

# Home Affairs Committee

Oral evidence: [The Macpherson Report: twenty-one years, HC 426](#)

Wednesday 24 June 2020

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Members present: Yvette Cooper (Chair); Ms Diane Abbott; Dehenna Davison; Ruth Edwards; Laura Farris; Simon Fell; Andrew Gwynne; Adam Holloway; Dame Diana Johnson; Tim Loughton; Stuart C. McDonald.

Questions 44 - 103

## Witnesses

[I:](#) Assistant Commissioner Martin Hewitt QPM, Chair, National Police Chiefs' Council, and Chief Constable Ian Hopkins QPM, Lead for Workforce Representation and Diversity, NPCC.



## Examination of witnesses

Assistant Commissioner Martin Hewitt QPM and Chief Constable Ian Hopkins QPM.

Q44 **Chair:** This is part of our ongoing report and inquiry into policing and race, and the Macpherson recommendations, now 21 years on. We welcome to give evidence to us this morning Martin Hewitt, the Chair of the National Police Chiefs' Council, and Ian Hopkins, the NPCC Lead for Diversity, Equality and Inclusion and the Chief Constable of Greater Manchester as well. I welcome you both to give evidence to us this morning.

I will start by looking at issues around race and policing in the policing of the covid-19 crisis. We have obviously asked you for data force by force on the ethnicity of those who were given fixed penalty notices under the covid-19 arrangements. What are you now able to tell us?

**Assistant Commissioner Hewitt:** Good morning, and thank you for inviting me to give evidence.

The first thing to say about the covid crisis is that clearly, with the overwhelming majority of the public, we have not been required to use the enforcement element. If you go up to 8 June, there were just under 18,000 fixed penalty notices that were issued in England and Wales, and if you put that across the whole population that represents three fines for every 10,000 people. I know that last week when you heard evidence there were claims that black and minority ethnic people were seven times more likely to receive the fine, and I think there is some real complexity to understanding the data that we have. That is why we have commissioned a piece of work to look at that.

One of the really important points about the data is that the data that was presented for many of the fixed penalty notices did not take into account that they were given to people who were not in the area where they are resident. They were not in the force area that issued the ticket. A factor for us as well is that in a number of cases the ethnicity was not clear on the ticket, and we have a piece of work in train to identify why exactly that was the case.

As you know, and as the Committee members know, these were regulations that were brought in incredibly quickly. Right from the outset we responded to those regulations coming in very quickly, and we were able to put together a process whereby we were centrally recording all of the fixed penalty notices at the Criminal Records Office. That happened very quickly, and we brought that process in.

We also recognised very quickly from the outset that there would be great public interest in these novel, highly unusual processes. Every two weeks since the beginning of lockdown we have taken the overall figures. We have given the overall figures publicly but, of course, they are raw figures that we were producing, which is not what we would normally do. As we speak,



the Government Statistical Service is conducting a full review of all of the data that took us up to 8 June—and that is to go through all the individual force data but also at a national level—and undertaking the professional statistical analysis that we would expect from that organisation.

On the basis of their work, that will then be peer reviewed, as one would expect with work done by the Government Statistical Service. Once we have that outcome, we will fully publish precisely what that data tells us, and we will obviously publish that data at a force by force level as well because it is really important that the data are contextualised. Ultimately, each force has to account for the way that it ran the operation through the pandemic. That will allow the data that we gather, and the information and the analysis we get back, to be contextualised by each force. We will make all of that public. Our aspiration is that we will be in a position to do that probably by the second or third week of July.

**Q45 Chair:** This is a very long time to wait for what seems to be some extremely basic data that seems to be really important in the policing decisions that need to be made. I will be honest with you, I am really shocked that you do not have this data, that you do not have a system for collecting this data built in from the beginning, and that it is taking so long. I do appreciate that these were completely new regulations that you had to enforce, but I do not understand why this data would not be collected normally anyway and that you cannot provide it more swiftly.

**Assistant Commissioner Hewitt:** We do have the data, and the data has been collected. As I say, that has all gone through the Criminal Records Office. Then what has to be done is that it has to be properly analysed and understood. Every police force was policing in their own context, and the implications of what we have had to do around the covid pandemic have meant that the circumstances and the particular challenges are different in different forces.

The data also identifies that a number of people who received tickets were not people who were resident in that force area. Therefore, we have to do the analysis properly. This is raw and new data. While we have given out the overall figures, we felt it was really important that we had to do the proper analysis and have that done independently, to allow us to really understand what that data tells us and then allow each force to interpret and understand the context in their own area.

**Q46 Chair:** Okay. I think there is a real concern that this is not being made public so that everyone can debate and discuss the context publicly, as opposed to the police spending a very long time doing so. I will go through the things that we do know in the public domain. You did initially say on 15 April when you published data that 16% of fixed penalty notices were to people who were black, Asian and ethnic minority, and you claimed that that was proportionate based on a proportion of the population being BAME of 15.5%. But that was wrong, was it not, that statement?



**Assistant Commissioner Hewitt:** I just need to understand why you are saying that statement was wrong.

Q47 **Chair:** In your later statement you started using a different way of calculating it and, in fact, you should have been saying that it was 21% of the fines where ethnicity was identified, as opposed to taking that 16% as a proportion of all fines. If you took it as a proportion of those fines where ethnicity was known, you should have said 21% rather than 16%, and 21% is obviously very disproportionate. Is that correct?

**Assistant Commissioner Hewitt:** Yes. I think what that identifies, Chair, is precisely the reason why we are going through the exercise we are going through at the moment with that independent analysis by the Government Statistical Service. What you have described there is a result of the fact that we felt it was really important, and I, as the lead on the operation, took the decision that we needed to put data out there regularly because these were such novel regulations. Precisely what you have identified there is the danger of doing that, and that is why we are running the exercise—I think fairly quickly running the exercise—that we are running.

Q48 **Chair:** Is that not a really basic error? When you have the data in front of you and you look at the number of fines that have gone to people who are black or ethnic minority, and you look at them and you say, “Okay, we are going to take them as a proportion of all of the fines where we have data on ethnicity, and that will give us some sense of whether this is proportionate or not”, that is a basic statistical question. You do not say, “Let us take it as a proportion of the whole number of fines even though there are about 25% of them where we have absolutely no idea what the ethnicity was”. That is a basic bit of analysis. I am really concerned that you could make that mistake. Do you accept that it was a basic mistake in the statements that were made?

**Assistant Commissioner Hewitt:** That is why, Chair, it was corrected, as you pointed out, the next time those statements were made. These were brought in very quickly. We managed very quickly to put together the system where we brought everything together in one place, and we took the decision to share that data, because we felt it was important to share that data. That was not correct when it was said in the first instance. That was corrected once that was pointed out. That is precisely why we are going through the process that we are going through now, so that what comes out to the public domain will be absolutely statistically valid, will have been peer reviewed, and we can be really confident in what that tells us, both at a national level but also then individually at a force by force level.

Q49 **Chair:** Were you aware at the beginning when the covid regulations were being brought in of people warning that they would be enforced disproportionately against people who were black, Asian or ethnic minority?



**Assistant Commissioner Hewitt:** Of course, I was aware that people were saying that. I think for any regulation or any police power there will always be that challenge present that it will be used disproportionately against one group or another. Of course, we were very aware of that, as we are aware of that in all the police use of powers. As you know, we started from a position that was very clearly about using the four Es approach—engaging, explaining and encouraging before we got to enforcement. That is why I think the enforcement levels have been as low as they have been throughout the crisis. Of course, in any use of any police power we have to be mindful of the potential for that to be used disproportionately.

Q50 **Chair:** The reason I am pursuing this with you is that I recognise in many communities there will be considerably more concern about issues around stop and search, Tasers and so on than there is about the fixed penalty notices. My question to you is whether they indicate something that is a deeper problem for policing and for the NPCC. You have something that came in to you, and you obviously had to respond to it very quickly. You had warnings that this might be used disproportionately in the enforcement, and you did not know how long that enforcement was going to have to go on, but you did not have built-in data or even data systems that you could easily draw upon and automatically use to be able to identify whether these fines were being used disproportionately.

Your initial analysis of them made some really basic, insensitive errors that meant you claimed something was proportionate when it clearly was not, even with the most basic viewing of the data. You did not have any system in place to allow you, if there were problems, to then be able to put out new guidance to forces and say, “Hang on, there is a problem with the way you are enforcing it. You are enforcing it in a way that is disproportionate and reflects all kinds of problems”. You did not have any of that in place. Does this not reveal something really serious about the police’s response to race and ethnicity?

**Assistant Commissioner Hewitt:** I do not think it does, and I do not think that is an entirely fair challenge. This came in at great speed, as everybody has said, and we did put in place a process that allowed us to bring all of those fixed penalty notices to one place. They are issued individually within each force area, but we brought them into one place, and we were able to do some analysis of those in that one place.

We took a decision to be very open about what the numbers looked like on a two-weekly basis, which is not something that ordinarily would happen with any other set of police statistics, but we entirely understood both the novelty of these regulations and the concerns that you expressed. We have looked at those. We have made corrections where things were concerning us. We then took the decision that we needed to have a proper, very thorough, independent review of all of those statistics because, of course, the claims and the numbers that were being raised in your evidence last week are hugely concerning.



Where the analysis work is at the moment, I do not think it will take us to the numbers that were talked about there, but we need to absolutely understand the way in which this regulation was enforced in the relatively small number of cases that it was. That is what we will get from the work that we are currently undertaking. In a few weeks we will have that full understanding, and we will make that full understanding public. I do think it has to be recognised just what a challenge this was to create a system from nothing, and bring it in within literally 36 hours, and then to manage that system going through with all the other challenges that were there. I do not think it is fair to say that it represented a disregard for the potential challenges, because I do not think that is the case.

**Chief Constable Hopkins:** Can I support Martin for a second? If I take Greater Manchester, I set out very clearly at the beginning that this would have a disproportionate effect if we were not careful in how we used it. For some of us, the regulations were quite easy to abide by, but in some of my communities in Greater Manchester it was very, very difficult. Therefore, the four Es approach around engaging and explaining was at the forefront of what I was asking my officers to do.

We have only issued 316 tickets in Greater Manchester for a population of 2.8 million people. I know that it will be slightly more for black, Asian and minority ethnic members of the community across Greater Manchester, but not massively disproportionate, because we drove that whole strategy around saying this was untried and untested legislation, it had a disproportionate effect on our communities, and we had to be very mindful of our long-term relationships with the community. I sit here quite pleased with the very small number that we gave out across Greater Manchester because of that approach, and I know others in policing took that. But as Martin said, there were different contexts in different places, and I think some of that will play out.

Q51 **Chair:** What were your figures in terms of BAME fines?

**Chief Constable Hopkins:** For residents of Greater Manchester it is around 64 that I know of. Clearly, there are some where the ethnicity is not known. Sixty-four in terms of the total number of fines is roughly around about 20%, and my population is around about 17% black, Asian or minority ethnic.

Q52 **Chair:** As a proportion of the ones where ethnicity is known or recorded?

**Chief Constable Hopkins:** Where the ethnicity is known and recorded there are 91 tickets in total out of 316. But as I say, a number of those were from outside of the area. Not least, there were issues going on and events going on around that period where people were coming into Greater Manchester because it was an attractive place to come. Some of it—and Andrew Gwynne MP will know some of the issues that we had around Piccadilly Gardens in particular—drove quite a lot of activity around our issue with tickets as well. I think it is important that we try to understand what is beneath some of the data.



Q53 **Chair:** I will just clarify, sorry. Was that 91 where you do not know the ethnicity or 91 where you do know the ethnicity?

**Chief Constable Hopkins:** No, 91 where I do know the ethnicity.

Q54 **Chair:** Okay, 64 out of 91 were to people who are BAME, two thirds?

**Chief Constable Hopkins:** Within Greater Manchester, yes.

Q55 **Chair:** Within Greater Manchester. Two-thirds of the fines where you know the ethnicity were to people who are BAME. That seems pretty high in terms of being disproportionate.

**Chief Constable Hopkins:** No, 91 tickets to people who we have identified or self-identified as black, Asian or minority ethnic population, out of 316 in total.

Q56 **Chair:** Sorry, 91 out of 316 were BAME?

**Chief Constable Hopkins:** Yes, and of those 91, 64 were residents of Greater Manchester.

Q57 **Chair:** I see. Is that 316 where you know the ethnicity or 316 that includes those where you do not know the ethnicity?

**Chief Constable Hopkins:** It does include those where I do not know the ethnicity. It is about 20 tickets where I am unsure of the ethnicity. Again, some of that was at the very beginning when the system just was not in place to record the data and, quite frankly, the quality of some of the tickets that were given out was very, very poor. I can understand that with the limited time that we had to get officers trained to be able to issue them.

Q58 **Chair:** Is it fair to say approximately 30% of the fines where ethnicity is known or recorded were for people who are BAME?

**Chief Constable Hopkins:** Approximately, yes.

Q59 **Simon Fell:** I would like to say thank you to both of you for coming in, but also for everything that you and your colleagues have been doing during this crisis. I know it has been incredibly difficult stepping up at such pace and delivering what you have.

In the last session we heard from Liberty Investigates about the ethnicity behind some of these FPNs that were issued. Talking to my own police and crime commissioner in Cumbria, I am told that many of those who were cited were picked up by traffic cops. They were driving into the Lake District, so before any ethnicity was registered it was done on number plates. This makes me think that context is really important here—drilling down to that level of data to understand what the setting was, what the context of it was, and also comparing across different regions in the country. Can you confirm that when you are looking at this and when you are getting this data back out to us, that sort of breakdown is going to be there?



**Assistant Commissioner Hewitt:** That is precisely the reason we are doing the work that we are doing. As you say, Cumbria is a particular example. When I spoke in my opening answer about the different context in different places, the context in Cumbria and a number of other parts of the country was people coming in from outside the county to go to beauty spots, to go to other homes, and so on. A lot of that activity would have been on the main arterial roads coming into that particular county. There will be other contexts in other force areas, and that is precisely why it is so important to do the work that we are doing now.

I can absolutely say that the level of the statistical analysis that the service is going to provide for us will take us precisely down into that level of detail, which will not only allow us to understand what happened at a national level, which is important in one sense, but more importantly will allow us to know force by force the make-up of those tickets, the impact of people who were not resident in that particular county, and the nature of how that came about. That is really important because, as you say, that has a direct bearing on the issue we are discussing.

**Simon Fell:** Great, thank you. I know colleagues want to come in, so I am happy to hand over to them.

Q60 **Ruth Edwards:** Thank you so much, AC Hewitt and Chief Constable Hopkins, for everything that you and your forces have been doing throughout the pandemic.

I want to turn to stop and search powers. I know that the Met Police have described stop and search as a vital tool that has helped them to make a big indent on the murder rate in London throughout 2019. This was challenged quite vociferously by witnesses that we had in front of the Committee last week. One of them described the Met as addicted to stop and search, and another witness challenged those claims because he believed that obviously the majority of murders take place in the domestic setting, so he could not understand what evidence there would be to support such a claim. I am interested in your views on both the effectiveness of stop and search and the evidence that underpins those views. Why is it thought to be so effective?

**Assistant Commissioner Hewitt:** Thank you. I can start and give a perspective, and then I think it would probably be useful for Ian to give a Greater Manchester perspective.

For me, stop and search is not simply about murders. Particularly over the last number of years we have seen significant rises in violent crime, and I think stop and search is a very legitimate tactic to allow us to be able to identify people who are carrying weapons. While we do clearly focus, and you focused in your question, on murder, when we look at serious violence and injury and those that, thankfully, do not result in a fatality, it is really important to be able to be in those places where we know there is a prevalence of violence and where we know there is a prevalence of individuals who are undertaking that violence, and to be in a position to



use stop and search as one of a number of tactics to identify people who are carrying weapons around the streets. I do think it is a useful operational tactic. It is not the only operational tactic.

It absolutely has to be built around the use of intelligence—intelligence about individuals who are criminal, intelligence about areas where there is a prevalence of particularly violent criminality—and built in as part of an overall strategy to deal particularly with violent crime. It is really important to talk about some of the developments that have emerged over the years in terms of how we manage stop and search and the use of panels and oversight groups, which are present in every force, to oversee the way that stop and search is being used. Of course, the introduction of body-worn video has been really significant in being able to have evidence and see how stop and searches are conducted.

Equally, there is undoubtedly academic evidence that would suggest that you cannot draw a direct causal link between stop and search and the reduction in some of the types of crime that I described. There is a range of academic opinion around that, but there are clearly some who would suggest that. The important thing for me is there is not a straight causal link that stop and search as a lone tactic is the one that will deliver success. It has to be seen as part of a broader range of tactics you employ, particularly to tackle serious violence, and there has been some real progress in reducing the levels of serious violence, and then obviously murder that goes with that as well.

**Q61 Ruth Edwards:** I would like to press you on the specific statement by the Metropolitan Police, if I may, because they specifically said that it was a vital tool that helped to reduce the murder rate in London by one quarter between 2018 and 2019. From what you are saying to me today, am I right in thinking that would be an operational judgment rather than something that is based on quantitative evidence?

**Assistant Commissioner Hewitt:** I think so. To be really clear, it is not for me to answer for the Met specifically, but I can say that of course it is an operational judgment. I think it is important that they used the phrase “a tool”, and that for me supports what I just said in the sense that this is not the sole cause. It is part of a range of the work you are doing in communities, the intelligence work you are doing, the proactive work you are doing to tackle people who we know to be violent, the investigative work that we do once a violent offence has been committed. It is part of a range of tools and, clearly, all across the country, again in the different context in which people operate, police commanders will be making decisions about the operational tactics and tools that are likely to be most effective to deal with the particular problem that they face.

**Q62 Ruth Edwards:** Chief Constable Hopkins, in Greater Manchester Police, how do you ensure that there is community confidence in your use of stop and search? How do you engage with BAME communities and others?

**Chief Constable Hopkins:** There are a couple of things, and one of the things is that because of the rise in violent crime our communities were

asking for more stop and search to take place. We have a stop and search co-ordination group, which involves senior leaders from my organisation, from the Greater Manchester Combined Authority, community members and two youth groups, one based in Broughton in Salford and one based in Moss Side in Manchester. They meet quarterly with an overall aim of improving the use of stop and search. I also have an independent ethics panel, which is chaired by the Bishop of Manchester, which we have had running since 2014. They have scrutinised our use of force as well as stop and search on a regular basis. Those are the two primary external-facing things.

Martin has touched on body-worn video. That is a really important tool for us in terms of transparency with those who are searched, but also for giving greater community confidence about the way that we treat people who we are stopping and searching. It is very much part of an overall package, and it is very much about trying to reduce violent crime. We do not have the same issues around murder as they do in the Metropolitan Police, but we do have significant issues, particularly in some parts of Manchester city centre, with violent crime using knives and knife-enabled crime—street robberies in particular—and we do a lot of targeted use of stop and search around that.

We monitor it very closely. I have May's figures, for example. I know that we did 820 stop and searches across Greater Manchester in May this year, and those sorts of figures go to those panels for them to scrutinise also.

We have recently committed to doing a quarterly race equality report around the use of force and stop and search for the Mayor of Greater Manchester, which will be a public document.

**Q63 Ruth Edwards:** Assistant Commissioner Hewitt, if I can come back to you, what was the guidance issued to police forces around social distancing and the use of PPE when stopping, searching or generally engaging with members of the public? We had some witnesses last week express concern that they had not seen officers wearing appropriate PPE when they did that. How did officers ensure that they were engaging with the public in a way that protected both the officers and the members of the public with whom they were talking?

**Assistant Commissioner Hewitt:** At the very outset of the covid crisis, clearly the issue of PPE was going to be significant. We reached a place where we had very clear guidance from Public Health England and the Health and Safety Executive, and then we also reached a place where we were able to ensure that all forces had sufficient PPE and individual officers were able to deploy PPE where they felt that was appropriate. Ultimately, the decision then is a risk-based decision taken by individual officers when they are out and about and doing their work. Clearly, police work brings you in contact with people and at times will bring you in very close contact with people when we need to do that, so it will be a matter for individual officers to take a decision around the deployment of PPE, because that is the only way you can manage that.



What was very clear, though, from the outset was that any officer or employee of a police service who was demonstrating any of the symptoms of covid would report sick and would not come to work and would follow all the self-isolation processes that follow that. Then we very quickly were able to get ourselves into a situation where we were able to provide a testing facility as well. Ultimately, it is down to an individual officer making a risk-based decision, as they do with all their protective equipment.

**Q64 Ruth Edwards:** Chief Constable Hopkins, do you have anything that you want to add from your experience throughout the pandemic?

**Chief Constable Hopkins:** In terms of PPE and staff sickness, at one time very early on I had 2,000 of my colleagues, officers and staff who were either part of the shielding group or were self-isolating because they were symptomatic or a member of their family was. We were able through the testing that was happening at Manchester Airport very quickly to reduce that and get people in rapidly to be tested, which gave a degree of confidence.

We did struggle to get sufficient PPE at the beginning of the crisis, but very quickly after that we were able to procure large amounts of hand sanitiser in particular, face masks and gloves. It was slower coming through in terms of surgical masks, so the first iteration of face masks that we were giving out were more like face coverings than ones that were waterproof and would have protected people, but as Martin said, it is down to individual officers. We gave them guidance that was based on the guidance from Public Health England and they had to make a situational judgment as to when to wear it. Definitely, the self-isolation and the testing was a big part of our strategy.

**Q65 Ruth Edwards:** My final question, Assistant Commissioner Hewitt: there was a specific concern from our witnesses last week that forces had, I suppose you would say, unofficial internal targets to have high stop and search rates. I think there was a specific belief about the Metropolitan Police—it was attributed to one officer, a statement that they would do 30,000 stop and searches that month because they could. What is your response to that allegation?

**Assistant Commissioner Hewitt:** I cannot answer for the Met, as I say, but I can say very clearly that I would not in any way support a target for a number of stop and searches. Stop and search has to be conducted in such a way that it is intelligence led, it is dependent on the circumstances, and the power is there to be used but it must be used legally and done appropriately. For me, that does not ever fit with having a target number you are aiming to achieve.

**Q66 Ruth Edwards:** Thank you. Chief Constable Hopkins, do you ever find yourself under pressure as a force to have a high rate of stop and search, or is it left to you as an operational decision?

**Chief Constable Hopkins:** It is very much an operational decision. We do work in partnership with Greater Manchester Combined Authority, and



other partners such as education and local authorities, around our violent crime reduction work. It is a joint unit that we have and a lot of our focus is on prevention. We do know that evidence will show that young people in particular who are carrying knives are more likely to be a victim themselves, so our work with schools around this is really important as well, getting that message over to young people that they are putting themselves at risk.

The only criticism I have had in recent years about stop and search has been that we have not done enough of it over the last decade. We have seen an increase in our usage, but not a massive increase. I certainly would not ever be pressurised into setting targets around stop and search. It would absolutely undermine our legitimacy with our communities.

**Ruth Edwards:** Thank you very much. No further questions, Chair.

**Chair:** We are due to go to Diane Abbott next, but we have some technical problems we are trying to resolve, so Tim Loughton will come in.

Q67 **Tim Loughton:** Officers, can I put on record our thanks for the job that you and your colleagues have been doing through a very difficult time? That makes it all the more necessary that there is proper scrutiny and evidence availability, and on the fixed penalty notices I do share the concern of the Chair that more data should and could have been made available. Simply saying that there is a complexity to understanding the data only gives rise to some of the criticisms that we heard last week.

You will have seen the session we held with five witnesses last week who were exceedingly damning, I have to say, in some of the comments that they made. My concern was that many of those comments seemed to be made on assumptions and perceptions and were lacking in evidence. Can I, in three quick areas, relay some of the allegations that were made for you to be able to respond? That is demonstrations, use of Tasers and a little follow-up on stop and search.

First, on the policing of the demonstrations, we heard from Katrina Ffrench from StopWatch. She said, "I did not see the police adopting as heavy-handed an approach in the far right demonstration as they did to the Black Lives Matter protestors." She said that "the police, in a sense, stood by and did nothing." She said, "When the far right are out, they are allowed to get away with what they want." In terms of evidence, there were claims that mounted force was used against the Black Lives Matter. I saw it used against the far right as well. In terms of the number of arrests, I believe there were far more arrests in the far right demonstration the week before. Would you like to respond to those allegations in particular with any evidence to show that there was even-handed policing or not?

**Assistant Commissioner Hewitt:** I think the first thing that is important to contextualise this is that our estimate is that over the period since the demonstrations have begun we have had in the region of 238,000 people demonstrating across the UK, and it is the entire UK, and that amounts to something like 834 individual protest events that have taken place across



the country. During that period, there have been 292 arrests and the vast majority of those arrests took place in the two weekends that we saw in Whitehall in London. During all of that period, there have also been 100 officers who have been injured, again the overwhelming majority of those being in the London area—the Metropolitan Police or the City of London Police officers in the London event.

It is a really important point to set the context that the overwhelming majority of these events have passed off entirely peacefully. They have passed off in a way in which the policing has been appropriate and has been very much in tune with the event that is taking place. I have had a number of chief constables who I have been talking to throughout this talking about events where you have ended up with the crowds applauding and congratulating the police for the way that they have dealt with those events. I think we need to be really clear around that.

There have been minor outbreaks of violence with people in a small handful of events, pretty much exclusively in cities outside London. That has been fairly even between those people who were, if you like, on the Black Lives Matter protests and then those that latterly came allegedly protecting statues, and more right-wing groups.

The policing in London has attracted the most attention, and that clearly is a matter for the Metropolitan Police to talk about. What they will have done and what they do, and what we do across the country, is that you police an event based against the intelligence that you have about how you think that event will run. One of the things that has been challenging across the country is that many of these events are more spontaneous and less organised, so it is quite challenging.

We would ordinarily do linking with a nominated organiser. You then work on the intelligence. There was a clear difference between the first weekend in London and the second weekend in London, the second being the fact that you then knew that we were going to have counter-demonstrations taking place in various parts of the city and the potential there, clearly, for violence if groups came together. Both of those events and all the other policing events will have been based on our practice, and we have very clear guidance about how we deal with policing demonstrations, policing protests and policing disorder. Throughout the period we have been making sure that people are fully abreast of all of that. Our lead around public order has been conducting meetings throughout the process with the regional leads so that all parts of the country understand where we are. It will be based around intelligence.

**Q68 Tim Loughton:** Can I stop you there? I am grateful for that, but there are some other points I need to make. I also want to express our concern for the large amount of officers who have been injured and, in particular, the female mounted police officer with that horrendous incident that we saw as well, and to pass on our best wishes for their recovery.

Those two weekends in London were high-profile, and I fully appreciate



there was lots going on around the country and some really good behaviour by demonstrators and some really good policing that, of course, we did not see on the media. What you are saying is that in those two weekends there was certainly use of mounted officers in both cases, that there was use of the public disorder squads in both cases, and I think it is true that in the second demonstration with the ragbag, drunken football hooligans, the far right and people supposedly wanting to protect statues, there were more arrests in London from that demonstration than the week before. Is that a correct analysis?

**Assistant Commissioner Hewitt:** I do not have the exact breakdown week by week, but we could certainly provide that to you and the Metropolitan Police definitely would have that. That is my assessment, having been involved in both weekends.

Q69 **Tim Loughton:** It would be useful to have those figures. Basically, the claims that were made last week, there was no basis for in evidence.

The second point on Tasers is that it was claimed by Rosalind Comyn from Liberty that black people are nearly eight times more likely to be the subject of use of Tasers as the white population, and Nick Glynn from the group Open Society, a former officer himself, said that there had been a 39% increase in the number of Tasers in use, which I presume is down to a greater roll-out that is happening across all forces. He also claimed that "there are many police officers who are not equipped, who do not have the aptitude to do it"—his own words—"but rolling it out to all officers would be a retrograde step."

Can you again give some evidence on that in terms of the roll-out? What requirements are there before officers are allowed to use Tasers? It is suggested here that there are no requirements. Is there not also a differentiation between the drawing of a Taser, which has to be recorded, and the use of a Taser? To be able to have those figures in terms of the number of times a Taser was fired as opposed to drawn, and if it is disproportionate to the terms of eight times more likely or whatever, would be helpful. Can you make some initial comments on the use of Tasers and disproportionality?

**Assistant Commissioner Hewitt:** Of course. It is really important to make that distinction about the use of a Taser because there are seven stages in the use of a Taser and the first four stages do not involve the weapon being discharged; they are simply when you draw the Taser, you use a dot, and so on. It is really important to understand the statistics.

If we look at 2018-19, the Taser was used in 22,059 incidents where we have the record of the Taser being used, and the ethnicity recorded as perceived was that in 66.1% of those cases that was a white person, in 6.53% that involved an Asian person and in 19.86% it involved a black person. Again, this is an area where we really have to have the detailed analysis, and we can certainly provide a more detailed range of figures to the Committee if that would help.



Q70 **Tim Loughton:** That would be helpful. Can I clarify? You said 66.1% white, 19.86% black. Is that the drawing of the Taser or is that the discharging of the Taser?

**Assistant Commissioner Hewitt:** That is all uses of a Taser, and it is important to point out that in 85% of the cases it is not discharged, so in 85% it will be those first four stages.

Q71 **Tim Loughton:** Do you think it is highly unlikely—and again to have the figures would be really helpful—that black people are eight times more likely to be the subject of use of Tasers?

**Assistant Commissioner Hewitt:** I would need us to have a look at the figures in detail to understand whether we think that is a factually accurate statement, and we can provide those figures.

Q72 **Tim Loughton:** Finally, briefly to go back to some of the other points on the use of stop and search, we heard a lot of evidence by Nick Glynn from Open Society, a former police officer who I gather was responsible for drawing up the Best Use of Stop and Search protocols back in 2014. That scheme was introduced. He then claimed that the police had become, in his words, “addicted to stop and search” and that there has been the reintroduction of targets for numbers, which you have quite clearly refuted—particularly in London he said that is the case. We have seen the figures for stop and search now go up to 43,644 in May—the latest figures produced in *The Times* last week—and that compares with 19,000 last December. Why have the figures gone up so much, particularly when that covers the period when most people should have been staying at home rather more, rather than out on the street? As a follow-up, Katrina Ffrench from StopWatch claimed that in stop and search the norm is for those members of the public being stopped and searched to be handcuffed straight away. Is that the case?

**Assistant Commissioner Hewitt:** On that second point, that is not the norm, and I do not know where that comes from. Again, if there was data to substantiate that—but I suspect that is not the case. In all cases there is clear guidance on when an officer may or may not use handcuffs as a form of restraint, and that guidance would depend upon them assessing the situation and assessing the risk in that situation. I do not think that claim sounds like a claim that could be substantiated.

There has been an increase in the use of stop and search up to the period ending March 2019. There was definitely an increase and, as we had with earlier questions, that was in response to the rise in violent crime particularly and the desire for forces to use this as one of a number of tactics to tackle that violent crime, but it was based against the figures the year before, which were particularly low.

There is no doubt a question around disproportionality within the use of stop and search, and Committee members may have seen a statement that I released last week about work that will be undertaken, led by the NPCC, to look at a range of issues in relation to policing in the black community.



No doubt our use of powers and particularly the use of both stop and search and force, of which Taser is one element, will feature as very prominent areas where we do need to have a greater level and degree of understanding, we do need to be able to understand and then challenge narratives that are put out around what the police are and are not doing, and we do need to move forward in improving our practice where the practice needs improving. That work will be ongoing.

**Q73 Tim Loughton:** A final point: Assistant Commissioner, why would Nick Glynn, having introduced the protocol, being part of that protocol introduced in 2014, now say that the police are addicted to stop and search? He said again, "racism. It is alive and kicking in policing." Have the protocols changed drastically since his protocols introduced in 2014, or why would he say that?

**Assistant Commissioner Hewitt:** I clearly cannot answer for why he would say that. He obviously has a very strong perspective. I do not think that anything has changed drastically. I do not recognise the term "addicted". As I have said very clearly, I believe stop and search is a legitimate tactic used with other tactics to deliver us a result in terms of particularly violent crime, but what he talks about there in terms of Best Use of Stop and Search, forces operate against that. They will make operational decisions dependent upon the challenges that they are trying to face, and I very much refute the allegation that racism is rife in the police service. I think no organisation can say that there are not people within their organisation who potentially hold racist views, and the police service is no different and we reflect the imperfect society that we come from, but I do not think it is an allegation that I would accept to say that racism is rife in the police service.

**Chief Constable Hopkins:** Can I add a couple of points to support Martin? First, on Taser, the question was asked about the universal roll-out and the training of officers and the decision making about who to give Tasers to. Martin will know that I am one of the chiefs who have been very cautious about the national drive to give everybody a Taser. It is a less lethal option, not a non-lethal option, and people should really remember that. Forces have to complete what is called a strategic threat and risk assessment, which is the evidence base that tells us how many people we should be giving Tasers to, to both protect the public and protect our own officers. That is the starting evidence base for issuing Tasers.

The training is really comprehensive. In 2017, after the terrorist attack in Manchester, I agreed with my deputy mayor that we would increase our Taser officers from around 650 to 1,100. I have still been unable to achieve that uplift because of the level of training and the scrutiny that goes into training officers to carry and use a Taser.

I have my figures as well for the use of Tasers. Martin was talking about the year 2018-19. To the end of March 2019, we in Greater Manchester discharged—that is none of the other precursor steps, this is actually discharging the Taser—244 times; 190 of those were against white people,





22 of those were against black people and 11 were against Asian people. That is 78% white, 9% black and 4.5% Asian. We are very cautious and I am, as I said, one of the voices in policing that is really cautious about not wanting it to become personal protection equipment and for there to be a universal roll-out.

On the second bit, on Best Use of Stop and Search, obviously with the increase in violent crime that we had there were, I think, 11 forces in total that were working with the Home Office around looking at different powers. That might be where some of Best Use of Stop and Search feels that it is different to when it was first introduced in 2014. Again, we have approached that in a very cautious manner as a service because there was some really good stuff that came through Best Use of Stop and Search that we did not wish to lose.

**Q74 Ms Abbott:** A quick question on the fixed penalty notices. There was an issue that different forces recorded ethnicity differently. Have you taken steps to standardise police recording of ethnicity?

**Assistant Commissioner Hewitt:** I will let Ian come in on that as well, as our lead, but I spoke a moment ago about the work that I think we need to do to move us forward in all of these areas. One of those pieces of work has to be around more consistent data capture, both the data that we capture internally about our workforce so we understand in real detail who we have in our workforce, and particularly who we have in our workforce from black and minority ethnic communities in this context, but also, as you rightly say, the external, particularly around stop and search, use of force and where we interact with communities. There is work that still needs to be done in terms of us achieving that consistency. I suspect Ian would want to come in on that as well.

**Chief Constable Hopkins:** I fully support Martin. Data is a big issue for us in policing, whether it is use of force, whether it is stop and search or whether it is our workforce. It is one of the key drivers that we have to get right, and we really have to improve for transparency but also for driving improved activity from policing.

In terms of standardisation, most of us use the 18 plus one system, but not all do, I am afraid, and that is one of the consistencies we have to drive. It is not used in all circumstances around different aspects that we have been discussing with the Committee this morning, so we recognise that we do have work to do on that.

**Q75 Ms Abbott:** It is fine that you recognise you have work to do on it, but in relation to fixed penalty notices, because that was the part that I was asking about specifically, going back to your colleague, have you taken steps to standardise police recording on ethnicity?

**Assistant Commissioner Hewitt:** We have, and that was a requirement for the fixed penalty notices that you refer directly to. One of the other challenges that we had in terms of the fixed penalty notices and in terms



of the speed that they were brought in, some forces were doing this on an electronic device, other forces were doing this on paper, so we have tried as best we can to get that consistency. They will largely have been using the designations that Ian has just described, but as we have already said and I said at the very beginning, we did end up with a significant proportion where there was no ethnicity identified. We are currently undertaking a piece of work as well to try to understand precisely why that was because, as we said in the very opening exchange, of course, that undermines our ability to understand the data.

**Q76 Ms Abbott:** One more question on fixed penalty notices. We heard last week, taking evidence from the NGOs, that Manchester was a major police force that had not responded to a freedom of information request on fixed penalty notices. Is this true, and have you responded now in Manchester?

**Chief Constable Hopkins:** It is a great question to be able to give the answer to. One of the things that we did at the beginning of this crisis was this: if you recall, I said that I had 2,000 of my colleagues who were unable to work at the very beginning, and we were calling for other people to come back. The worst-case reasonable predictions were saying that we might lose up to 30% of our workforce, so we stopped some activity in policing purposely to be able to prioritise our frontline, and we redeployed people into roles that were protecting the frontline. For example, I had 200 of my colleagues who were staffing the temporary mortuary, so they were deployed as drivers and staff that would work with families, undertakers and the health service around that. Freedom of information was one of the areas where we took a purposeful decision, and we were very open and transparent about it, that we would not be undertaking it during the covid crisis until we were in a position to be able to put the workforce back to whatever the new normality is that we face.

**Q77 Ms Abbott:** So you do not anticipate responding to FOIs until the covid crisis is over?

**Chief Constable Hopkins:** As it stands at the moment, yes.

**Assistant Commissioner Hewitt:** Sorry, what I was going to say was in respect specifically of the FPNs. The piece of work that we have deliberately set in train with the Government Statistical Service, which will report in the next three weeks or so, will provide all of that information in relation to FPNs. That was the whole purpose of doing that, and I think that is a better way of doing it than raw data going out from forces individually, which is not properly contextualised. This will all come into the public domain.

**Q78 Ms Abbott:** On the question of stop and search, I hope you would agree with me there is a difference between evidence-based stop and search, which everybody supports, and random stop and search. Random stop and search has a history of exacerbating police-community relations all the way back to the original Brixton riots triggered by Operation Swamp, a mass random stop and search operation. We were told last week that the level of stop and search in the Met had gone up very sharply in April, which was



after lockdown. Is that your understanding, that the levels of stop and search have gone up in the Met?

**Assistant Commissioner Hewitt:** First, there is no random stop and search. There are stop and search powers, clearly, under section 1 and section 60, but I think it is important that we do not talk about random stop and search. As far as the—

Q79 **Ms Abbott:** You are either doing it on the basis of evidence, which everyone accepts is the right thing to do, or it is random.

**Assistant Commissioner Hewitt:** The stop and search under those two powers will be based around the intelligence and the evidence that you have. That is how that works. Obviously there is a difference between the section 1 power and the section 60 power, but I do think it is important to make the point there is not anything just random in stop and search.

On your specific question in relation to the Met, I think that is a question that should be addressed to the Met. I do not have all the individual figures for individual forces, and that would clearly be something they would have to respond to. We can find those figures out for you if that would be helpful, but that is really one for the Metropolitan Police to answer.

Q80 **Ms Abbott:** Given that levels of crime have gone sharply down—that is my understanding—during the covid crisis—

**Assistant Commissioner Hewitt:** Yes, they have.

**Ms Abbott:** —you are saying you would not expect levels of stop and search to go up?

**Assistant Commissioner Hewitt:** I have no expectation about what it will have done. What I do know and I think is important, you are absolutely right, is that a whole range of crime types have dropped and dropped very dramatically during the period of lockdown, but are starting to re-emerge. One of the things that has happened during that period as well is that police forces have used that period to allow them to be much more proactive in the policing they are doing around people they know are criminally active. They are dealing with the opportunities that we have because our normal core demand is down. For example, if you remove the night-time economy, as we have had now for 12 weeks, that is a massive reduction in police demand. That has allowed police forces to be much more proactive in dealing with drug dealing, violence and other activities. There will be policing activity on the basis of that but, as I say, I cannot answer specifically for the particular figures in the Met.

Q81 **Ms Abbott:** We have heard that road traffic stops are not recorded, although the Macpherson Inquiry recommendation 61 said that a record should be made of all stops. Why are these stops not recorded?

**Assistant Commissioner Hewitt:** I would need to understand precisely around road traffic, it is not an area of expertise for me, but clearly police will engage with the public all the time, and certainly it is not a stop and



search in that sense. It is engagement, and there will be a number of reasons why you would want to do that through road traffic issues. I think what we will probably have to do is get you the detail on that, because I do not want to mislead you with my lack of knowledge specifically around that.

**Q82 Ms Abbott:** You do accept that the Macpherson report said that all stops should be recorded?

**Assistant Commissioner Hewitt:** I accept what the report said, of course.

**Q83 Andrew Gwynne:** Can I also thank you both for the work that you and the police are doing right now during the covid crisis?

Can we go back to Tasers? IOPC is investigating some recent incidents in London, Birmingham and Greater Manchester where there has been some concern over the possible inappropriate discharge of Tasers. They say that these issues have only come to light because of social media and there will be other incidents that are not being scrutinised. Is that a concern to you, and how do we get a true overview in the data of incidents of potential inappropriate Taser use?

**Assistant Commissioner Hewitt:** As you say, clearly there are a number of investigations, and it is really important to say that the IOPC exists to deal with any complaint that is made by any individual, and often what will happen is that the police force themselves will be referring a case to the IOPC. I do not know the specifics of the individual cases that you refer to. Every time an officer uses force, uses a Taser, that will be recorded, and each force will have its individual processes to identify any trends in the use of force, so that would be trends in the particular type of force or trends around individual officers. Of course, if any member of the public makes any complaint, that will be dealt with through the process that you have identified through the IOPC.

Of course, we have to ensure that whenever the police use force we are using that force appropriately, in line with the guidance that we have, and the guidance is very clear to officers and forms part of the officer training regimes that every police officer goes through. We not only work incredibly closely with the IOPC but internally within each police force, there will be a professional standards department that in the first instance will look at any issues around either a particular officer's behaviour or a particular incident. There are a range of checks and balances in place, and they are strong. We also obviously work in a sense where other officers will, under the Code of Ethics, under our misconduct rules, have a very clear responsibility if they feel another officer has inappropriately used force or any other of their powers.

There are a range of checks and balances. You are absolutely right that the world that we live in now means that many police encounters with members of the public are being filmed by other members of the public. They are also largely being filmed by police officers now as well, and I



mentioned earlier when we talked about stop and search the prevalence of body-worn videos. There are a whole range of mechanisms and opportunities by which anything that is done by any officer is able to be held to account. I think there are a number of checks and balances. The offences that you talk about or the incidents that you talk about that are being investigated by the IOPC are good examples of where that becomes very public. I am sure Ian will agree. I think the service is being very open about these issues when an issue occurs. We are very quick to make it plain that those individuals have been referred, whether it is dealt with internally or whether it is dealt with by the IOPC. There are a range of checks and balances and I think the combination of those provides us with a degree of comfort that we will identify where somebody potentially misuses the use of force. Taser, I absolutely accept, is a particularly iconic part of our officer equipment and the use of force.

**Q84 Andrew Gwynne:** Following on from what Martin Hewitt has said, is there anything in Greater Manchester Police's procedures that would have led to the same actions being taken in respect of the incident in Old Trafford, were it not for the video of it appearing on social media?

**Chief Constable Hopkins:** I think there are a number of things. There is the Code of Ethics so that officers have a duty to report wrongdoing if they feel it has been done. Where Taser is discharged we would look to debrief that incident. The weapons themselves have a memory, so it gives you an electronic reading of when it was discharged, how long it was discharged for and all of those really critical things when we are looking at those incidents. That is another mechanism. I am with Martin, there is very little that does not get filmed by the public these days and we are often on the back foot in responding to that. In this particular case, I saw that footage very early the next morning after it was made public and I immediately referred it to the Independent Office of Police Complaints because it was very disturbing to see those few seconds there, particularly with the young child and everything surrounding it, but it is only those few seconds that we have all seen, which is why there is an investigation.

One of the real issues that I have is the length of time still that some of these investigations take, because the only narrative that is out there is that very short clip on social media. I had an update from the IOPC on 10 June that says that investigation is going to take three to six months. That was already nearly a month after it occurred, so I think we have to do something different in terms of being able to do these things much more quickly, to be able to get out a more balanced narrative.

It is something I am exploring with my independent ethics panel as to whether we can release things through them that are able to reassure the community. If the officers involved in that have done wrongdoing, I want them disciplined and dealt with as quickly as possible. If they have not and there is a different answer to the investigation, then the public need to know that as well, because otherwise it undermines confidence in policing.



We have to do something different around the length of these investigations.

Q85 **Andrew Gwynne:** It is on the issue of confidence in policing that I want to get your answers, because notwithstanding the views that you expressed earlier on roll-out, Ian Hopkins, the reality is that in Northamptonshire Police, all frontline officers are now issued with Tasers. The Police Federation has called on the Government to issue Tasers to all frontline officers, and last September the Home Office gave funding for 10,000 more officers to carry Tasers. Are you both concerned that this breaks down the notion of policing by consent?

**Assistant Commissioner Hewitt:** I do not think the deployment of a Taser per se breaks down the notion of policing by consent. We need to provide our officers with the right equipment for them to do their job, and that concept of how we police in this country is so strong within the service and runs through everything that we do.

Ian made the point earlier—I think this is the really important point, because sitting in a national position it is not for me to direct or tell any individual—that we have a system where each force is independent. The operational independence sits with the chief constable and they have the oversight of a police and crime commissioner. The issuing of equipment, particularly Tasers or any other protective equipment, is an operational decision for the chief constable, and that operational decision has to be made based on the strategic threat risk assessment that the force will undertake, in this instance for armed policing. It is really important that that is how this has to go forward, and individual chief constables, through the processes they run, will make that decision.

Yes, there was an announcement about funding becoming available. You are correct that the Police Federation has a view. My view is very strongly that this is a decision that must be made by the chief constable, working through his or her strategic threat risk assessment process, which is a documented and rigorous process, and all of that is factored in around the communities that that chief officer is policing.

You are right that the impact of Taser in different communities is different, and we have to be very mindful of that. Ian has given his perspective and the way he approaches that in Greater Manchester, but each chief constable has to be accountable for how she or he decides that they want to deploy. It comes into a whole range of different issues around the environment in which you are policing, the risk that is presented in the policing environment, and other things. It is often considered around how vulnerable officers are because they will be operating in a solo environment in some parts of the country.

**Chair:** I am sorry for interrupting. Unfortunately, we have a broadcast session that finishes at noon, so I am going to ask everybody to give very tight answers rather than the broader context, if that is okay. Can we move on to Stuart McDonald?



**Q86 Stuart C. McDonald:** Thank you both for your evidence this morning. Martin Hewitt, you have been very robust in your defence of policing, which you are absolutely entitled to be. On the other hand, you have recently said there is going to be an action plan drawn together. If everything seems to be pretty much okay, which is the tone of your evidence today, what is the point of that action plan? If you are not acknowledging there are problems, then doesn't it risk undermining that action plan before it is even off the ground?

**Assistant Commissioner Hewitt:** I do not think anything I have said today is that everything is okay. That is not what I have said at all. I have tried to put what we are doing into a fair context. You are absolutely right. We have moved on. Policing has moved on. This inquiry is based around Macpherson. I think policing has moved on enormously since the time of Macpherson and society has moved on, and we have improved in many ways. But are we where we need to be now? No, in terms of those people from black and ethnic minority groups that work in our organisations, and for our relations and our relationships with the black community. I am definitely not in a position of saying that.

That is why we want to pull together this piece of work that will not only be led through the chief officers but working with all levels of the service, and with our communities as well, to identify those things that are the areas where we absolutely have to improve, and improve at a greater speed.

**Q87 Stuart C. McDonald:** Will you engage with your critics? Nick Glynn, for example, I think was slightly misquoted earlier because I do not think he ever said that racism was rife. I think he said it was alive and kicking in policing, which is obviously significantly different. Will you engage with these critics when you are drawing up an action plan, and what are you going to do to engage with communities to make sure you are addressing problems that they see and that do not seem to be borne out sometimes by official records of what is going on?

**Assistant Commissioner Hewitt:** We definitely will engage with our critics, and I have to say, that is what happens at a force by force level all the time, that engagement with communities. For me, we have already spoken about the need for much better data and analysis around that data. A really important point, which I think comes to your point there, at the start of the process we are doing is about hearing the voice of those people, the voice of people who are black and minority ethnic in our organisations and the voice of our communities and our critics.

Then I think we need to look at three particular areas. There is the internal area—what it is like to be someone from a minority group working in the police service, because we are absolutely determined, and we are starting to see progress in increasing the number of black and minority ethnic people, but we need to get much better. There is looking at all the issues around the use of force and our use of powers that we have just talked about, and then the third limb for me will be around community



engagement and how we really get to understand the impact of policing on individual communities. We do a lot of work towards that at the moment, but I think for all of us the last few weeks have caused some real reflection and caused us to take a really hard look at ourselves. That hard look says we need to do more and we need to do it quicker.

**Q88 Stuart C. McDonald:** On that point, I think a lot of that will be welcome, but there will be a degree of cynicism that it is the Black Lives Matter protest that sparked this into life. These problems have not just appeared in the last few weeks or the last few months, and there is perhaps a feeling that something like Macpherson and Stephen Lawrence's murder happens, then there is action, then it fizzles out, and then this will happen and there will be an action plan launched and it will fizzle out again. What accountability mechanisms will there be, and what assurances can you provide folk that this will last the course and that people will see all the action plans and recommendations implemented rather than just dying a death again in a few years?

**Chief Constable Hopkins:** Martin is right, the last few weeks have really hurt us, particularly those among us in NPCC who have been passionate about trying to lead change in terms of diversity and inclusion.

Where I want to start is perhaps some of the stuff we have been doing around workforce and trying to improve. We have not just kicked this off in the last couple of weeks, and the work Martin has described is really important, I think, in adding energy and pace to what we have been doing.

In 2018, all chief constables signed up to a diversity and inclusion strategy for the service. That is based on our communities, it is based on our workforce and it is based on our partners. Behind each of those strands there is a toolkit. I particularly led the workforce toolkit and the work that went into that. That was based on other reviews—the McGregor-Smith review, for example. It was based on a lot of the work that has gone on in the national health service around the workforcer race equality standard. All chiefs signed up to it.

The question I was asked by the Police Minister at the time, who was incredibly supportive but also challenging of all that work, was: how are you going to embed it? There are a number of things that we have already done over the last couple of years. The first was peer reviews of 11 police forces—there are a further 10 waiting for those peer reviews—to assess where they are against the strategy and the toolkits.

The second element was to develop a self-assessment tool, which is based on HMICFRS methodology, to enable forces to take a really good, in-depth look at themselves around the areas they needed to improve and the areas where there was good practice. Forty-three forces have signed up to doing that, and I now have 31 of those returned to me and I am just waiting for the others.





The third point was for HMICFRS to start inspecting the police service through the PEEL inspections. They promised they would do some light-touch inspection in 2020 with a much more rigorous survey and inspection of forces in 2021. What we have just gone through as a country has delayed some of that.

The fourth element was that I have been working with Durham Business School for three years now, and we have just undertaken the first ever diversity and inclusion survey in policing. Thirty-four thousand colleagues nationally have completed it, which gives a really rich picture of what it is like to be from a minority community working in policing. We are discussing the findings of that with Durham at Chief Constables' Council on 15 July.

**Stuart C. McDonald:** A lot of this—

**Chief Constable Hopkins:** Can I just finish that point? That was about giving us a baseline so that we can assess what we need to do to move forward. There is a lot of stuff already gone on that perhaps people are just not aware of, and that has included partners and critics in building a lot of that work.

Q89 **Stuart C. McDonald:** We do not see some of the work that goes on, but as part of that, though, what is the accountability mechanism going to be? How can we make sure that those who are impacted by this, the black and minority ethnic community, can really feel that they are being listened to and have oversight and a degree of ownership about what is going on?

**Chief Constable Hopkins:** From that perspective, the HMIC is inspecting those documents of public record and, therefore, you are holding the chief constables accountable for their performance in that area through that mechanism. That for me is the biggest accountability that we can ask for.

Q90 **Stuart C McDonald:** The loss of the Lawrence steering group was something that I think a lot of people regretted and retrospectively was a bad decision. Will there be anything like that in the months and years ahead?

**Assistant Commissioner Hewitt:** I absolutely recognise the scepticism that you describe, and I can see why people would look and say there have been these moments in time before and it has never come through. I don't apologise at all for responding in the way that we have responded to what we have seen over the last few weeks. As Ian said, it has made us—

**Chair:** Excuse me for interrupting. I need a very short answer. Will there be some kind of taskforce overseeing this work that has external accountability as part of it?

**Assistant Commissioner Hewitt:** We are going to pull all of how we are going to do this together at council in a few weeks' time and, yes, there will be external accountability for us.

Q91 **Laura Farris:** Thank you both for your evidence this morning and also for your work particularly over the last couple of months.



Picking up on the points that you were talking about, peer review, self-assessment tools and all the rest of it, on a national level what is the day-to-day training experience in equality and diversity that a member of the police receives? What is the course, if any, that is provided? How frequently is it updated, and what are you able to say about its effectiveness in terms of the culture of the police?

**Chair:** Can I ask only one of you to answer each question?

**Laura Farris:** Yes, sorry. AC Hewitt, you answer that one.

**Assistant Commissioner Hewitt:** I think probably Ian has the better detail than me.

**Chief Constable Hopkins:** I think it is a really good question. It is patchy. Obviously, in initial training there is quite an emphasis around diversity and human rights. They are tested on that and examined on it and held accountable through that process. All of the leadership courses through the college have an element of it as well, as well as operational courses when you are learning to be a firearms officer or a firearms commander.

I think it is more patchy in terms of ongoing development, and it is patchy for our frontline supervisors in particular in dealing with what are often quite complex issues for policing and understanding their role in it as first-line managers. That is something we are working with the College to improve.

There is a lot of talk about unconscious bias training having a place. Of the participants in the survey that I just mentioned, I now know that of those 34,000, around half have undertaken unconscious bias training. The academic finding is that it does not have any impact on their propensity to be more positive toward diversity than those who have not undertaken the training. What the academics will say is that that, as part of a wider package of inclusivity and procedural justice in organisations, does have a more positive outcome. That is something that we need to explore on the back of the evidence we now have from Durham's independent survey.

Q92 **Laura Farris:** I am going to ask one more question. In 2016, the Equality and Human Rights Commission reached some findings about the Metropolitan Police, and I accept that it is just one distinct force. It was about the way BAME colleagues were dealt with internally and about the incidence of disciplinary procedures and sanctions. It made some critical findings. In subsequent years, certainly 2017 and 2018, there was definitely evidence that was recorded by David Isaac that there had been an improvement in the way that the management of staff was happening. I am sorry, this is a wide open question I know, but I will ask AC Hewitt to answer this one. Could you talk about the experience of discrimination within the force and how, if at all, that has changed, say, in the last two to three years?

**Assistant Commissioner Hewitt:** It is something that we obviously have to deal with. I talked about trying to bring more black and minority ethnic



people into the service, particularly police officers. Clearly, what has to follow then is how their career carries on, how they are able to progress, either laterally into specialism or vertically through promotion, and how they are treated through misconduct processes.

There was a report conducted very recently by one of our deputy chief constables that raised a number of issues around the kind of disproportionate impact of those processes on black and minority ethnic staff, and there is work in train to deal with that. But your point is absolutely right. This has to be fundamental to how we improve the way the service feels. I think it is quite interesting that just this morning there was quite a bit of media on ITV through the National Black Police Association and others who talked about the improvements they have seen internally within policing.

I am absolutely not complacent about the fact that we have to make our organisations inclusive for everybody with everybody feeling they have the same career opportunities, and that will definitely form part of that. That is, if you like, the internal environment element of the work we are going to take on. I do think there have been improvements, but there is more to do.

**Q93 Dame Diana Johnson:** Last week we had evidence from our witnesses who told us that policing by consent is achieved in rural and suburban communities but is not the experience in urban communities with high levels of working-class and BAME communities. I wondered whether you recognise that. It is interesting what was said earlier on about the fixed penalty notices and some of those being given to people who were out of area who were visiting. I wondered if you could comment on that, whether you recognise that is a problem and how you ensure that policing by consent is across the whole country and not just in parts of it.

**Assistant Commissioner Hewitt:** Policing by consent is absolutely where we start, and working with communities is what we want to do and how we want to police wherever you are in the country. I think the important point about the FPNs was that at that stage people did not have the right to travel from one part of the country to the other, so that was why you were ending up at the enforcement point. So, it is a slightly different point to the rural-urban.

You are absolutely right, we have to work with every community across the country, and in some environments that is more challenging than it is in other environments. We operate within society. We often operate at the conflict points within society. We are operating in those communities where you have greater levels of inequality, whether that is race inequality or economic inequality.

Of course, I think everyone would accept that in our very highly populated urban areas they are challenging policing environments, but I do not think that equates to starting from a position that is not about policing with consent. If you go into those communities and you look at the police



officers who work there in the neighbourhood teams, who work there locally with those communities, there is an enormous amount that goes on, but they are challenging places to operate in a way that perhaps in other areas, where you have less of those inequality issues in society generally, that will be perceived as being easier to police by consent. That is how we start and attempt to police wherever we are policing.

**Q94 Dame Diana Johnson:** I know time is very short so I want to ask one other question. You said a little while ago that there had been progress around recruitment for the police in terms of making sure it reflects the communities it serves. I acknowledge that positive action has been employed in the past to ensure we get those higher numbers of particularly BAME communities represented. Do you think we have now reached the point where we need to look at a framework for some positive discrimination to make sure those numbers reach the figures we would like to see? Is it time now to do something different?

**Assistant Commissioner Hewitt:** I think that is a valid question. In fact, just a year ago at Chief Constables' Council we debated this very issue and used the experience we had from colleagues from the Police Service of Northern Ireland, where there was positive discrimination for a period of time. That told us it brought some advantages but it equally brought some disadvantages. It is really important to say that in England and Wales, to do positive discrimination is not legal as it stands, so that would require a change.

I think it has advantages and it has disadvantages. Where we arrived, as the leadership of the service, was that what we absolutely had to do was drive every opportunity and option around positive action to get us to the place where not only are we bringing people from black and minority ethnic communities into the service, but then it follows them through their career in terms of their career opportunities and how they are able to access specialist roles or promotion.

There are many more things we can do. I think the programme at the moment is to bring in 20,000 additional officers. There has been an enormous amount of work in that programme, and I think that is starting to demonstrate that that will be positive. Internally within forces, in how we use our processes to promote people, to select people and to get people into particular jobs, we have to absolutely drive the positive action there. Inevitably, there are some who want to open the debate about positive discrimination, but the position of Council at the moment is that we think positive action with real energy is the right way and that there are disadvantages that come with positive discrimination.

**Chief Constable Hopkins:** Using positive action, I have taken my force in four years from being 4% black and Asian minority ethnic officers and staff to nearly 9%, and we have really pushed it. There are other forces that are doing the same that are seeing some good results. I think there is more we can do, and we can be more ambitious around it and not listen to the detractors who, every time we use positive action, try to knock us for

doing it. I am absolutely with Martin. I was obviously part of that debate and it was a majority position that we do not support requesting a change in the law for positive discrimination.

Q95 **Chair:** We are about out of time. I am going to push our time limit for a couple of quick, factual, follow-up questions. It was reported in *The Times* that several members of the National Taser Stakeholder Advisory Group quit in April in frustration and accused the NPCC of failing to take disproportionality seriously. Is that true?

**Assistant Commissioner Hewitt:** That is true. That is correct.

Q96 **Chair:** What were their concerns?

**Assistant Commissioner Hewitt:** We can write to you, Chair, if that would be easier and provide you with detail about that. I think that is probably the better way rather than me mislead you now.

Q97 **Chair:** Thank you. That will be immensely helpful. Secondly, could you also write to us with details of what the mandatory training is for all police officers on race issues, including whether or not there is anti-racism training for all officers?

**Assistant Commissioner Hewitt:** Okay, we can do that.

Q98 **Chair:** Are you able to answer that now? Is there?

**Assistant Commissioner Hewitt:** I am not sure I would describe it as anti-racism training. As Ian described in his answer to the previous question, for every officer joining, every time you do a promotion course and on a whole range of courses this forms part of it, and there has been a range of unconscious bias training. But we can pull together the range of training that is provided in this area.

Q99 **Chair:** That would be really helpful, and it would be really helpful to have specific examples as well.

On the issue of handcuffing, you will be aware there has been a series of videos circulating of people being handcuffed during stop and search, or what appear to be stop and search encounters, where it appears that the person who is being handcuffed is complying with the search, is not raising a threat of violence, is not appearing to be about to depart or to leave the situation. If you have a stop and search situation where someone is not a physical threat and is complying, in those circumstances would you expect handcuffs to be used?

**Assistant Commissioner Hewitt:** In those circumstances that would seem unlikely to me but, of course, each individual case would have to be assessed. As you described there, that would seem unlikely, but again I would not like to judge an individual case or an individual bit of footage.

**Chief Constable Hopkins:** What we do not know in that scenario, Chair, was whether they were searching for a weapon or for drugs, and I think it would be a difference if they were searching somebody who potentially had



a concealed weapon on them, because the officer obviously has to make an assessment of their own safety.

Q100 **Chair:** Given the scale of concern there is about this specific issue, will you be looking at handcuffs as part of your action plan and, in particular, at what data are held or the lack of data held on handcuffing in stop and searches?

**Assistant Commissioner Hewitt:** Yes, absolutely. That forms part of our use of powers, a subset which will be the use of force, so yes.

Q101 **Chair:** Thank you very much. In terms of your action plan, you plan to publish it at the end of July. What is your timescale for implementing it, would you expect?

**Assistant Commissioner Hewitt:** I do not want to pre-empt that, Chair. We are, as I say, bringing all of chiefs' council and a number of external people together in a few weeks' time at council. On the back of that, we will very clearly lay out what we are proposing to do, how we are proposing to do it, and what the arrangements will be around scrutiny, as we have already discussed. We will produce that very clearly and that will then lay out the timetable going forward. It is really important to say this is not about a quick piece of work that stops. This is about how we do some sustainable improvement, but we will make all of that public.

Q102 **Chair:** That will include imminent action to address disproportionality following a review into internal police conduct?

**Assistant Commissioner Hewitt:** Yes, it will, yes.

**Chair:** Diane, did you have a one-sentence question? I think Diane Abbott had a further question specifically to ask.

Q103 **Ms Abbott:** Just quickly on tasing, my colleague Andrew Gwynne asked one of our witnesses if he thought that the use of Tasers would undermine policing by consent. I want to say I met the man who was tasered in Manchester in front of his child and I have to tell you he would not describe that as policing by consent.

**Chair:** Ian Hopkins, do you want to respond to that very briefly?

**Chief Constable Hopkins:** I can absolutely understand that, having seen that video, and we will await the outcome of the IOPC investigation. Lucy D'Orsi, the Deputy Assistant Commissioner in the Met, is commissioning an independent review of Taser. My feedback to Lucy on her terms of reference is that it has to include what the impact is of the use of Taser on our legitimacy with communities, particularly minority communities, because I think that is a really important area that we all have to explore and understand so we can improve.

**Chair:** Thank you very much. Thank you for your evidence today. We also look forward to the further work you are doing around the action plan and the further evidence you will be able to provide us with. We would immensely appreciate that.



## HOUSE OF COMMONS

I will conclude by again saying thank you for all of the work that you and your officers have been doing at this extremely difficult time during the covid-19 crisis and with the other issues that you have been facing recently. We send all our best wishes to the police officers who have been injured.