of this, can you reassure me that you will not rule out the use of terrorist legislation when dealing and making charging decisions regarding MQM?

Sir Bernard Hogan-Howe: First of all, we use whatever is the appropriate legislation. The particular investigation you mentioned, that I think went on for two years and it is not yet concluded—the bail period is concluded but not the investigation—that was carried out by the Counter-Terrorist Financial Investigation Unit.

Q172 Naz Shah: I was on the legislative bill as a result of the Litvinenko murder yesterday and the Minister put forward, and rightfully so, about asset seizures. This organisation owns millions but is not able to demonstrate where this has come from in London, which is clearly unacceptable on our soil. Will the police or the Met be pursuing confiscation orders of any assets that cannot be accounted for?

Sir Bernard Hogan-Howe: There are only two things I can say because it is unfair to go into a particular investigation perhaps, but one is we will use whatever powers are available and in that particular investigation this was, as you know, subject to a judicial review that concluded that the use of bail in this case was appropriate. There is an amount of money and how that will be dealt with is to be decided, but that will be dealt with according to the law.

Q173 Naz Shah: Thank you very much. Moving on to Islamophobia there has been an increase in Islamophobia in London in December 2015 compared to the same period in the previous year. I have before me a report by MEND and it has gained significant media attention. What is the Met doing to tackle the huge rise in Islamophobic hate crimes in the capital?

Sir Bernard Hogan-Howe: First of all I condemn it. It is a terrible thing and it should not happen. We have seen a quite significant percentage rise but the actual numbers are relatively small, but as you know many things are not reported, people put up with things. We have seen a rise in anti-Semitism too, so we see minorities, I am afraid, have been abused quite often as a result of international events.

First of all we have hate crime investigators in each of our 32 boroughs. We investigate; I think our detection rate for that crime is quite high. It is 30-odd to 40%. We support victims as best we can. We encourage them to come forward. The majority of the cases that are reported on the whole, reassuringly to some extent, are not physical attacks but verbal abuse can lead to a physical attack so we take it seriously. So, I think there has

certainly been an increase in the percentage. The absolute numbers given the size of London are relatively small but we do take it seriously.

Q174 Naz Shah: Thank you. My final question to you, there are number of Islamophobic incidents that have involved abuse on public transport, particularly in London so what is the Met doing with British Transport Police to stamp out these incidents in terms of the capital's public transport network?

Sir Bernard Hogan-Howe: There are two areas for public transport. One is obviously the Tube. That is policed by British Transport Police and we police the buses. We have a separate unit that TfL, Transport for London, provide funding for. It is about 1,000 officers and PCSOs who police the bus network. So together we investigate it seriously. One of the great benefits you have in both networks is that CCTV is available on all our buses and all our Tube and you will have seen in *The Standard* and various other places where individuals have been identified or asked to be identified on a captured image. I think that has proved a pretty powerful certainly detection and I hope in time a deterrent for those who will abuse people in the public network.

Q175 Chair: Thank you. There are other areas we wanted to cover today but we cannot keep you any longer, otherwise you will be here all night and we have other witnesses. I will write to you about proceeds of crime, the College of Policing and other areas if that is okay.

Sir Bernard Hogan-Howe: Of course.

Q176 Chair: I did want to ask you about what has been dubbed as New Scotland Shard, the new Scotland Yard building that has just been given planning permission, I understand, or is about to get planning permission for a skyscraper worth £1.5 billion. You sold it for just £370 million. Is there any way you can go back and ask for more?

Sir Bernard Hogan-Howe: Yes. First of all, I have to be a little careful, perhaps we all do, is that the planning decision is this evening so I think that is something perhaps Westminster are going to have to consider.

The first point I would make is it was not under my time but the previous police authority bought the freehold for something of the order of £250 million about nine years ago and we received about £370 million nine years later so the turnaround was quite good. Secondly, one of the protections that we have in place is should a better planning permission be obtained than the one we sold it with then we take a share of the profit. I think it is called overage. I think TfL have gone for a different strategy. They decided to develop their estate. We do not think we are an estate company so we have sold the property but left that leverage in place. I think there is one other detail. I cannot go into the percentage because you probably accept it is commercially sensitive but one of the other things is should they resell fairly quickly then we would take a share of the profit.

Q177 Chair: Tomorrow Parliament will be debating police issues. Next Tuesday the Committee will be having a debate on the floor of the House about the police funding formula and our report. You last gave evidence to us on this on 10 November. Has the

Minister been in touch with the Metropolitan Police about the next formula negotiations? Has consultation begun with yourselves?

Sir Bernard Hogan-Howe: I am not sure it has. I was with the Police Minister today, but that was not on our agenda. I think there are two issues. One is the general formula and then the other, as you know, is NICC. So for the PCCs in the room we have a national part of the grant that is to do with policing the capital, things that are unique here and we argue that we spend £350 million a year and we get about half of that so there is a big gap that is funded by the boroughs of London.

Q178 Chair: When do you want this process to begin? We have been in touch with other chief constables and they are saying nobody has been in touch with them.

Sir Bernard Hogan-Howe: As soon as possible. I personally have not heard. I could not say that we have not been consulted yet but certainly I have not heard any detail of the consultation.

Q179 Chair: But you need to know, do you not, if you are planning your expenditure?

Sir Bernard Hogan-Howe: It seems to have started early because as we saw last year there were mistakes when it was tried to be done quickly.

Q180 Chair: Can you just confirm the amount of money that has been cut from your budget in all the years you have been Commissioner? I put the figure at £600 million.

Sir Bernard Hogan-Howe: It is of that order. We started out when I started at over £3.6 billion. At the moment we are £3.16 so it is slightly less than 600 but the effect because of rising salaries and so on is £600 million. It is quite a lot. To be fair the rest of the country has seen a significant cut too.

Q181 Chair: Does the number of officers remain at the level it was?

Sir Bernard Hogan-Howe: Yes, that is a point the PCCs may not want to talk about but we argue that we are exceptional because we took the 15%, the £600 million cut and kept 32,000 cops.

Chair: I will put it to them. Commissioner, as usual thank you so much. I am sorry we have overrun but congratulations once again on your extension.

Sir Bernard Hogan-Howe: I think it is congratulations but thank you.

Chair: We will see you again.