

Home Affairs Committee

Oral evidence: [The Macpherson Report: twenty years on](#), HC 1829

Tuesday 9 July 2019

Ordered by the House of Commons to be published on 9 July 2019.

[Watch the meeting](#)

Members present: Yvette Cooper (Chair); Rehman Chishti; Janet Daby; Stephen Doughty; Kate Green; Tim Loughton; Toby Perkins; Douglas Ross.

Questions 236 - 385

Witnesses

I: Deputy Assistant Commissioner Duncan Ball, Metropolitan Police Service.

II: Michael Lockwood, Director General, Independent Office for Police Conduct, Jo Noakes, Director of Workforce Development (temporary), College of Policing, and HMI Matt Parr CB, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services.

Written evidence from witnesses:

- [Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(MPR0007\)](#)
- [Independent Office for Police Conduct \(MPR0022\)](#)
- [Independent Office for Police Conduct \(MPR0049\)](#)
- [College of Policing \(MPR0050\)](#)
- [Her Majesty's Inspectorate of Prisons and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(MPR0038\)](#)
- [Metropolitan Police Service \(MPR0054\)](#)

Examination of witness

Witness: Duncan Ball.

Q236 **Chair:** May I welcome everybody to this hearing of the Home Affairs Committee? This is part of our inquiry into the Macpherson report and the Stephen Lawrence inquiry conclusions, 20 years on. We welcome Deputy Assistant Commissioner Duncan Ball to give evidence to us today. We want to concentrate on the gangs violence matrix. You will be aware, DAC Ball, of the considerable concerns that have been raised about the gangs violence matrix, particularly the disproportionality of it, the unfairness of it and the lack of transparency in the way names are added to the matrix, and also in the way the matrix is used. What do you say in response to that?

Duncan Ball: The first thing I would say is that I obviously welcome all scrutiny of the matrix. What I have consistently said as the Met lead on the use of the matrix is that we welcome all views on it, and we fully understand some of the issues that have been raised. On the reason we operate the gangs matrix, we have to recognise that the issue of gangs is a significant one in London. It is one that affects all different types of communities across the board. Looking at the proportion of gang crime in relation to the most serious offences, it is disproportionately high. Looking at the statistics that have been produced in the Mayor of London's review of the gangs matrix between 2016 and 2018, 30% of homicides that are non-domestic abuse or non-terrorism have gang links. For lethal barrelled discharges from firearms, the figure rises to 58% of victims who have been shot. In terms of knife injury victims under 25, approximately 22% of those stabbings have gang links. That is why there is a need for us to have a dedicated response to the gang problem, and the gangs matrix is just one part of that.

The second point that I would like to make is, again, drawing on the evidence provided in the Mayor of London's report, which was published in December. That is the most thorough analytical and statistical report that has ever been produced on the gangs matrix, and it looked at between 5,000 and 7,000 offenders who had been on the matrix. I would argue that the results are compelling in terms of the efficacy. Looking at the figures that are provided—I would draw your attention to the evidence on pages 29 and 37 of the report—six months before an individual is included on the gangs matrix, 42% of the cohort exhibit offending. Once they go on to the matrix, that reduces to 38%. When they come off the matrix, it reduces to 19.8%. That is a downward trend in the offending of gang members.

Q237 **Chair:** So you are saying that when they go in the matrix, it reduces their offending, and when they come off the matrix, it reduces their offending further.

Duncan Ball: Correct.

Q238 **Chair:** So you want to get more and more people off the matrix?



Duncan Ball: The reason it is successful is because of the process and the prioritisation we put on it once people come on to the matrix. Looking at offending patterns and victimisation—the same pattern follows for victimisation—there is less chance that you will be victimised once you are on the matrix, and less chance that you will be victimised once you are off it. The purpose of that is that once an individual comes on to the matrix, we are able to ensure that we have the appropriate response—be it a safeguarding response for victims with the local authority, or a police enforcement response—so that we can target it towards an individual, in order to reduce either their offending or the chances of re-victimisation.

Q239 **Chair:** Are you clearly distinguishing between perpetrators and victims on the matrix? One of the concerns that has been raised with us repeatedly is that the matrix does not do that.

Duncan Ball: You are absolutely right. This was an issue that was raised by the Information Commissioner's Office, and we have responded to it. The matrix has been amended to make it absolutely clear that there is a distinction between offenders and victims. We look at the two lists. Although we look at them in isolation, in terms of what we would look at regarding enforcement of police activity and safeguarding activity, we have to recognise that there is a distinct crossover between the two, because somebody who stabs another gang member is likely themselves to become a victim in a day or two's time. The tit for tat then escalates.

So, it is very clear now for my officers who look at the gangs matrix. I have written back to the Information Commissioner's Office and have given them that demonstration of how the matrix works.

Q240 **Chair:** When did you respond to the Information Commissioner's Office?

Duncan Ball: That was in May. The enforcement notice was issued six months prior to that, in November; we were given six months to respond and I wrote back in May this year, meeting all the recommendations, I believe. Clearly, we await their response.

Q241 **Chair:** Has that response been published?

Duncan Ball: No, because there are a number of elements of operational detail in there. I have written to the IOC to assist them in their regulatory role. Obviously, if the Information Commissioner's Office then publishes their response, that is a matter for them.

Chair: We would appreciate being briefed on that, given the significance of this, but we will follow that up with you afterwards.

There are a series of detailed areas that we would now like to pursue further.

Q242 **Kate Green:** Who has the authority to put an individual on to the matrix?

Duncan Ball: The way that the matrix operates is that every London borough will run its own particular matrix, so there are 32 of them. Then we aggregate that to form a MET-wide matrix.



HOUSE OF COMMONS

The criteria for going on the matrix would be decided by an officer—we have set a very clear policy around that. There have to be two pieces of intelligence that corroborate with each other to say that an individual is a member of a gang. Once that happens, the officer has to create a record, so there is an auditable process for that. That then goes on Crimint, our criminal intelligence system, and the individual is added to the matrix.

Once an individual is on the matrix, they will get a score. That score will cover both their offending and their likelihood of being a victim. One myth to debunk straight away is that nobody ends up on the matrix solely because they are a victim. To get on the matrix, there have to be two pieces of intelligence to say that you are within a gang; if you are a victim, within a gang, of gang violence, yes you will score, but you will score as a victim not as an offender. That then enables us to look at safeguarding opportunities and how we can assist and protect that young person.

Q243 Kate Green: My understanding is that that scoring is dependent on a series of algorithms. How confident are you that those algorithms are working properly to categorise people? What quality controls do you have in place?

Duncan Ball: The algorithm that operates covers two different parts of where intelligence or information can be recorded. The first is on our crime reporting information system and the second is on our criminal intelligence system, Crimint. The only true automated piece of technology that we have around this is on the CRIS reporting system; it automatically extracts information in relation to violent offending and the date of the violent offending. The more recent the offending and the more serious the offending, the higher the score you will have on there.

There is no data that is extracted from that that represents anybody's personal characteristics. Obviously, we can do a search to monitor our disproportionality, but that algorithm does not automatically just pull out protected characteristics—for example, your ethnic minority

Q244 Chair: So the only thing that the algorithm takes into account is violent offending and timing—how recent it is. Are those the only two variables in the algorithm?

Duncan Ball: Yes. I can write to you with the precise detail if that's helpful. The only offences that we score are those related to weapons and violence. For example, if somebody has been arrested for possession of drugs or possession with intent to supply, that won't score them on the matrix. You are only scored as an offender either by virtue of violence that you have committed or if there is intelligence to say that you have committed.

Q245 Kate Green: So you won't even go on the matrix, because you won't be scored, or you will go on but you will be marked as green?

Duncan Ball: The best analogy I can give is that if you walk through the front door of a house, to cross the threshold of the house—to get into the gangs matrix—there must be two pieces of intelligence. Once you then



HOUSE OF COMMONS

step over that threshold, you are scored and you could go into an offenders room or a victims room, but clearly there is a door between the two because there is a crossover.

Q246 **Kate Green:** Or you could go red, amber or green?

Duncan Ball: Correct.

Q247 **Kate Green:** Does it trouble you that 65% of those in the house are in the green room, yet are maintained on a database?

Duncan Ball: No, it doesn't. There are three main aims for the matrix: first, to reduce violent offending by gangs, secondly, to protect those who have been assaulted or exploited by gangs, and thirdly, to prevent young lives from being lost. In terms of scoring, you are absolutely right that we categorise according to red, amber or green, and the most serious offenders would be at red. There will be people who are on the matrix who effectively score zero and are classified as greens.

Q248 **Kate Green:** Quite a lot of people, if it is 65% of those on the database.

Duncan Ball: Correct. It is 65% greens, approximately 5% red and approximately 30% amber. That will obviously vary on a daily basis, but that is broadly consistent with what we have seen over the past few years since it has been in operation. The thing to remember is that, because this is a prioritisation tool for intelligence reasons, it enables us to have conversations within policing or with appropriate partners to identify what we are going to do with particular individuals on the matrix.

For example, for those nominals who are scored zero—the green nominals—I would expect that in the vast majority of cases it would be a conversation in the local safeguarding arena with the local authority, to say, "This particular individual needs diversion and intervention to ensure that they come out of the gang lifestyle." The reason that is important is that we have to understand the totality of the gang.

If, for example, there is an outbreak of violence and gang A has been stabbing gang B and vice versa, we often see, as we have seen in parts of London, that rapidly escalating into a series of very serious assaults or, worse still, murders, and obviously shootings as well. We try within that to understand the dynamics of the gang so that we can make a proper response. The last thing we want to do is to have any young person stabbed or, worse still, murdered on the streets of London.

Q249 **Kate Green:** So you could be on this matrix in the green category, having done nothing other than be a member of the gang or be associated with the gang, but the de facto assessment is that that creates risks, or could create risk in the future. Is that what you are saying?

Duncan Ball: The first thing I would say is that you are right that they could end up there as a member of the gang, but, on the guidance we issue to officers, you don't end up there as a mere associate of a gang. But you could go on there, and it is a way to help us to manage risk. Obviously, risk forms in many different ways. That individual could present



HOUSE OF COMMONS

a serious risk to other gang members or the community as a whole, or alternatively, the gang or the environment that that person is in could present a risk to that particular person. As a general rule, I would expect in the majority of cases that for those who are graded red we would look at a robust law enforcement response, because they have been responsible for some very serious violence. But for those towards the green end, in the vast majority of cases I would expect to see interventions with local authority diversion to remove people from the gang lifestyle.

Q250 Kate Green: You have just said, I think, that being associated with a gang would not bring someone on to the matrix. What safeguards do you have in place to ensure that people are not brought on just by virtue of association, for example with neighbours or classmates?

Duncan Ball: It is not easy, because there is no exact science behind it for knowing whether someone is categorically in a gang or not in every case. Sometimes it will be very obvious, but at other times we have to use a policy that says that associates should not be put on. We are providing that guidance. We also rely on the professional judgment of those officers who are particularly in gangs units and experienced in that particular area. Since the review by the Information Commissioner's Office, we have also instituted dedicated training for officers on the use of the matrix. We have dedicated points of contact at a superintendent level to oversee a BCU response on the gangs matrix. We also now mandate a quarterly review of the individuals on there, to make sure that they meet the criteria. As a final backstop, I have already started rolling audits and inspections of each borough every month.

I absolutely understand all the issues and concerns. We have taken everything around it as seriously as we possibly can, and I am satisfied that we have put robust measures in place to make sure that people do not creep on there, because I am aware that there are potential implications of that.

Q251 Kate Green: Would I know if I were on the matrix?

Duncan Ball: No, probably not, unless we told you.

Q252 Kate Green: And you don't routinely tell people?

Duncan Ball: No. People are entitled to put in a subject access-type FOI request, which we obviously always consider. The challenge is that we then have to make a determination as to whether that will undermine operational effectiveness. It may be, for example, that we receive intelligence from a trusted community member, and we are happy with that intelligence. However, just exposing somebody as a gang member may put that community person at particular risk, so we go through a measured process. We do not just say no out of hand.

Q253 Kate Green: We have heard evidence from young black and minority ethnic people that it is very easy to get on the matrix but super hard to get off it. I don't think you have yet described how you get people off it;



you have merely described how you divert them from activities relating to gang membership. We have also been told of cases where individuals understand that they have been removed and then discover that they haven't been. Can you explain the criteria and process for removal from the matrix?

Duncan Ball: The criteria and the process for removal builds on the points that I just mentioned, in terms of the scrutiny that we apply locally to make sure that the process is being followed. That comes up to me to dip-sample how we make sure that we adhere to that.

We have defined criteria within the operating model at which point individuals should come off the matrix. To give a few, if an individual has exited a gang lifestyle or has joined and engaged with a diversion programme and have not come to police notice for violence within six months, they will be removed from the matrix. Even if they haven't engaged, if they haven't come to notice within 12 months, they will be removed as well. There are perhaps more that you would expect to see. For example, if we become aware that somebody has left London, they will obviously be removed from the gangs matrix as well.

I think it is worth saying that the churn on this is daily. We look at this on an ongoing basis. Since 2012, more than 4,000 nominals have been removed from the matrix. I recently commissioned a review of the greens—to echo some of the points that you raised—and in the first quarter we removed 346 as a result of that review. That is broadly consistent with what we do on a quarterly basis.

The other point to make is that I am really keen to be transparent around this process. About six months ago, I instigated a public-facing website on the Met police website that specifically covers the gangs matrix. On there I have laid out our legal basis for the matrix, our equality impact assessment and our data protection impact assessment. If you go on the website, you will see that we release those statistics for the sake of transparency. I am very keen that people understand this. Obviously, we do a lot of engagement, which I am happy to talk through at a later stage, on why we are doing it. I understand a lot of the issues that have been raised, and in the past we could perhaps have better explained how we have used it, but I think we are now at the stage where we are very open and transparent.

We have invited many people in to view it. For example, I welcomed Amnesty into the Met with open arms and have been interviewed by them, and we have also given them access to practitioners. We are very keen to learn, so if there are particular points and issues that we need to take forward to make sure that this continues to be a really successful operational tool, we will do that.

Q254 **Toby Perkins:** The Met's equality impact assessment of the matrix states that 200 individuals on the matrix are under 16. How old is the youngest person on the matrix?



Duncan Ball: The youngest person on the matrix at the moment is 14, but that could change on a day-to-day basis, depending on intelligence.

Q255 Toby Perkins: On this issue of disproportionality, 87% of individuals identified on the matrix are from BAME backgrounds and 78% are black, yet just 27%, in your own figures, of those responsible for serious youth violence are black.

If the matrix is based on evidence of violence, with two different examples of that evidence, how can there be such a disproportionality between the 27% responsible for serious youth violence and the 78% who are black who are on the matrix?

Duncan Ball: This is a particular issue that we are acutely aware of, and how the matrix can potentially impact on disproportionality. What I do see is a lot of comparisons in terms of the proportionality that is shown on the matrix compared with other measures as well.

I know you have previously had evidence here to compare it with the 16% in relation to the general population of London. To that, I would say that it is not the right comparison to make, because we are not saying that the general population of London is liable to be in a gang. We are looking at a specific cohort of individuals.

Q256 Toby Perkins: You have introduced a stat that I did not ask about. The one I did ask about was that 27% serious youth violence is black—that is your own figures—and 78% on the matrix are black.

Duncan Ball: Coming back to the purpose of the matrix for me, which is to reduce the serious violence and the risk of young lives being lost, I think the key statistics that go further and in more depth than the general serious youth violence—which covers just up to under-19s, as you will be aware—are the data produced.

I will draw your attention to page 58 of the Mayor's report. If I could replay some of those statistics, because they are really relevant to this, in terms of the analysis of offenders, if you look at under-25 knife homicide offenders, 71% of those are black African-Caribbean. If you look at offenders for firearms discharges, that is 70%. If you look at under-25 homicide, it is 68%. If you look at knife injury victims, where an individual has actually been stabbed, that is 57%.

That is on the offender side, so we are already looking at a cohort of individuals who are disproportionately represented as offenders. The other point, which for me is equally if not more troubling, is the level of victimisation within the black African community.

Looking at under-25 knife homicide, 69% of those within the period shown on the Mayor's report are black African-Caribbean—homicide, 60% as a whole; firearms discharges, 56%. We are looking at a cohort that we are looking to manage the risk from that is already severely disproportionately represented as both offenders and victims in the most serious categories of violence, which is what the matrix is designed to look at.



HOUSE OF COMMONS

For me that links in to the broader question of why there is such disproportionate representation from young black men in particular as offenders and victims, and the real close links that we see with broader social issues around deprivation.

If you look at the 10% of the most deprived wards, if you are resident there, compared with the 10% least deprived wards in London, you are nearly 11 times more likely to be on the matrix. There is a conflation of all these different factors to consider. I would argue that the matrix in some ways is merely a tool that tries to tackle the disproportionality that is already in the system.

Q257 Toby Perkins: Even with the statistics that you have quoted, none of the incidence was as high as 78%. Although I accept they were much higher than the overall population, or indeed those involved in serious youth violence, none is as high as 78%, so there is still disproportionality there. How do you think the proportionality of black people on the matrix compares, in terms of your evidence, with the proportionality of people involved in gangs and gang-related violence?

Duncan Ball: The matrix, as we understand it, is intelligence-led, in terms of who goes on there. At present, we have—again, this changes on a daily basis—just under 2,900 nominals on the matrix. The process for putting that on is specifically around the intelligence that is presented. Because we score according to the algorithm on which violence and weapons offences have been committed, that is regardless of ethnicity. We are already looking to tackle and risk-manage a group of, principally, young men who are already in that disproportional category within the most serious violence as both victims and offenders. That is a real challenge for us.

Q258 Toby Perkins: Do you accept that, in terms of all the statistics you went through—figures between 52% and 69%—it is still disproportionate? Do you think you are better at identifying black members of gangs than white members of gangs?

Duncan Ball: In terms of the consistency around how we classify within the gangs matrix, I am confident that we take a consistent approach across the organisation for that. Recognising that there is a disparity—I don't want to end up playing with words—I don't think it is hugely disproportionate given the nature of the problem we are trying to solve. One of the things the Information Commissioner raised within her enforcement notice was just around how we handle and manage our data. I wrote back fully accepting the 16 recommendations that were put in place around that, and since then we have done a huge amount of work over the last six months to hopefully meet the conditions that were placed upon us. Doing that, and how we handle that data and the processes we have put in place, gives me a huge amount more confidence in terms of how we manage that.

Q259 Toby Perkins: With respect, the question I asked was whether you think you are better at identifying black members of gangs than white members of gangs.



Duncan Ball: I wouldn't say better at identifying, because we go purely on the intelligence we are presented with.

Q260 **Toby Perkins:** But if you are doing more work in the black community than in an equivalent white community, of course you are going to find more evidence of that. Do you think that you are doing more work in the black community than in an equivalent white community? Is that why you identify so many more potential members of gangs from the black community than from the wider community?

Duncan Ball: There could be some element in that, because there is an overlay of the most serious violence in some of our most deprived areas, which overlays in terms of some of that disproportionality. One of the things we have to do naturally as police is focus our reduced resources in those areas where we think we can make the most impact. At the moment, the Commissioner has been absolutely clear that violence and how we reduce it is the No. 1 priority of the Met. Therefore, we understandably spend a lot of time looking in those areas that are most affected by violence.

Q261 **Tim Loughton:** Mr Ball, you gave a statistic just now about the link to deprivation. I think you said that somebody in the bottom 10% most deprived wards is 11 times more likely than someone in the top. That is not a great revelation, really. If you are in the most affluent wards, you probably get somebody to go and commit violence for you and pay them for it, rather than have to take part in it yourself. A more accurate or helpful analogy might be the representation of black kids against white kids from an equivalent ward of deprivation—so, an average ward of deprivation. Have you done comparable figures around that to see if there is any bias towards black kids with an equivalent level of deprivation being on the matrix, as opposed to white kids?

Duncan Ball: I personally have not commissioned that, but it may form part of the Mayor's report, so I can write back to you on that.

Q262 **Tim Loughton:** I think that would be interesting. When you come up with these huge great differences in the different ends of the scale, it's not actually very helpful. You need to compare like with like and that may provide more telling evidence about whether someone from a similar background may be more likely to end up on the matrix just because of their background or their cultural origins.

I wanted to ask you about the bigger issue of institutional racism, and what your understanding is of that much-used term since the Macpherson report.

Duncan Ball: Obviously I am aware that the Commissioner is appearing here tomorrow, and no doubt she will respond on behalf of the Met police on that. In terms of my own perspective, specifically on the gangs matrix in relation to this session, what we have aimed to do through all the work we have done on the gangs matrix is to make sure that we provide consistent processes around it. We have consistency across the board, so that officers are able to rely on that as a means of guidance. We also



HOUSE OF COMMONS

provide the right training to people, not only to those using the matrix but also to gangs officers who might be referring to it. We can then make sure that our processes do not automatically bring out any disproportionality through default of what we put in place with the matrix. Obviously, the broader issue of the disproportionate size of the cohort the matrix is seeking to tackle is different.

Q263 Tim Loughton: The broader question was not about the matrix, it was about your understanding of institutional racism. I then want to come on to whether there is a link with the matrix.

Duncan Ball: My understanding around institutional racism is that the definition from Macpherson looks at the processes broadly within the organisation in terms of how it deals with matters of disproportionality in relation to ethnic minorities in particular.

Q264 Tim Loughton: Cressida Dick stated in February that the Metropolitan Police Service had transformed and was no longer institutionally racist; do you agree with her? It's perhaps a bad career move if you don't, but, secondly, on what basis do you agree that the statement may be justified?

Duncan Ball: It is not for me to answer on behalf of the Commissioner. She will be here tomorrow and she can answer for herself. From my own observations, all the work that I do and have done around gangs and the gangs matrix, I can say that we have worked exceptionally hard to make sure that what we do gains community confidence. Everything that I witness from those officers dealing with it supports that. We recognise within the matrix as a whole that community confidence has to be an integral part of it. If we do not have the confidence of the community around it, that impacts on the confidence that the community has in the police, and we recognise that the matrix is an essential part of it.

Q265 Tim Loughton: The confidence of the community absolutely is an essential part of it. Do you think that there is a risk that the gangs violence matrix and the obvious disproportionality on the face of it—whether it is justified or not—actually helps the perception that there is still an institutional racist element within the Met operating it? Not your perception, but the perception of those people we are trying to help and to police?

Duncan Ball: I think there are probably two points I would respond to. The first is about what the evidence says, and the second is about your question around perception. The evidence in terms of its ability to reduce offending and, importantly, to reduce victimisation of young black men being stabbed and shot, and others, is clear. I will obviously write to you with the appropriate references within the Mayor's report for that evidence.

In terms of perception—obviously I have read the transcript of previous sessions of this Committee—I recognise that the matrix is not necessarily loved by everybody. There are perceptions within certain parts of the community that it does discriminate against young black men. For all the reasons I have articulated, I would argue that that is not the case. But we



HOUSE OF COMMONS

have to work really hard as an organisation to make sure that we are explaining the purpose of the matrix and what we are trying to achieve. We could probably have done that better in the past, but I am absolutely determined now. We have done a lot of work engaging with Amnesty and other organisations, we go out to independent advisory groups, and members of my team go out to local community meetings to explain what it is we are trying to do with the matrix. The final point on transparency is that we have opened up our website. There is a lot more information around that, and it is publicly available. I am really committed to making sure that it continues.

Q266 Tim Loughton: Finally on that, have you done any gauging of confidence levels in the matrix? There is a potentially dangerous irony here, in that something that is intended to help victims who are disproportionately black teenage boys is perceived to be acting against their interests. If you are now explaining it better and being more transparent, how are you gauging whether people have more confidence in it, which is essential, as part of the jigsaw of people's perceptions that it can no longer be justified to refer to the Met as being institutionally racist?

Duncan Ball: What we need to explain, or continue to explain more, is how we are protecting victims and safeguarding, so it is not perceived by some as just a tool to arrest people. You are absolutely right, and that is the work we have started and will continue in relation to that. As we move forward, it continues to be engagement with independent advisory groups, locally reaching out to boroughs. The other issue, which links closely to the Mayor's office's report, is for us to work with the Mayor's office and their community engagement team, to work with them to assess how this is developing over time. That relates to one of the recommendations in the Mayor's report, which looks at the work we need to do around community engagement. The Commissioner's community engagement team is working closely with the Mayor's community engagement team to try to test out some of these issues. We have got the confidence around the data and how we are using that. The next thing has to be to win those uncertain voices within the community that hitherto have not been fans of the matrix. If we can understand and explain that properly to them, at least people can understand why we are doing it.

Q267 Chair: May I clarify the issue about disproportionality and what you are saying? The Mayor's report does say that the matrix is disproportionate. You seem to be saying that it is not disproportionate relative both to the victim figures and the crime figures that you are dealing with.

Duncan Ball: Yes.

Q268 Chair: However, the table in the Mayor's report on page 58, to which I think you referred, does look as though it is disproportionate. Looking at the figures, looking at black African-Caribbean ethnicity, you have a matrix representation of 80% compared with serious violence of 50%, knife possession of 50%, robbery of 50%, under-25% homicide of 68%, or habitual knife-carriers of 69%. The matrix is right out at the end: it is not slap bang in the middle of these figures. How can you say that there is no



disproportionality at all, given those figures?

Duncan Ball: I accept everything you say: obviously, those are the figures that I talked about at the beginning in terms of those most serious offences. What I am saying in terms of that disproportionality is that, because of the cohort we are looking at within the matrix, that is significantly disproportional in the first place. I accept that there is a difference and disparity within that. My personal view is that the disparity there is not significant enough to say that it is disproportional in relation to some of the issues that we are trying to solve. I recognise that it is higher—

Q269 **Chair:** It is higher than all of them—that seems to be the problem. Even gang-flagged violence is at 63% compared with 80%. Given the concerns about whether the Met is sufficiently sensitive to these issues, do you not accept that for you to sit there and say, “There isn’t a problem” actually raises more concern than if instead you were to sit there and say, “D’you know what? There is a problem but we’re trying to address it and we’re doing the following things and taking this really seriously, because we recognise that there is a discrepancy in these figures, and that is a real challenge”. The fact that you seem to be just saying that there isn’t a problem raises more concern.

Duncan Ball: I would disagree, with respect. I am not saying that there is not an issue there that needs to be resolved and looked at; but because the matrix is effectively the symptom of, or the tool for what we are looking to tackle, that representation in the statistics that you have obviously show that that is the case. What we do need to do is make sure, through all our systems and processes that I talked about earlier, about how we are handling the information, how we are instructing officers about what needs to happen when they put that on, and that that is something that absolutely needs to happen. I have been really clear with the Information Commissioner’s Office that that is what we have done over the last six months and that is what I will continue to do. My point here is that if we continue to do that and continue to get consistency across the Met, which is sensitive to all these particular issues, I would look to have an impact on that. I recognise all the concerns that are there, but I go back to my earlier point about that disproportionality. I’m just trying to put it in the context of what the issue is that obviously we are trying to solve with the most serious violence.

Q270 **Chair:** We understand that you are dealing with extremely serious crime, and we have other inquiries and reports going on. We recognise the extremely valuable work that you have been doing across the force to try to tackle appalling crimes. But there’s a gap: not even recognising that there seems to be a problem here is what also raises concern in local communities and then undermines your credibility in tackling this really serious crime.

Duncan Ball: Just to repeat, I haven’t said I don’t think this is an issue, because obviously we have got the matrix. There is a large number of black African-Caribbean young men in particular that are on there, and



HOUSE OF COMMONS

that absolutely has an impact on communities and that has an impact on everything else around that. So what we have to do—we have to continually work, evolve and learn as part of policing—is to make the right decisions. All the work that we have put in place in response to the Information Commissioner’s Report and all the extra community engagement that we are doing with the Mayor’s office will, I would hope, in the fullness of time enable us to address some of those issues. The position we would ideally like to be in is that if I am saying 70% of the most serious violence is by young black men, the matrix should reflect that.

Q271 Douglas Ross: You have mentioned several times the public-facing website, which you launched in January. How many times since January have you updated the figures on it?

Duncan Ball: Well, the figures were released for the first quarter.

Q272 Douglas Ross: And you don’t have any figures for the remaining—so, that’s January.

Duncan Ball: It’s for the first quarter, so it would be the first three months. We release them every quarter.

Q273 Douglas Ross: So there are figures on there from March.

Duncan Ball: I haven’t looked at it today, so—

Q274 Douglas Ross: I have looked at it and there’s none. So the only figures on there are from January. You launched this website, and you have mentioned it so many times to us in this Committee, because it’s to improve transparency and confidence, yet you can’t even be bothered to update the figures.

Duncan Ball: Right. The first quarter would give you January, February and March; the second quarter would be April, May and June. Obviously, we are just into July. We have to make sure those figures are right; we have to check them—

Q275 Douglas Ross: How long does that take? You had the first quarter figures up in January.

Duncan Ball: That’s work in progress. It will go out there as soon as we have the data.

Q276 Douglas Ross: Those are figures from January 2019, not from March 2019.

Duncan Ball: It’s the first quarter of the year.

Q277 Douglas Ross: No, they are figures as of January 2019, so that’s not including February and March.

Duncan Ball: Right. Well, I need to—I will write back to the Committee. I don’t want to mislead in any way, but my understanding is that’s the first quarter.



HOUSE OF COMMONS

Q278 Douglas Ross: So what are you doing to ensure transparency and public confidence that it's up to date? What are you doing, because you were very keen to launch this website? If you're not even aware of what's on it, what kind of oversight are you having of that website?

Duncan Ball: I am in contact with my team. I looked at the website myself last week, so I know for a fact that on there are all those issues that I mentioned: the legal mandate, the equality impact assessment, the enforcement notice—

Q279 Douglas Ross: Yes, they are all there as links at the bottom—four links at the bottom. But you think this website is up to date and functional for what you want it to do.

Duncan Ball: Well, I will go back, check that and write back to the Committee if you are saying otherwise.

Q280 Douglas Ross: But just looking at it yourself—because you looked at it last week—do you think that it's really going to engage the people you need to build confidence with?

Duncan Ball: I accept, if that is the case with the figures on there, they absolutely should have been updated on there, but I would just like to go back and check the position and then I will write back to the Committee.

Q281 Douglas Ross: But over and above that—because that is the case, based on what I have looked at—do you think this is the type of website that will encourage people to have confidence in what you are doing, or is it just quite a bland, boring website?

Duncan Ball: No, I think it will encourage that.

Q282 Douglas Ross: Do you think it's engaging?

Duncan Ball: Unfortunately, some content on there is naturally dry, because it is a legal mandate—it is the equality impact assessment and the data protection impact assessment. However, we have tried to lay out the reasons why we operate the matrix, which you will see from the script there. We have tried to clearly explain how we put the matrix together, what it effectively means to be on the matrix and also that people will come off the matrix.

There is a fine balance, and we absolutely have to make sure that we put a lot of material on there that is available publicly, but there is some material that we have to make a decision on, for our operational independence. We cannot put material on there that will cause us an issue operationally or, alternatively, with community members, for example.

Q283 Douglas Ross: When it is fully up and running and properly updated, do you think you will be able to go on there and find out how many people are on the matrix at any given time?

Duncan Ball: Yes, you will do.

Q284 Douglas Ross: Because you currently say on your page that your figures



HOUSE OF COMMONS

are as at January 2019—half a year ago. Those are the most recent figures on your website, which you told the Committee is so important for you to improve transparency and confidence.

Duncan Ball: Okay. I will have a look and write back to the Committee.

Q285 **Douglas Ross:** You were given six months to respond to the ICO's investigation. Do you think that you needed to take the full six months, or could you have improved transparency and confidence by responding to the concerns quicker?

Duncan Ball: In terms of the Information Commissioner's Office report, I wrote to them monthly. We had started that work already.

Q286 **Douglas Ross:** But you took the full six months to give a formal response to the ICO.

Duncan Ball: No, that is not the case.

Q287 **Douglas Ross:** You said you had submitted the response in May, and the report was from November.

Duncan Ball: The Information Commissioner issued her enforcement notice in November.

Douglas Ross: Yes, 16 November.

Duncan Ball: Yes, and that gave us six months to respond—

Douglas Ross: Which takes you to May.

Duncan Ball: Yes, which takes us to May. The Information Commissioner asked for a final response in six months, which I provided. During that time, I wrote to the Information Commissioner's Office every month—five times—with regular updates about what we were doing. At all times while we have been responding, it has been quite complex to manage some of the data sharing areas that we are looking at. We have put robust security and IT systems in place that limit access to the matrix. All these things take time, but I met all those deadlines from the Information Commissioner's Office and have kept them updated, and we have also been responding to the Mayor's office around their review.

Q288 **Douglas Ross:** What was different in your monthly updates from your final update?

Duncan Ball: I reported on progress as we went along, so—

Q289 **Douglas Ross:** So basically you took the full six months to respond? That is what I am asking.

Duncan Ball: We were asked to respond within six months so we responded within six months.

Q290 **Douglas Ross:** I know, but you were almost saying that you did it quicker, even though your final response took the full six months. My original question, several minutes ago, was quite simply whether you think



HOUSE OF COMMONS

you could have responded earlier, because you think it is so important to improve transparency and confidence?

Duncan Ball: We did respond earlier. What I have said is—

Douglas Ross: But not the final response.

Duncan Ball: Every month I provided a response. There are certain elements of that that we can do quicker than others. Some elements take time because of technology and others because we have to train a number of officers, which is not something we can immediately do overnight. As soon as I completed those areas of the Information Commissioner's Office report that were mentioned, I reported back. We had that continual engagement with the ICO and have been completely transparent around everything we have done. With respect, I was asked by the Information Commissioner's Office to have that final report within six months, and that is what I have done.

Q291 **Douglas Ross:** When you were asked for that final report, you were quoted as saying on 16 November that an action plan was already under way.

Duncan Ball: Correct.

Q292 **Douglas Ross:** But the action plan wasn't ready to be completed any time sooner than the full six months?

Duncan Ball: The full breadth of the action plan was not, but the vast majority of it was. That is why I wrote every month.

Q293 **Douglas Ross:** You said in response to the Chair earlier that you would not release your full response to the ICO for operational reasons. Given the areas that the ICO criticised the Met for, for what operational reasons would you not provide a full response? Is it because you were picked up for an absence of oversight and audit? Is it anything to do with that? Is it anything to do with your absence of information-sharing agreements? Is it anything to do with the absence of an equality impact assessment? Is it anything to do with the fact that you were criticised for the blanket sharing of data with third parties? Do any of those issues mean you cannot publicly reveal your full response to the ICO?

Duncan Ball: Some of the issues contained within that letter can affect our operational effectiveness, so therefore we would not look to disclose it publicly.

Q294 **Douglas Ross:** How much of the ICO's report do you think makes it risky for you to publicly release your response? Could you release it in part? We as a Committee would be quite interested. You mentioned earlier that you have invited Amnesty International, and that you want to welcome them with open arms. I am sure they would welcome with open arms your full response to the ICO's report. I wonder why that is still being kept hidden, particularly given the issues for which you were criticised. It should not be an operational matter that you did not have an equality impact assessment.



HOUSE OF COMMONS

Duncan Ball: First, with respect, I would challenge the word “hidden”. We are not keeping anything hidden on this.

Q295 **Douglas Ross:** Sorry, just to be sure for the record. You have said to the Chair that you will not release your final report to the ICO.

Duncan Ball: Correct. In its current form, yes.

Q296 **Douglas Ross:** So what will you release?

Duncan Ball: I am waiting to see the Information Commissioner’s response and what their determination is on the back of it. There are a number of elements in the report that we have already talked about publicly. There are elements on the website that you have quoted. I have openly discussed elements of the generalities of training and some of the broader aspects of the policy. Those are some of the bits that I have, naturally enough, always been happy to talk about publicly.

Q297 **Douglas Ross:** Finally, what did you do to ensure that all informal lists of people no longer on the matrix were destroyed?

Duncan Ball: We have done a lot in the Met to make sure that any informal lists have been destroyed. I have written to all borough commanders, as has my deputy on this work on the gangs matrix. Between us, we have done that on four or five occasions. We have also started a process of audit where we are physically going out to check. We have not found any evidence of anybody keeping any informal lists. The other bit going forward is the technology solution—again, it has taken a lot of the six-month period to do—which is very secure. We can now control anybody’s access to the matrix. It is refreshed on a daily basis. Printing rights are effectively no longer there, so people cannot print off and hold informal lists. As a result of the Information Commissioner’s recommendations, we put some really tight processes place to prevent that happening in the future.

Q298 **Douglas Ross:** But you had to write to borough commanders five or six times to ask for the same thing to happen.

Duncan Ball: Yes.

Q299 **Douglas Ross:** Is that not concerning?

Duncan Ball: I don’t think it is concerning. People recognise the importance of it. I would rather sit here and say to you that I have written five times, rather than say I have written once and then find there is a particular issue with it.

Q300 **Douglas Ross:** Well, no, I take a different approach. If these informal lists have been highlighted by the ICO as something that is clearly wrong with the matrix, if you have to write to borough commanders on five or six occasions, it does not feel me with confidence that they get the message about how serious this is.

Duncan Ball: Borough commanders absolutely understand how serious it is. When I say I write on five occasions—



Q301 Douglas Ross: Did they understand the first time, or the fifth time?

Duncan Ball: When I say I wrote on five occasions, that would have been in part as a general update to say that this is the work we are doing, and we need to ensure that all the lists are deleted. Obviously, we are now in a position where we have had confirmation that there are no lists. We have a technology solution in place that guards against those particular risks going forward. I have complete trust in the borough commanders.

Q302 Douglas Ross: Part of the whole matrix working is sharing with third parties. How you can be sure that third parties do not hold these lists? You have explained what you have done within the Met, but what about outwith?

Duncan Ball: We have temporarily suspended the sharing of matrix products with our partners, and it will not recommence until those partners have signed data sharing agreements. That is on two levels. We engage centrally with three organisations: the Community Rehabilitation Company, the National Probation Service and the Prison Service. I have signed a data sharing agreement on behalf of the Met. I am waiting for my equivalents in those organisations to sign theirs, which obviously ties down what we are doing with the data. Once that happens, we will recommence sharing with them. Similarly, we will go through the same process with local authorities. That does not stop the sharing of individual intelligence with local authorities on a normal Crime and Disorder Act basis, but we have put a stop to sharing the matrix until our partners sign the data sharing agreements.

Q303 Douglas Ross: What about sharing with your third parties lists that have people who were on the matrix but no longer qualify for it? Has anything been done, as you did with the borough commanders, to ensure they destroy them?

Duncan Ball: I will have to write back to the Committee to see what has been going on.

Chair: That would be helpful, because that is quite an important issue.

Q304 Rehman Chishti: Mr Ball, I have a couple of questions on stop and search and the matrix, but before that, can I clarify a few general points on the matrix? For a system to have the full confidence of the wider community, it must not only be fair, but it must be seen to be fair. The answer you gave earlier suggested that there had to be two separate pieces of intelligence that would lead to a decision being made for an individual to be put on the matrix. Am I right about that?

Duncan Ball: Correct.

Q305 Rehman Chishti: On that specific point of the level of veracity of intelligence, too often it is called "intelligence-led policing" or "intelligence" and we then assume that because there is intelligence, therefore somebody goes on that. In terms of the level of confidence in intelligence and whether it is reasonable, strong or very strong, what level of threshold does one have to pass on the intelligence for that decision to be made?



Duncan Ball: What we say, as part of the operating guidance to officers, is that we would expect them to satisfy themselves that the intelligence is credible. Clearly, we would not expect to see malicious information on there. The other thing we now ask them to do is to ensure that there are records of those decisions that are made about why someone is entered on the matrix. That is subject to local supervision; we also do a central review, as I mentioned, every quarter to ensure that that is applied. There is professional judgment by officers, but it is outlined in terms of the guidance.

Q306 Rehman Chishti: With regard to that professional judgment, in one of the early questions Ms Green stated that about 60% of the individuals on the matrix come under the green category, where there is nothing strong against them, but they are in that green category. How many of those individuals can say, "I want to challenge my details being on the system."? If you or I were on that, and we had not done anything wrong, we would not want to be on that system. What percentage of those people can challenge it and do challenge it, and how many are successful?

Duncan Ball: We do not make people aware that they are on the matrix, for the reasons I explained earlier. We have in place robust review mechanisms, so that we look and we make sure that the grounds continue to be the case. If they meet the criteria for removal, we make sure that that is reviewed. The figures I gave earlier in terms of the churn of people coming on to and off the matrix indicate that that is certainly something that we review on a regular basis. Certainly my teams and everybody else are acutely aware that we do not want to keep people on the matrix unless they are there for a reason.

Q307 Rehman Chishti: Just a question that I don't know the answer to, but let's see whether you can clarify it for me: in the criminal justice system, when somebody is up for trial, the prosecution can apply to have their bad character put in for a trial, to assist with the conviction in that case. That was something I did when I was a lawyer, as a prosecuting barrister. Is this category, the fact that someone is on the matrix, one of those that the prosecution can apply to use in trial, considering that somebody does not know that they are on the matrix? Does it come under that category?

Duncan Ball: You will be aware that the court rules would apply on that. I would expect to see, if we are saying that somebody is part of a gang or if, for example, we are looking for a gang injunction, the fact that somebody is on the matrix is not evidence. We would have to produce evidence—photographs, associations, statements—that would lead to their effectively being seen as being in a gang. It is the underlying evidence, as you will be aware, that we need to present.

Q308 Rehman Chishti: You can send this to the Committee afterwards, but just for clarity, is this something that the prosecution can—I am not saying they will—apply to use in those circumstances? I would think it would be exceptionally unfair if an individual who does not know that they are on this system suddenly has something used against them to assist a conviction. Everybody is entitled to be innocent until proven guilty, and I



HOUSE OF COMMONS

think that would be unfair. Could you just let us have that, to see whether it can be done?

Duncan Ball: I will write to you.

Q309 **Rehman Chishti:** Moving on to stop and search and the matrix, you said earlier that you worked quite a bit with Amnesty International to ensure that the system is looked at with rigour and you have independent oversight of what you are doing. Have you also seen a report by StopWatch, which stated that young BME individuals on the matrix were being subjected to "relentless searching without a demonstrable legitimate purpose", sometimes several times per day? Have you seen that report?

Duncan Ball: I have seen the report.

Q310 **Rehman Chishti:** For that report to say that, and on the other hand for you to say that you have Amnesty International working with you to give you confidence in what you are doing—those two things are clearly at odds with one another, aren't they?

Duncan Ball: I would not say that we're working with Amnesty; all I am saying is that we are speaking to them and we are being as open as we can be.

Q311 **Rehman Chishti:** They are two odd comparisons. You say that you're working with Amnesty International and we talked about disproportionality, but then we have another report, which you have seen, that says "relentless searching without a demonstrable legitimate purpose," sometimes several times per day.

Duncan Ball: Again, the best evidence and statistical analysis of this is in the Mayor of London's report. There is specific commentary around the impact of stop and search, and the matrix; that is on pages 35-37. Depending on time, Chair, I can touch on the four key points that I think are relevant within it.

Q312 **Rehman Chishti:** Without going into the full four points, the specific point I have is—if you can just outline in brevity—do you have any data on how frequently you are stop-searching people on the matrix?

Duncan Ball: Yes; that data is in the Mayor's report.

Q313 **Rehman Chishti:** What does it say?

Duncan Ball: In terms of stop and search, from the cohort that has been looked at as part of the Mayor's report, 36% of that cohort were stopped and searched at least once before they got on to the gangs violence matrix. Once they were on the matrix, then that was 32%. Once they came off the matrix, that dropped to 10% in the three months after they came off the matrix.

That, to me, suggests quite rightly that once people have left the matrix then the link is effectively severed and there is a big reduction. The reason certain offenders are on the matrix is because of their involvement in violence, so where reasonable grounds exist for the appropriate stop and



HOUSE OF COMMONS

search, if that is part of a risk management plan around a particular nominal, I would expect to see that stop and search.

The other key point around this, which probably challenges any perception that it is completely arbitrary, is that the Mayor's report also draws out the difference in stop and search rates on red and amber nominals, compared to green nominals. In the red and amber nominals the search rate is considerably higher than it is for green nominals, which again I would argue suggests that we are targeting those people who are involved in violence.

Q314 Rehman Chishti: Just a clarification on that—and I am grateful for the clarification that you have given—are StopWatch credible?

Duncan Ball: It is not my position to comment on any individual organisation. All I would say is that we listen to everything anybody says. I wouldn't discount any view, whether it is the same as mine or different. My personal view is that, more often than not, if it is a contrary view or if somebody's coming from a completely different perspective, that's where we learn most of all.

Q315 Rehman Chishti: The reason why I say that, Mr Ball, is that you may not take that view, but if you are talking about public confidence with some people from the young black community, if they see a report by StopWatch that says, "relentless searching without a demonstrable legitimate purpose" then that undermines your ability to engage effectively with communities. Am I right in that?

Duncan Ball: I can't challenge any view that any young person has; clearly that's their response.

Q316 Rehman Chishti: They will take that into view and say, "Do you know what, there's a report out there to say if I'm black I'm more likely to be repeatedly stopped and searched without a legitimate cause?" That goes against what you are trying to do on community engagement, because some of those individuals, because of lack of trust, may not report violence to the police in the first place. Am I right? Does that happen?

Duncan Ball: You are right, yes. If people don't feel as though they have trust, they may not necessarily report to the police. Again, that is one of the challenges we have in the gangs' arena as well, for a number of reasons, whether it is trust in the police or fear of retribution from another gang member. Sometimes it is challenging for us to get the full picture of the totality of the violence that surrounds gangs.

Q317 Rehman Chishti: Tell me, do you think the Met has got the balance right between enforcement and community engagement, to address some of the issues about individuals coming forward, working with the police and sharing information?

Duncan Ball: Policing covers a number of different issues. Clearly, in relation to violence we have an enforcement role of purposes around enforcements and suppressing violence, yet we also invest a huge amount of time and energy in the intervention and prevention space, and quite



rightly so. We have lots of really positive projects that happen across different boroughs. The reality is that, if we can prevent anything before it happens, that is absolutely the way to do it. But there is a much wider role than just policing.

A lot of the issues that we have discussed, other than the operational context of the matrix, are relevant to many other organisations across the public sector as well. As part of that collaborative and preventative approach, that has to be the only long-term solution, because endless enforcement will only seek to suppress the issues.

Q318 Rehman Chishti: Do you accept the issue of disproportionality? That is subjective. Some say there is disproportionality and some say there is not, depending on the evidence they look at. Would you accept that, if there is disproportionality with the issues about the matrix and stop and search, that would affect the young black individuals' relationship with the police?

Duncan Ball: If an individual has a perception that, yes, it is disproportional, I absolutely understand that that could be the view and would, of course, impact on their confidence with the police.

Q319 Rehman Chishti: I have a wider general point on stop and search. Do you think that with the proposals and initiatives put forward by the former Home Secretary, now the Prime Minister, on stop and search that the balance went too far one way, and did not enable the police effectively to do what they should be doing? Therefore, that led to some of the rise in incidence of violent crime that we are seeing.

Duncan Ball: Are you referring to previous years? Sorry. I want to answer your question precisely.

Q320 Rehman Chishti: Of course. Let me clarify. We talked about the matrix, about stop and search and serious violent crime taking place. You talked about the matrix being used to help prevent individuals from being sucked into that crime, and also some victims. I want to ask you this. We previously had a review of stop and search by the former Home Secretary who then became the Prime Minister.

The review said that police forces had to review how stop and search was being used because it was used in a way that targeted certain members of the BAME community more. There was a counter-argument to say that that decision went too far the other way and led to serious increase in violent crime and now we have to push back and give police more power to do their job. Do you think that is a right statement? Do you think that is fair, from your experience of dealing with serious violent crime?

Duncan Ball: From my experience, I think the reduction in stop and search went too far. But I would argue that it does not necessarily need more powers. What it needs is for us to use those powers effectively, so there is proper intelligence-led policing, involving the community. We make sure we have the appropriate grounds before we search people and we are dealing with those stops as we should be, with normal human interactions. Yes, it went too far but I think it is more about how we use the powers we have appropriately.



HOUSE OF COMMONS

Q321 Janet Daby: Are young black men more likely to be stopped and searched if they are on the matrix?

Duncan Ball: Again, if you look at the analysis that is drawn in the Mayor's report around pages 35-37, you are more likely, if you are on the matrix, to be stopped and searched than if you are not on the matrix.

Q322 Janet Daby: Is the stop and search more likely to be more intrusive if you are on the matrix?

Duncan Ball: There is no evidence that I have around that. What I would say is that, if we are looking at the most harmful offenders, it is important that we have proper risk-management plans around them. That may include a number of tactical options. In terms of whether the police tactics become more intrusive towards more violent offenders, the law obviously provides us with the ability to do that. In terms of a stop and search, I don't think that we would say that the actual stop and search would be more intrusive.

Q323 Janet Daby: From what you are saying—you said that people are more likely to be stopped and searched if they are on the matrix—so that means people are more likely to be treated differently if they are on the matrix when they are stopped and searched.

Duncan Ball: As a result, yes.

Q324 Janet Daby: Have you thought about the impact of the disproportionality of black people on the matrix and how that affects young black people and the community?

Duncan Ball: Yes, that again links into a number of comments I made earlier. We are absolutely aware of some of the views, perceptions or feelings, particularly from young people in the community, about the operation of the matrix. That is why we have undertaken a huge amount of work to try to restore some of that confidence. I know there is a long way to go, and it may be that in some parts of the community we will not get to that position, but that does not stop us from trying to do that. In terms of community engagement, we put a lot of work into trying to explain that—at least if we can explain those reasons behind the matrix, there will be that understanding.

Q325 Janet Daby: Are you also aware that many young black men feel targeted and victimised by the police through the use of stop and search?

Duncan Ball: Yes, I am aware that is a view.

Q326 Janet Daby: What are the Met police doing to try to minimise that and to be more effective?

Duncan Ball: I believe the commissioner may talk about stop and search organisationally tomorrow. The Met does a lot of work on stop and search, recognising the importance and the impact that it has on community relations and parts of the community. There has been training across the organisation for that; you will be aware that each borough has an independent advisory and groups of stop and search panels that look at



HOUSE OF COMMONS

the data. We have introduced a big global roll-out of body-worn videos, to capture those stop and search. I noticed one of the positive comments made by a panel member in the transcript of your previous session.

Q327 Janet Daby: Young black men often feel quite victimised and targeted by the police through stop and search. I have spoken to many young people who have been continually stopped and searched, being told that a robbery took place that fits their description, to the point where they know that is not true because they have heard it too many times. If there is a breakdown of trust between the black community and the police, when the black community needs support or help, they are less likely to go to the police. Therefore, the police need to take some responsibility; the increase in crime is often because the black community, especially young black boys, do not know where to go to get the help and support that they need. I'd like your view on that, please.

Duncan Ball: You are right in that if members of the community do not feel that they have the confidence in police, they may not come to the police when they need support in particular issues. That is why we invest a huge amount in the organisation to try to work through that, for example by starting earlier in people's lives with school engagement officers and our local neighbourhood teams, in order to get that early engagement to try to build up that confidence. I acknowledge there is a gap between confidence in different parts of communities. I know the commissioner and the organisation are very focused on that. We work hard at trying to address that.

Bringing that to the context of the matrix, I recognise the impact that it has on communities and perceptions. One of the things I have been particularly keen to do is to make sure that we engage with as many people as we can about that. We understand and are responding to the criticisms and the elements around it, to explain our narrative and try to build that confidence.

Q328 Janet Daby: What is your view on the fact that some police officers discriminate on purpose against young black men?

Duncan Ball: Obviously policing is reflective of society; I cannot say that does not happen with certain individuals but, again, the vast majority of police officers go out and do a really tough job, and they do it well to serve London. We have no concerns whatsoever about what they do. They perform in some incredibly challenging circumstances.

If there are individuals who are discriminatory in what they do, we have our discipline systems and we treat them robustly. We do have ways, and we are really keen to make sure that we deal with that effectively, because we recognise that one bad interaction potentially can reduce someone else's confidence in policing, causing further issues such as the ones you described. So, absolutely, we would challenge it.

Q329 Chair: Thank you very much for your evidence. It would be very helpful to have a bit of further information, which several members of the Committee have asked for, specifically on the additional information that

Douglas Ross raised about the website. On the website, you have a link to a July report, so you have the July figures on the website, but your main report on the website refers only to the January figures. May we have clarification as to why the main page has not been updated, even though you have a link to the more up-to-date one?

Duncan Ball: The statistics are on there.

Chair: Yes, you're right. The updated statistics, or the latest figures you have, are for 4 July, but they are not updated on the main page, so it would be helpful to have a response on that. Also, I think further information on this interaction between the stop and search and the matrix, because from looking at the MOPAC report that looks as though those figures could end up being circular—if you are stopping and searching people a lot, they then end up on the gangs matrix, as opposed to that being as a result of anything independent. It would be useful to have some clarification of that. Thank you very much for your evidence. We appreciate your time.

Examination of witnesses

Witnesses: Michael Lockwood, Jo Noakes and Matt Parr.

Q330 **Chair:** I welcome our second panel. Thank you for your patience, and apologies for running slightly late. Welcome to giving evidence to us.

We have a series of questions as a result of evidence that we have taken so far. Please do not feel the need to respond to every question put to you, because some are to specific organisations.

I will start with some specific factual questions, first to Michael Lockwood—welcome—from the Independent Office for Police Conduct. Will you tell us what percentage of complaints that you deal with involve complaints of racism or discrimination?

Michael Lockwood: To clarify, we deal with 650 to 750 complaints. They are dealt with through a process, and our operations staff designate whether they involve allegations of discrimination or not. In 2017-18, of the 650 to 750 cases we looked at which were most serious and sensitive, we served notices on 115 officers with a factor of discrimination in their case. The discrimination factor might not have caused the cases to be serious and sensitive, but it was a factor in the investigation.

Of the notices served, 55% were assessed as potential gross misconduct, and 26%—a quarter—were assessed as potential misconduct. In terms of discrimination, roughly one in two were considered to have a case to answer for discrimination.

Q331 **Chair:** Of those, what proportion were racism? Or were those discrimination figures only about race discrimination?

Michael Lockwood: That was racism.¹

¹ **Note by witness:** The figures quoted by Mr Lockwood are the figures for all subjects in IOPC investigations with a factor of discrimination applied in the financial year



HOUSE OF COMMONS

Q332 Chair: You did a review of cases that had been investigated internally by Greater Manchester police, West Yorkshire police and the West Midlands police in 2017. You concluded that in the majority of cases, they did not go far enough in dealing with discrimination allegations. What did you do as a result of that, and what follow-up has there been?

Michael Lockwood: First of all, this set of examples involved a small number of police authorities. We looked at potential allegations of discrimination in those cases, and we set out a report, which we put on our website. Basically, this piece of work showed that two thirds of those cases were deemed to be unsatisfactory, and that covered a number of elements. First, we felt that the forces were not sufficiently assessing the seriousness of the cases—of the ones we looked at where the force had assessed that there was no misconduct, our view was that there were misconduct issues. That was issue No. 1. The severity assessment was not done in the way that we had hoped.

Secondly, we felt that some interviews of individuals were not of the right level. There was an absence of what are called auditable accounts on the files. We felt that that was a shortcoming—

Q333 Chair: I am specifically interested in issues around race discrimination, and whether you took follow-up action having identified problems around that.

Michael Lockwood: As a result of that report, we went back to the forces to talk to them about the fact that we did not feel that they had followed the guidelines that we had submitted and to understand what action they were going to take on those, and we shared the general findings and concerns that we have more widely about what we felt were shortcomings in the way that these investigations were done. So it went back to the forces and we did some further work to understand why they were not looked at, and then our oversight team reviews progress on how they deal with those cases going forward.

Q334 Chair: Do you think they have taken further action since then that has solved the problem?

Michael Lockwood: We have shared with them the things that we needed to. I think it will be right if we go back and check if that is done.

Q335 Chair: The inspectorate published a report in 2015 looking at 11,000 internal misconduct cases against different officers. I am interested in the complaints against BME officers, and whether there is disproportionality. That 2015 report, looking at 11,000 cases, found that 18% of white officers and staff with a case to answer were required to attend misconduct hearings, compared with 33% of BME officers and staff. It further found that 40% of white officers and staff who attended hearings were dismissed, compared with 52% of BME officers.

Mr Lockwood, do you have similar figures for complaints against officers or

2017/18, and not just those relating to race. The discrimination factor encompasses all protected characteristics.



HOUSE OF COMMONS

staff by ethnic diversity? Do you have figures for both the number of complaints you have taken up and, secondly, about the response you have had to those complaints?

Michael Lockwood: In terms of public complaints, we are usually able to get the ethnicity issues from the forces. However, if we look at our investigations in the round, we haven't captured ethnicity in the way I feel that we should, and I would like to, going forward. As the new director general, I will pick up that issue and make sure that that is done in a more thorough way. It is picked up from the public complaints bit, but not from all investigations.

Q336 **Chair:** So of those 650 cases that you have taken up, you don't know how many involved BME officers and staff?

Michael Lockwood: We do from the public complaints bit, but we don't know from all of them. I am saying that, going forward, that is something I would like to address.

Q337 **Chair:** This sounds really serious. You make a decision in that process about which cases are the most serious and which you want to investigate, and you also make a decision at a later stage about how serious it is and what the outcome and consequences should be. If you are not monitoring the diversity and ethnicity of the officers and staff that you are making judgments on, when we know that there is evidence of disproportionality elsewhere in the system, that sounds pretty serious.

Michael Lockwood: We have to get better on that element—I have absolutely accepted that. What I would suggest, though, is that our organisation, in terms of the training, the equality and diversity awareness, the training we offer, the use of our networks, the unconscious bias work we do, I feel that the investigators are very conscious of equality and diversity issues in the way they investigate.

Q338 **Chair:** The problem is that you might be great, you might be doing this extremely well, but none of us knows. We do know that there is a problem elsewhere in the system when it comes to dealing with disciplinary issues and complaints. That seems to be a concern.

We would like some further information from you—perhaps you can follow up in writing—about what your timetable will be for gathering that information. I assume you will have that data within the system and so it would help if you were able to do a trawl through the system and look at what data you can gather. This information must be available within your files, and it would be helpful to have that kind of assessment.

To follow up with you, HMI Parr, welcome to the Committee. From the inspectorate, as a result of that 2015 report, you noted that was a problem in 2015. You made some recommendations about needing to review complaints. You went back to it in 2017 and said not much progress had been made, but you made no further recommendations. What are you doing to make sure that this apparently quite serious issue about disproportionality in the complaints and disciplinary system is being addressed?



HOUSE OF COMMONS

Matt Parr: We continue to look at it. We look at it every year. I know you are talking to an inspection from 2015. The problem has not gone away. The latest figures are that 4.6 BAME officers per 1000 are dismissed from the police service. The figure for white officers is 1.5 per 1000, so just under a third of the figure. We are aware it continues, we continue to look at it and we continue to monitor whether our recommendations have been followed up or not.

Q339 **Chair:** What are your recommendations to tackle it?

Matt Parr: We made a number. The first thing that police forces have to do is understand what causes it. Some have made more efforts to understand that than others. The Met, for example, here deserve a little bit of credit, or maybe The Mayor's Office for Policing and Crime deserves the credit.

MOPAC has done a number of investigations to try and establish what is going on. It is not something that is easily eradicated; it is prevalent in other professions as well. We see best practice in a number of organisations. West Yorks police review their decisions with a level of scrutiny and care that you do not see elsewhere. Most of our recommendations are really about forces just trying to get to grips with understanding what is going on and think about it a little bit more carefully.

Q340 **Chair:** You had some recommendations in 2015. Have you had any recommendations since then?

Matt Parr: We make recommendations—just to be aware, we have not done a single report about this as a theme since 2015.

Q341 **Chair:** I know you haven't. That is part of the issue.

Matt Parr: Since then, we will have issued 43 force reports, three years ago, so 120 to 130 different reports and all of them will have a degree of recommendation for each force and what we think they are getting right and getting wrong. But nothing on a national scale, because we have not looked at it.

Q342 **Chair:** Isn't that part of the problem? You have not looked at it. This looks like this is quite a serious issue here, but all it looks as though we have got is some recommendations in 2015, but nothing really that seems to have been followed up very much. There is not enough sense that forces are taking this seriously enough, but also not that much evidence that you are taking it seriously enough, as an inspectorate, to make sure this is sorted out.

Matt Parr: First of all, it is not our responsibility to sort it out: we are an inspectorate, not a regulator. We have raised the issue in every report we have done, and not just on that. We look at police legitimacy, by which we mean how the police treat the public; whether the police's internal processes are fair or not—vetting, anti-corruption and so on; and lastly, how the police treat their own workforce—whether they are careful and sensible and caring as an employer.



HOUSE OF COMMONS

We look at that in every force, every year. To say that we are not taking it seriously is wrong. It is something that we have looked at quite closely and continue to. The whole question that is a subject of this Committee's inquiry at the moment is looked at every year. We have not looked at some of the specifics you are talking about, about complaints, in detail every year because we have got other things we need to concentrate on.

Q343 Chair: But 20 years ago the Macpherson report made some very strong recommendations about problems around policing diversity, problems around the police relationship with BAME communities and also the undermining of trust.

We have heard very considerable evidence in the course of this inquiry that there are still persistent problems here, in terms of police force diversity, recruitment and, particularly, retention and disciplinary issues. It looks as though all three of your organisations, frankly, which have really important leadership roles to play, 20 years on, are not really on top of this. Why have you not done an inquiry into these disciplinary issues and the issue of diversity and fully enforce it?

Matt Parr: I don't want to give a flippant answer, but it is because we have lots of other things. It is a priority, but it is not the only priority in policing. There is a whole range of things we look at. We have also done thematic inspections into many other of the kind of topics that are coming up in front of this. Best use of stop and search; I am just finalising an inspection on police leadership, which will look at some of the progression and promotion questions; we have looked at—

Q344 Chair: Will that include diversity issues?

Matt Parr: Yes. These are all things that we look at. It is a huge part of our inspection programme. It is a programme that is laid in front of Parliament and agreed by the Home Secretary.

Q345 Chair: Why have you not done an inquiry or a review into how far the police are meeting their obligations to BAME communities? It looks as though the last thing you did on that in an overarching way was in 2000.

Matt Parr: I can only give the same answer: it is something we look at in every inspection we do. We are obliged to report on the effectiveness and efficiency of every Home Office-maintained force, every year. So, every single police force in the country—the Home Office maintains 43—gets a report every year, in which we look at many of the issues you are talking about. We can't do everything all the time.

Q346 Chair: Is the truth not that when you look at issues around race, either in terms of the relationship between forces and communities, or in terms of what is happening within forces, you only look at them in a glancing way, and you have only looked at them in a glancing way for very many years? You looked at the issue in 1997, you looked at it in 1999, you looked at it in 2000. You don't seem to have done an overarching investigation into this ever since. That is a long time.



HOUSE OF COMMONS

Matt Parr: I have only been with the inspectorate for two and a half, three years. I am not sure that we have not done anything upon this subject going back all the way that you say, but I do not accept your argument that what we do is a glancing look at it. It is much more detailed than that. We examine many thousands of records and grievance cases every time we do an inspection. "Glancing" is just not fair.

Q347 **Chair:** We have heard considerable evidence about continued trust concerns in different BAME communities; continued problems that effectively end up undermining the credibility of policing and the extremely important work that the police do. Given the scale of the evidence that we have heard, it is still really surprising that you have not looked at it.

I will put to you the same point that I put to Duncan Ball in the previous evidence session. Is it not also a concern that you are not even recognising it as a problem? If you sat there and said, "Do you know, you're right? Actually, there are some really important issues we're going to have to look further at", that would perhaps be more reassuring than your saying, "Do you know, it's not a problem because we've looked at it all."

Matt Parr: I did not say it is not a problem and that we have looked at it all. The reason why we look at it repeatedly and in every inspection we do is that we recognise that it is a problem. We absolutely understand—and, to be fair, the leadership of the police understands—that the police have to solve and deal with some of these issues if they are to maintain the legitimacy that they require to do their job effectively. I absolutely reject your idea that it is not something we are taking seriously: we evidently do.

Q348 **Chair:** I would be very keen to have some more information from you about where it appears in all of the reports and the detailed analysis that has been done, because when you do a rough search through, looking for issues around race in all of the reports you've done, very little comes up.

Matt Parr: When you say "it"—where "it" appears—you have to be specific. What does "it" mean in that context?

Q349 **Chair:** If you search on your website just for the term "race", you will find that remarkably few references come up. That does raise concerns about whether you are looking into it in enough detail, or whether you are glancing at the issue. I would appreciate further information about the detailed way in which you are looking at it within the reports. It may be behind the reports, but it is not coming up substantially within the reports.

Turning to Jo Noakes from the College of Policing: welcome. What is the College of Policing doing about this? To us, it looks as though there are significant problems. In particular there is the fact about disciplinary issues, the fact about recruitment, the fact about retention: given its important role in leadership, what is the College of Policing doing about any of this?

Jo Noakes: We absolutely recognise there is an issue. We know that the Committee has heard about the disproportionality around recruitment, retention and progression, in particular during previous sessions. It is a



HOUSE OF COMMONS

time of change for the college. We have new leadership, and I am part of a new directorate around all of our workforce issues. Now is a good time for us to reset the dial around what the college's role is in diversity. Currently, we are looking at new priorities around professional development, diversity and wellbeing. We feel that we are in a good position to work with the police service on this, and we feel that they are also taking this issue seriously.

On the issue of recruitment: this year, we launched new entry routes into policing. There are now three new entry routes. Previously, you could only enter the police force through one route. Early evidence and research led by the Met on the new entry routes show a significantly greater likelihood that people from black and Asian communities will apply now that they are aware of the new entry routes. The apprenticeship route in particular is more attractive than our old entry routes, and we think that it acts as a great opportunity to improve diversity. You will know that recruitment numbers in policing in recent years have been low, so we see that now as being a big opportunity.

On the issue of disciplinaries: we recognise that there is an issue. Some research is about to be undertaken that is led by the National Police Chiefs Council, and we will very much be part of any action plan and support that we can give to the police service around that.

Q350 Chair: Do you think you are doing enough?

Jo Noakes: I would say there is always more we can do. We take this really seriously. We have been involved in specific work over the last couple of years around developing people through to the most senior leadership positions. We have seen some success there, and would like to replicate that more widely across the service.

Q351 Chair: What about tackling the unconscious bias among officers that might then be having an impact on decisions that they are taking, whether it be disciplinary cases against more junior officers or other things? Do you think you are doing enough to tackle that?

Jo Noakes: That requires significant effort across the board in terms of how people are recruited, trained and developed, and in terms of the culture of the organisations. Steps have been taken. We are responsible for setting the curriculum and the standards for training, and it is embedded throughout. There is never a point at which you can say that the job is done. It needs to be reviewed all the time, and unconscious bias is part of that. It is important that everybody recognises that unconscious bias is within all of us, but then the issue is what else there is.

Q352 Rehman Chishti: With regard to the code of ethics for policing: you have had extensive experience, and we are taking into account the briefing we had with the National Policing Improvement Agency, and also with a head of leadership and talent at the Strategic Command Course. You have had a commendation for your work, and it has led to a diverse cohort of officer candidates coming through. You will be familiar with the code of ethics: "I will act with fairness and impartiality. I will not discriminate unlawfully or



unfairly”, as well as treating all people fairly and with respect. With that being the case, the evidence that we have received highlights ongoing disproportionality in police misconduct cases, in the use of stop and search, and in the gangs violence matrix. We just heard that. This would suggest that the code of ethics is failing to uphold standards of equality and inclusion. Would you agree with that?

Jo Noakes: We launched the code of ethics back in 2015. Obviously, we had a roll-out and set the standards, but it is for forces to implement. We embed it through all our national processes, programmes, training and anything we are responsible for. I feel confident that those within policing are clear on what the code of ethics is and what those standards should be, but there are clearly issues with some of the disproportionality that we certainly recognise.

Q353 Rehman Chishti: Just a clarification on that: the note that we have says that the principles of the code should be put into place in everyday decisions made by officers. You were sitting in the room earlier when I mentioned the report by StopWatch stating that young black and BME individuals on the matrix were being subjected to “relentless searching without a demonstrable legitimate purpose”. When you look at that report and at the code, you have to ask the question: “Is it the code, or is it how it is being applied?” What is the issue here?

Jo Noakes: I would say that the code, as you say, is intended for everyday decision making. It sits at the heart of the national decision-making model. The standards are clear. The code is five years old—it may well be that now is a point to review it. We could do something to make it more memorable, but I am in no doubt that, through police training and all the interventions that an officer would have as part of their development, they would be in no doubt what the expectations of the code of ethics are.

Q354 Rehman Chishti: One final clarification point on that: have you yourself ever had the breaches in relation to the code on racial equality drawn to your attention?

Jo Noakes: No.

Q355 Rehman Chishti: What would you say in regard to the code? You have just said that it has been five years and maybe it is time to have it reviewed. Are there any specific changes to the code or any specific training that you would like? As I said earlier, you have been recognised before by the chief constable for the work you did on implementing the direct entry superintendent programme and on diversity work from 2016 to 2019. With your experience from 2009 to now, apart from a review because it has been five years, what specific changes would you say need to be made to that code?

Jo Noakes: I would say that with the code it is probably a case of how we make it more memorable. That would be my personal view on that. In terms of what we need to do, you have mentioned some of the work that I have been involved in, and there is evidence that if we do work in this



area—and it is about what you do and how we target it—you can get good outcomes. Some of the work I have been involved in on progression to the most senior levels of the service was about first identifying what some of those barriers are around access to networks or information, coaching and mentoring. With some targeted development in that area, we have had some good outcomes. It is a case of looking at what works and how that can be permeated throughout policing.

Q356 Kate Green: Recently in evidence, Jane Deighton told us that Duwayne Brooks had occasionally assisted the college in relation to developing training for officers and that he said that, despite positive outcomes in terms of changing aspects of their behaviour, within a very short time—six months—police officers were assimilated back into a white culture. Could you first of all explain to us what specific training on race is available from the college, how you ensure that its impact is sustained and what follow-up monitoring you undertake on its effects?

Jo Noakes: We have actually looked at that because we are not aware of a relationship with Duwayne. We think it might be the Metropolitan Police that he was involved in some training with. For everybody coming through entry routes, we set the standard for training, but we do not deliver all of it. Although, as the College of Policing, we deliver some training, for the most part we set the standards and the curriculum. Everybody coming into policing has diversity training at the heart of their initial training and it will be embedded throughout any training they undertake at various points.

Some training will be role based and some might be function based. You might have training as a custody sergeant and there would be a diversity element in there. You might be doing health and safety training across the board, and there would be a diversity element in there. Our role in setting the curriculum is ensuring that it is there, but much of the delivery is down to forces. How we ensure that happens after training? Diversity is an important part of all the processes, policies and procedures. It is about ensuring that there are not any unintended barriers as part of those. And it is about culture change, so it is not about a one hit of training having an impact. That has to be part of the whole system. I would agree that a training course alone is not going to change behaviours or culture.

Q357 Kate Green: This may be a question for all three of you on the panel. How do we know what is happening to long-term attitudes among officers? What data are being gathered on that?

Matt Parr: We do not measure attitudes of officers. We are more likely to look at the outcomes that some of the statistics are going to tell us about. We also look at how well forces comply with the standards that the college produces, particularly about anti-racism and unconscious bias.

We look at how closely and successfully each force is following that. It is patchy. Sometimes it is excellent and some forces it is nowhere near as good. It might just be computer-based training with very little follow-up and saying that it has been effectively delivered. In some other forces it is really excellent, so it varies. The college's role—you are absolutely right—



HOUSE OF COMMONS

is about setting the standard. It is down to us to measure and comment on how well it is being followed.

Q358 Kate Green: From the inspections you conduct of individual forces, are you aware of the extent to which forces are measuring their officers' attitudes—on change in attitudes—over time?

Matt Parr: I don't think we have looked at that.

Q359 Kate Green: Would it be possible to? Do you know if forces are doing that?

Matt Parr: It would absolutely be possible to. We are constantly reviewing the sort of things that we look at, and that sounds to me like a really good idea.

Q360 Kate Green: Do you think it would be possible to relate that, as it seems to me it should be, to the training that they had undertaken and the times at which it had been undertaken?

Matt Parr: Yes, of course. That seems perfectly logical.

Q361 Kate Green: Would that be easy to systemise into your inspection process?

Matt Parr: I cannot see why it wouldn't be. As I said, we review the scope of what we are going to ask forces annually. That is the sort of thing that we would include and it sounds to me like a really good idea. We don't ask every force every question necessarily that we want to. We look at where think there is likely to be the greatest element of public risk. We tend to look at the higher-risk questions. That is easily a question we could ask in many of the most obvious forces.

Michael Lockwood: May I just add a couple of comments? I was chief exec of a London borough that is the most religiously diverse in the country and I have a couple of reflections 18 months in.

There is a training element that we talked about, which is the more mechanical bit to me—the race and equality training and discrimination training and so on. That is absolutely right. That is done and people are aware of its importance and implications.

The bit for me is culture. Pervading training is culture in an organisation. It is about a culture where you have the ability to put your hand up when something has gone wrong and challenge something. A vibrant culture is one where inappropriate behaviour and actions are challenged. That is issue one.

The second issue is an organisation that reflects the community it serves. I have always found that, if you are in an organisation that has different communities and different BAME backgrounds, it pervades a different culture. You can ask different questions. You can talk about things you would not normally talk about. It takes away the sort of uncertainty.



HOUSE OF COMMONS

An organisation that reflects the community it serves is able to have a culture that is more inclusive, discusses the right issues, asks the right questions. Many of the issues that come out in these situations are ones that can be dealt with by conversation, as opposed to taking things down in a more formal way. I think the culture bit and also being part of an organisation that does reflect the community it serves allows you to make this more mainstream in what you do.

Q362 Kate Green: Ms Noakes, you mentioned a number of tools including, in addition to formal training, mentoring and coaching. Picking up on Mr Lockwood's point about culture, how can the effectiveness of that approach be measured?

Jo Noakes: We do not measure the effectiveness of it. You would expect to see that through things like staff surveys and more people from under-represented groups progressing through the service and so on. It is not something that we measure but that is what you would expect to see.

Matt Parr: Those are exactly the sort of things that you need to look at. As I said earlier, some of the figures that you have already referred to have not improved either as fast or at all in the way that you might expect. Measuring culture is incredibly difficult. Measuring the outcomes of that culture is rather easier, and that is one of the things that we do.

Michael Lockwood: Measuring it can be articulated through a staff survey, by asking the questions there. It is also about going to talk to the individuals in the organisation and having the conversations I talked about, and feeling able to do that in a multicultural environment. I am just saying that having the conversations and not being complacent as I settle in is really important to me.

To give an example, my organisation had one grievance last year. Because of our leadership and values, our very vibrant race, religion and belief group, our survey, which we monitor, and because we talk to staff and have a good training offer, that sort of menu of stuff enables the right environment for these conversations and these actions to be taken.

Q363 Kate Green: How large is your organisation?

Michael Lockwood: Just over 1,000 staff.

Q364 Kate Green: That is quite small compared with, for example, a force like mine—Greater Manchester police.

Michael Lockwood: It is, but the numbers have gone down. There is no complacency in those comments—we know that there is more to do—but all I am saying is that having a vibrant community—Organisations that reflect the community are better and more rounded and deliver a better service. In that, it also helps the culture in terms of the conversations you have and the decisions you make.

Q365 Kate Green: Is there a role for mandatory training? Should all forces be required to deliver certain training?

Matt Parr: It is mandatory.

Jo Noakes: At point of entry, yes.

Q366 **Kate Green:** Only at point of entry?

Jo Noakes: The mandatory diversity training for police forces is through the initial training that everybody goes through. There will be other role-based mandatory training, but there is not a standalone mandatory diversity training unit as such.

Matt Parr: For somebody about to sit on a misconduct panel or to be involved in recruiting, for example, there are mandatory courses.

Q367 **Kate Green:** When you say diversity, that is not just in relation to ethnic diversity—you are talking about all the protected characteristics?

Jo Noakes: Yes.

Q368 **Janet Daby:** I am going to carry on the same line, in terms of training programmes. Because of the levels of disproportionality in how young black men are treated, it is about being conscious of racial equality training—Matt mentioned that already—as well as the diversity training. Jo, how are the training programmes on race and racial justice monitored and evaluated? Within that, are black, Asian and minority ethnic people involved in that evaluation process in some way?

Jo Noakes: For the programmes that are not delivered by us, which is most of our training, it will be down to forces to evaluate and monitor. We evaluate anything that is delivered by us. In terms of people from black and Asian communities being involved in the development of training, we do that for some of our programmes. For example, the strategic command course—the gateway to the most senior levels—has a diversity element in it. We developed that part with members of our race, religion and belief group and the Black Police Association, for example.

For the training we developed on stop and search, which is used for both initial training and at other points—it can be a standalone module—we worked with community groups as well. There are examples of where we will develop with the community. All our training is developed in consultation, but we will be much more explicit around working with communities in some areas.

Q369 **Janet Daby:** How do you evaluate the effectiveness of that training?

Jo Noakes: If it is delivered by us, we will evaluate it in the normal way, on the spot, but for some we will evaluate the impact further down the line. For example, if somebody has been on the strategic command course, we do some impact evaluation six to 12 months after they have been in post, with both them and their line manager.

Q370 **Janet Daby:** If there are issues with line managers and there is a performance-related issue, is it referred back to you for people to undertake that racial diversity and equality training?

Jo Noakes: That is not something we would be involved in.

Q371 **Janet Daby:** Who would that come under?

Matt Parr: It is a matter for the force. How it is resolved is looked at as part of our legitimacy inspection, but it is ultimately the responsibility of the force.

Q372 **Janet Daby:** Who would deliver the additional training that is needed?

Jo Noakes: That would be delivered by the force. As the professional body, we support forces, so if the service comes to us to say, "We need x designed and delivered," we would do that. As I say, it is embedded throughout much of the curriculum that is delivered, but it's delivered by forces, not by us, so that kind of action would be taken by the force.

Matt Parr: Again, in our experience, that is relatively patchy and not a consistent standard across the country. You will see in some forces excellent training in communication skills, by which I mean how to interact with people when you are out—particularly with ethnic minorities when you are out doing police work on the street. In some cases, it's considered almost as part of an exercise in de-escalation and conflict management, rather than generally how to communicate. The area you are talking about is something for which there is not a national standard and there is not a common practice across the country as to how those sorts of things are addressed.

Q373 **Janet Daby:** Is that something—

Matt Parr: It's something we very much look at and will make comments about—whether we think forces are getting it right or not—and tell them where we think that they need to do better.

Q374 **Toby Perkins:** Why do you believe that more BAME officers than white officers are leaving the police service, both voluntarily and through dismissal? I will start with Mr Parr.

Matt Parr: It is a really thorny question that is not hugely well understood. I think it's probably the same sort of thing—many of the same factors with retention and progression are as prevalent as they are with complaints. There is sometimes a vicious circle, I think, of people expecting that they are not going to be treated very well and getting staff associations or unions involved—the same thing is prevalent with police staff as well—people being nervous about settling things relatively early on and therefore there being these disproportionate outcomes that we see. And that just reinforces people's expectations. That's the thing that—

Q375 **Toby Perkins:** You might think that that would discourage them from joining in the first place, but once they have made the decision, despite having read what we are talking about here, despite knowing that black and ethnic minority police officers are much more likely to be at the lowest level than at the highest level, despite knowing that they are more likely to be dismissed, despite knowing that they are less likely to be recruited—despite all those things, they have still joined, yet after all that, they are



choosing to leave. That suggests that it is more than just their perception and that it is based on the reality they are experiencing, doesn't it?

Matt Parr: I agree. People make their decisions for a whole range of factors, and it's difficult to put your finger on it. We see forces that have tried really hard to understand what's going on here and still have not come up with any definitive answers. We see forces that don't conduct meaningful exit interviews and have not really tried to understand this, although it's a factor that is fairly widespread.

There is one argument, and it's only a theory. It is not something we have evidence for. One argument is that, as police forces have understandably reached out to communities from which they have not traditionally recruited, there is perhaps slightly more of a mismatch between recruits' expectations and the reality of policing. In simple terms, if your dad, your grandfather and your uncle were all police officers and you join the police, you kind of know what to expect. Some of the things that go along with policing—lost days off, the shift patterns and just the nature of what the work is like—come as no surprise. For some of the harder-to-reach communities, there is perhaps less of that history. That is one theory. As I say, we don't have any evidence for it. This is something that policing as a whole has struggled to understand.

Q376 **Toby Perkins:** Is there anything that you would add to that from your perspective, Ms Noakes?

Jo Noakes: I concur with Matt: much of the evidence around this is anecdotal. More research is about to be done into informal support, informal networks, perceptions of barriers to progression, and having access to people and an understanding of the role prior to joining. There is evidence on all those things, but unfortunately it is anecdotal as opposed to proper evidence.

Q377 **Toby Perkins:** From your experience, Mr Lockwood, what is your assessment of how fairly police forces are managing conduct and disciplinary matters involving BAME officers in comparison with their white staff? Do you think that evidence of what the statistics would suggest is being borne out in the cases that you are seeing?

Michael Lockwood: To reflect on the last question, the best evidence is the exit interview to ask and understand why the officer has left, what the issues and circumstances were, what was the catalyst was and so on. Your second question was about—

Q378 **Toby Perkins:** Whether you are actually witnessing police forces unfairly managing conduct and disciplinary matters involving BAME officers in comparison with white officers.

Michael Lockwood: Our evidence is showing a number of issues. In terms of BAME officers, there are clearly issues with coming into the organisation, with the make-up, as you said, and in terms of promotion and grievances. Obviously HMIC deals with the internal issues of conduct within an organisation, but what our report did—from a public perspective,



HOUSE OF COMMONS

which is what we look at—was show that the treatment of officers was different in relation to allegations of discrimination, so yes.

Q379 Toby Perkins: We heard that you are three times more likely to be dismissed if you are a black officer than if you are a white officer. So you accept that they are being treated differently?

Michael Lockwood: We deal with public complaints. The internal issues are dealt with by police forces. They are responsible for the police discipline system—the police chief and the police and crime commissioner. Our involvement is on the public side, with public complaints. That was what Macpherson wanted us to do, because that is where we can make the biggest impact and the biggest change. We would get a very small number of the most severe issues, so I think it is a matter that you would have to ask the police forces themselves about.

Q380 Toby Perkins: Mr Parr, you mentioned the exit interview as a real opportunity to identify this. I think you suggested that some of the police forces are pretty inconsistent in their exit interviews. It may well be that if they recognise that they are institutionally racist, they do not want a good exit interview regime, because it might identify exactly the problems that you are thinking about. How seriously do you take it, and how seriously are police forces who do not have any serious exit interview programme being challenged on it?

Matt Parr: I think it would be a little bit harsh to conclude that that is the reason why they are not as comprehensive in trying to investigate these problems.

Q381 Toby Perkins: You think it is more likely to be incompetence than malignity.

Matt Parr: I think it is likely to be thoughtlessness rather than incompetence that causes it. We see a lot of inconsistencies in staff practices that are not just about racial disparity, but go across the board.

There are a couple of points worth mentioning here. First of all, a new internal complaints procedure is inbound. That was due to go through legislation this year; it has not squeezed through yet, but forces are already being encouraged to follow some of its principles. We used to have gross misconduct and misconduct as the two categories; this introduces a new category of serious misconduct, with the idea that anything below serious misconduct can be handled locally and resolved without going through the whole formal process. There is a hope, which seems to me a fair hope, that that will in some way lessen the disparity that we referred to earlier.

I think the other thing is that the NPCC—I know you have seen Sara Thornton—has introduced a diversity, equality and inclusion strategy. We think that some of the things in it will be of benefit, and we intend to inspect against it in future inspections, to see how well it is being followed. Many of the things you refer—bad exit interviews and understanding



where you might have these levels of disproportionality—are part of that strategy, and we will inspect and report against it.

Q382 Toby Perkins: Finally, in terms of police forces, it sounds to me as though you are being a little generous. I recognise that different forces run themselves in different ways—that is why we have different forces, presumably, rather than just one police service for the whole UK. Given the sensitivity of an issue such as this and Macpherson and what we see as ongoing reasons why those problems might persist and why ethnic minority applicants might be put off joining the police force, not having a serious exit interview in those circumstances seems to be a dereliction of duty.

Matt Parr: I am not disagreeing with you about its importance. I completely agree with you. I think we are quibbling over the motives for why it happens. Being generous with police forces is not something for which we are renowned. We normally have the reputation for being very critical. I think it is correct and deserved. We are very critical of many of the staff procedures we see across the board in the way police forces manage their staff. This is just another example of that.

Q383 Toby Perkins: Finally, is there anything that any of you on the panel would say needs to be done to call the police to account for their performance on racial justice within the service and operationally?

Matt Parr: I think we do. I come back to my earlier comment that our job is to inspect and report. It is not to regulate and we do not have hard powers to address some of these issues. The body that is responsible for holding police forces to account is its PCC. I am not trying to shift the target on to the PCCs, but it would be an interesting exercise to read through 43 police and crime plans and see in how many of them the topic you are talking about now features as an absolute top priority.

Jo Noakes: I agree with the comment about the role of PCCs and echo a point that Matt made earlier about the National Police Chiefs' Council in the new EDI strategy. From what I see, we are absolutely committed to this and that is what I see with police chiefs as well. It is on the agenda for next week's National Police Chiefs' Council. It is something that everybody is taking seriously. We recognise there is a way to go and that is why things such as the new strategy and toolkit have been put in place. We all have a role in making a difference in some of the disproportionality that has been discussed by the Committee.

Michael Lockwood: I have two points. On racial justice, it is about having a police service that reflects the community it serves and being more ambitious and quicker in achieving that. I think it will take until 2052 for the police service to reflect the community it serves. That has issues about confidence, approachability and about trust in policing. That needs to be accelerated. It has benefits in the way people treat each other in an organisation like ours. That is issue one.

Operationally, I suggest two things. We talked about stop and search earlier. The more information that is shared publicly, the more



HOUSE OF COMMONS

accountability and transparency about some of the tools that police use and their impact and effectiveness, and how they deal with complaints, is put in the public domain, the better. My job is not to change the tools that police have; it is about how those tools are used. So greater transparency about stop and search and how it is used.

The second bit is about the discussion we had with young people on stop and search. It is about how it is used, not the tool itself. They said to me, "Don't do it in a way that humiliates us. Explain why we were stopped. Treat us with respect. Tell me my rights. If I am allowed to have body worn video, let's put that on. Make sure there is a record of the stop and search. If you see I am unhappy, explain what I can do about that. Apologise if you don't find anything." Those comments are quite simplistic. It is not about the tool itself; it is how it is applied. To me, it is about how these tools are applied, the accountability and transparency of them, and internally having an organisation that reflects the community it serves, moving faster towards that agenda.

Q384 Chair: Some further information would be helpful, if you could send us it in writing, about the ethnic diversity of your own boards and staff, and also the training that your staff get on race equality issues and whether you do exit interviews on your own staff leaving. Also, Toby Perkins asked you what reasons you thought there were as to why BME officers and staff might be more likely to leave. The answers you gave seemed to be focused on voluntary leaving. Why do you think they are more likely to be dismissed?

Matt Parr: They are more likely to be dismissed because they are more likely to face misconduct panels, and even at those misconduct panels they have a higher rate of dismissal, for reasons that I do not know and I do not think are widely understood.

Jo Noakes: The same; I do not know. It is part of the proposed research.

Michael Lockwood: I thought the HMICFRS report was very interesting in that area. The last two elements of it talked about fear of discrimination or bias leading supervisors to refer BAME officers more to PSDs than would normally be the case, and public complaints that come in being more likely to be escalated for PSDs to consider. They seem to be treated more severely in the system because of that cultural issue.

Q385 Chair: So you all clearly do not really know. I think you recognise that police forces do not really know. You do not have exit interviews, and you do not have full information about diversity around the complaints that the IOPC is dealing with.

In terms of the inspectorate, I just went back to the search on your page of reports. If you put in the word "race" as a search, the top inquiry that comes up is a 2001 investigation into race and diversity. The second one that comes up is a West Yorkshire report from 2015, but it is actually referring to the Tour de Yorkshire cycle race and the policing of that, rather than race. Even if you put in the word "ethnicity", it still only comes up as "ethnicity and gender and other issues", so it does look as if you



HOUSE OF COMMONS

actually have very little information compared to the nature of the problem that you are referring to.

I also noted that when you were asked about what the reasons might be for BME officers or staff being more likely to leave, the possible explanations you offered—again, you all said that you did not have evidence to do so—seemed to be those members of staff expecting that they will not be treated well and therefore getting professional organisations involved, or not having the right expectations of the job. The anecdotal ones that you were offering seemed to be about the staff and officers themselves, rather than you offering any possible explanation in terms of the institutions and the institutional response.

I guess my final question to you would be this: given that the Macpherson report raised concerns about institutional racism, do you think we remotely have the information to even tell us whether or not there is still a serious problem of institutional racism in the police today, when you do not seem to actually have the information that would allow us to make that judgment?

Matt Parr: I'll go first, shall I? I think we have lots of information, and we have discussed a lot of the information we have today. There is a difference between not knowing what is going on and—we know what is going on. We know it is serious and we know it matters. What we cannot explain, and what nobody in policing seems to be able to definitively explain, is why the things that are happening are happening. That is not saying that we do not know what is happening, or we do not agree that it is a problem.

If you wish to make a judgment about where policing is and whether many of the things that Macpherson referred to 20 years ago have been addressed or not, I think that is a relatively straightforward thing to do. It is just too simplistic to offer simple, pat explanations for things that are really quite complex, and in many cases involve human decisions that we are not there for, we do not see the evidence for and we do not understand. It is something that we are determined to continue to look at and play our part in getting to the bottom of, but there will not be a simple, straightforward answer—you know, "All you have to do is these three things, and there's all your problems with disproportionality dealt with." It is much more complex than that.

Jo Noakes: It is unfortunate that the anecdotal evidence that we all shared made it sound like we were putting that at the officer. That is really about us not knowing what the heart of the problem is and what the processes, policies and procedures leading to it are. We are serious about looking at those, and we have done that with all our stuff across the college.

We know that we need to do more, and we also know that it is not just a moment in time; it is something that continually needs to be done. As every new policy, procedure, training or part of the curriculum is developed, we need to be looking at that and constantly trying to uncover what the barriers are, and we only find that out when we speak to the

individuals and engage with those across policing to uncover what they are. We are upping the dialogue to try to uncover what the barriers are.

Michael Lockwood: What would I like to do in the IOPC as a new organisation? There are a number of things. First of all, as an organisation, we should be bolder in what we are doing in terms of that definition of independence. What does that mean? It means actually talking to police officers about their jobs, challenges and issues, and talking to communities about their issues and concerns about policing and the police conduct system. "Listening" is a good word, and it is about that independence, that bolder view and understanding the context better.

The second issue I want to address, which I have been very clear about, is the timeliness of our investigations. They are up 20% this year, but we need to make sure that they are done in a very timely way and not at the expense of quality.

The third thing is the focus on learning. In the cases we look at, we may come to a conclusion, but how do we stop those things continuing to happen? The individual is a product of a longer system. If you keep just dealing with the product but you do not address the system, you are not going to change things. I am really keen that we focus on the wider system, whether that is in mental health or discrimination: what is the wider system that has led this to happen? We have some thematic areas that we want to look at. We are also looking at the learning: how can we stop these things happening again?

My fourth area is about community. I spent a year at Grenfell, and I am really keen that we do some listening about how they are treated in these issues and situations and during the criminal justice system. I have done a lot of work with bereaved families, and we are really keen to up the ante in our relationship with them. We have some service standards based on listening days with bereaved families, and making sure that their service is a better one.

Chair: I have no doubt that all your three organisations do some immensely important, valuable and high-quality work, but I think the evidence session that we have had today has exposed some significant gaps in your analysis of the challenges around what issues there are on racism within the police today.

Twenty years on from the Macpherson report, I think it would be really helpful if all your organisations were to reflect on the evidence that you were able to give today and the gaps in that evidence and in the information that we know about which of these questions have been investigated or looked at, and where there might be some serious continuing problems—either within individual forces or more widely—that simply are not being addressed. If the information were available, it might be more credible for you to respond by saying that everything is being done, but the gaps in the information cause some considerable concern.

It would be helpful if you could set out what further things your



HOUSE OF COMMONS

organisations will be looking at on this issue around the way in which the police interact with BAME communities, but also around diversity within police forces, and if you could tell us what further things your organisations will be doing in the next two years on this.

Thank you very much for your evidence today.