

Transcript of the meeting of the Metropolitan Police Authority held on Thursday, 25 November 2010 at 10 am in the Chamber, City Hall, SE1.

Present:

Members:

Kit Malthouse (Chairman), Reshard Auladin (Vice Chairman)
Tony Arbour, Jennette Arnold, John Biggs, Victoria Borwick, Valerie Brasse,
Cindy Butts, James Cleverly, Dee Doocey, Toby Harris, Kirsten Hearn, Neil Johnson,
Jenny Jones, Clive Lawton, Joanne McCartney, Steve O'Connell, Caroline Pidgeon,
Amanda Sater, Valerie Shawcross and Graham Speed.

MPA Officers:

Catherine Crawford (Chief Executive), Jane Harwood (Deputy Chief Executive) and
Bob Atkins (Treasurer).

MPS Officers:

Sir Paul Stephenson (Commissioner), Tim Godwin (Deputy Commissioner) and
Anne McMeel (Director of Resources).

Kit Malthouse (Chairman): Colleagues I make that 10 am. Thank you. Before we begin can we just go round and place ourselves in the room? I am Kit Malthouse, Chairman of the Authority.

Catherine Crawford (Chief Executive, MPA): Catherine Crawford.

Reshard Auladin (Vice Chairman): Reshard Auladin.

Jane Harwood (Deputy Chief Executive, MPA): Jane Harwood.

Bob Atkins (Treasurer, MPA): Bob Atkins.

Steve O'Connell (AM): Steve O'Connell.

Valerie Brasse (AM): Valerie Brasse.

Victoria Borwick (AM): Victoria Borwick.

Toby Harris (AM): Toby Harris.

Clive Lawton (AM): Clive Lawton.

Graham Speed (AM): Graham Speed.

Amanda Sater (AM): Amanda Sater.

Jenny Jones (AM): Jenny Jones.

Kirsten Hearn (AM): Kirsten Hearn.

Valerie Shawcross (AM): Val Shawcross.

Neil Johnson (AM): Neil Johnson.

Tony Arbour (AM): Tony Arbour.

Cindy Butts (AM): Cindy Butts.

Joanne McCartney (AM): Joanne McCartney.

Jennette Arnold (AM): Jennette Arnold.

Anne McMeel (Director of Resources, MPS): Anne McMeel.

Tim Godwin (Deputy Commissioner, MPS): Tim Godwin.

Sir Paul Stephenson (Commissioner, MPS): Paul Stephenson.

Kit Malthouse (Chairman): Thank you very much indeed. I have had apologies from Chris Boothman and Faith Boardman and from Dee Doocey who will be late.

Does anybody have any declarations of interests? No? OK. Thank you.

Minutes of the last meeting on 28 October 2010. There is a transcript available. It is on the MPA website. Does anybody have any matters, issues, things they want to change? Always good to get through the minutes before Dee [Doocey] gets here! Happy? I can sign those as a true record? Thank you very much.

OK. Chairman's update. First, before I start, although she is going to be late, I am sure you would like to join me in congratulating Dee [Doocey] on her recent elevation to the House of Lords. No doubt she will bring her forensic skills to that place as well. We will perhaps repeat that when she gets here.

There are a number of recent successes and things that I wanted to move on to congratulate the Commissioner on. Jennette [Arnold], you will be pleased to hear that there have been a number of Operational Command Unit (OCU) Commander commendations that have been recently made, including officers and staff in the

commands of Safer Transport, Homicide, Palace of Westminster Trident, the boroughs of Redbridge, Croydon, Islington and Lambeth. Security coordinators who have served more than six years in the role were also commended this month at a ceremony at the Yard. Since you have got a copy of my written report Hillingdon and Ealing Borough Commander also held commendation ceremonies.

I attended, on Sunday afternoon, an inspirational afternoon of awards to Volunteer Police Cadets from across the capital in conjunction with the Jack Petchey Foundation. Some really fantastic stories of young people who have had their lives turned around by joining the police cadets. It was a brilliant afternoon and I would recommend it to any of you for next year.

Redbridge borough also received an excellence award for local partnership working at a national award ceremony and Territorial Policing Training was also recognised at the National Training awards. Two of our Human Resources media campaign; Last Night a DJ Saved my Life - which many of you will have seen - and a Custody Nurses campaign raising awareness about career opportunities as a nurse within the MPS were both also recognised at the Global Creative Excellence awards, with prizes. A special award for innovation was given to specialists in the Directorate of Information for development of the Focus Court Presentation System in the Local Government IT Excellence Awards. It is awards season! The software awarded assists when presenting complex electronic and digital evidence in court.

As Chairman of the Authority I have attended a number of meetings since we last met at the end of October 2010. Not least we concluded the informal budget scrutiny session focusing on the capital programme and the balance sheet. We continue to negotiate with the Home Office and other funders of policing for the best settlement we could possibly get. We have obviously got the budget later on so no doubt we will come to that when we discuss it on the agenda.

This month also marked the 10th anniversary of the Havens, the support services for victims of rape and sexual assault in the immediate aftermath of the perpetration of the crime. I visited the East London Haven in Whitechapel last week and also spoke at the launch of the Where is Your Line film that the Havens have launched online, trying to educate young people about rape and sexual assault. I would recommend it to you. It is on YouTube. The Havens have their own YouTube channel. It is a very shocking film and certainly brought home some of the very serious issues that we have in the country generally around that issue.

I was also pleased to visit a school in Lewisham where we launched a new project called Choices run by CO19 which raises awareness amongst young people of the dangers of carrying guns and knives. It is a partnership between our firearms' command and Greenwich and Lewisham Young Peoples' Theatre.

We have started the second round of the GLA/MPA roadshows. So far they have been to Greenwich and Addington. A very leafy Addington. I did not realise how countrified it

is down there. Very leafy down there. To Addington Palace, would you believe, we had our road show in. Well attended and a very enthusiastic response from people. We have been to the Greenwich Picture House and spoke to an audience of head teachers, members of the public, some MPS colleagues, councillors, YOC(?) managers and generally enthusiastic participants in our work. We have got another one this afternoon in Wembley and then another one at Alexandra Palace on Friday afternoon.

The Commissioner and I also appeared here in front of the annual London Policing Plenary and answered questions for an hour and a half. This month also saw the annual Remembrance ceremonies at Hendon and at the Yard. Both ceremonies conducted with the usual dignity and respect and I know a number of Members attended both those ceremonies.

Finally, today is the launch of the annual 16 days of action on Violence Against Women. I was supposed to be out at 5 am this morning, Sir Paul [Stephenson] with your team, but was stood down last thing in favour of **Tom Windsor**[?] who is, apparently, out there trying to find out what police officers do. There were teams out across London this morning arresting suspects and there will be more action under Operation Athena, I gather, over the next 16 days.

That is it from me. There have been, obviously, dozens of other meetings in the interim. Does anybody have any questions on any of those things? No? Excellent. Good. Right. We will move on to item five which is the Commissioner's report.
Sir Paul [Stephenson]?

Sir Paul Stephenson (Commissioner, MPS): Thank you, Chairman. I would like to start by echoing the Chairman's words in congratulations to Dee [Doocey] on behalf of myself and on behalf of the Metropolitan Police Service. Very (inaudible) recognition.

If I can move on to performance. My report on performance is up to the end of October. A little bit more up to date. Total notifiable offences continues to be down. A lot of offences but some 1,485 fewer offences than this time last year. Lesser so on the percentage change of course.

Overall serious acquisitive crime is also marginally down. Residential burglary significantly down. It is amazing, against the same period last year, we are looking at almost 3,000 fewer offences of burglary in London over this financial year period, which is quite a significant reduction.

Motor vehicle crime, as I reported last month, still slightly up. About 2.8% up.

Violence with injury is showing a reduction of some 4.5%. Overall gun crime, pleasingly, continues to fall. That is down by 16.4%. Importantly, the number of times of reported firearms discharged is also down. The two together are good news. However, the challenge remains for us because, if we look at our homicide figures over the calendar year, we are showing a significant reduction in homicide; 108 so far this year

against 124 last year, 138 the year before and 152 the year before that. When we examined it, out of the homicides this year so far, there have been 17 that involved the discharge of a firearm, a gun has been used, compared to 11 for the same period. Whilst we have got some good figures about reductions in firearms' offences and crime discharges, the use of firearms in homicides is slightly up from 11 to 17. No room for complacency.

Other reported hate crimes have fallen. Racist and religious crime. Homophobic crime. Domestic violence. All down. I always give the same warning - I am a cracked record on this - we do know that these are the under reported crimes so we have got to be very cautious around that.

In terms of confidence the latest British crime survey confidence results from the Home Office show that the percentage of people who agreed that police and local councils are (several inaudible words) crime issues not in their area has improved. We have got an improving figure there and we continue to be placed number one when compared to our more similar forces. Whilst there is a lot of debate about should we continue to (inaudible) confidence or not I still think confidence is a huge issue, we should make sure that we do understand why people are confident in us, our confidence figures are improving and, compared to more similar forces, we are doing much better.

Challenging areas remain. Knife crime is still up by 2.4% but, again, pleasingly, whilst that is a lower increase than the previous quarter, also the actual instance where a knife has been used to injure is quite significantly down. The overall reported knife crime up; the actual use of knives to injure is down.

Again, as I have been reporting to a number of authorities, the link between knife crime and robbery is very clear to us. Robbery remains the main driver behind the rise in the overall knife crime and total robbery offences are up by 4.1%. This is our stubborn challenge and that is why we launched Operation Autumn Nights which has been successful over the Halloween and Bonfire period of reducing some of that increase.

Interestingly again, whilst knife crime and robbery are up and the intimation of knives in robberies is up, the actual use of knives in robberies to injure are down. As always, we should not just look at the headline figure; we need to dig into it for some better analysis. There is good news and worrying news in all of that.

We continue to drive the suppression activity that you are well aware of. We have 140 additional charges for knife crime so far this year compared to last year. Thankfully I can report that, since we last met at the Police Authority, there have been no further teenage homicides since last month from knives **or**(?) anything else. We have got to be thankful that is the case. Nevertheless, as we always say, one is far too many and it remains a challenge for us.

If I can just turn from performance on to other matters. Firstly, there has been lots of recent speculation about the future of Trident. I would just like to make it clear again we

currently have no plans whatsoever to disband Trident. However, you are aware that we have some financial issues in this Authority and you have heard me commit to the notion of delivering better for less. That will inevitably - and in certain parts of the organisation already is doing - requires some change. As part of that work you would expect us, I would expect us and, more importantly, the public would expect us to be examining where we can improve the service or reduce the cost. That is what we are doing.

I would ask for your support in the coming months that, where more stories like this crop up and people are trying to get headlines, for constructive input into what is a difficult situation. If every time we ask a question to try to find out how can we improve something and how can we reduce the cost it leads to a sensationalist headline, even before we have even had time to consider an answer and come and discuss it with you, that is not good for the London public and, actually, it makes for a very difficult situation when we are facing such budget difficulties. I would ask for your constructive support but, on Trident, we have no current plans to do anything to Trident. Of course we would want to look at how we could improve it and how we could reduce the cost and, if we were going to do that, we would come back and talk to you. There are no current plans and the headlines are a little sensational.

Can I just touch on the terrorist challenge? Since we last met here an explosive device was disrupted in the East Midlands Airport. Thankfully it was disrupted. It was well reported but it does serve as a stark reminder that the threat has not gone away and the absence of an atrocity does not equate to the absence of a threat. I made some comments yesterday that we are in a difficult period and we are in the lead up to the Olympics at the same time. We should not overstate it because we do not want to give the oxygen that the terrorists want in terms of creating fear but, also, we do have to make it clear to everyone with a responsibility and to members of the public that we do need the eyes and ears and we do want security managers, building managers and all the various agencies to understand what the scale of the threat is and how we can all help to make our society safer.

I know there is a question about this but it seemed to me it would be absurd if I did not include in my report to this Authority some details about the Millbank situation and the disorder two weeks ago. On 10 November 2010 we had 9 police support units (PSUs) initially deployed which were 225 officers, with the support of a further 9 so a further 225 in reserve. I will come back to that. I will come back to yesterday because yesterday we had 32 PSUs deployed. I think that takes you to the heart of the issue. That is why I went out to the pavement to say something very quickly about what I thought about what happened two weeks ago.

You will be aware I have commissioned a review and it was only yesterday evening that I took the review and will circulate copies after this meeting. It is an operational review done in quick time. Before I go into what that review is telling me and what I think about it, I would like to remind Members that the people who were responsible for the unlawful behaviour were a small minority of protesters, it was thuggery and it was disgraceful, their actions were unacceptable, they did commit the crime and we are determined to find

them. We have charged a number of people already. They were crime scenes, there was violent disorder and it was disgraceful. We are committing significant asset to find them and put them in front of courts.

I would also like to pay tribute to the regrettably too few officers that were there who did an absolutely amazing job. They showed enormous bravery and I have spoken to a good number of them. I am very grateful for what they did on a very difficult day.

I would like to make it clear - and the review makes it clear - that the difficulties we faced on that day had nothing to do with any cuts to budget and it had nothing to do with the MPS not having sufficient resources. It was how we used them is the issue. It had nothing to do with insufficient resources. That would be wrong to **find**(?) that.

The bottom line is far more protestors turned up than we expected. About 25,000 turned up as opposed to the 15,000 we expected. There was not any intelligence - it does not mean to say there was no intelligence available; we did not have any intelligence - that there would be significant disorder or violent conduct. We had identified a number of vulnerable premises but, regrettably, we did not identify some of the right premises. We just have to be honest about that. We certainly did not identify the headquarters that was invaded.

Policing public order is never an exact science but, as you know, we do something like 4,500 of these events a year and the people who do it, overwhelmingly, get it right. On this day unexpected disorder did break out and the bottom line is we did not have enough asset there in the first place to deal with it and we did not have enough asset to draw on. That is regrettable. That is what we did. We have been going through a period where we have not seen that sort of violent disorder. We have dealt with these organisers before. We based it far too much on the history and not enough on the likelihood. Sometimes, if you just follow an intelligence based model, that stops you doing the obvious thing and looking at trying to work out the game has changed. Regrettably, the game has changed and we missed it. The game has changed. There was a potential there just because of what was happening in politics and in society and everything else and we should have put more people on and we did not.

What we have been doing, as you are aware, way back since 2003 but certainly accelerated in recent years, is we have been reducing the aid we are giving to these central operations and to any big marches. That has been the right thing to do because the benefit has been we have had more cops in the housing estates and in the town centres. Regrettably, we are going to have to review that and we are going to have to take a much more cautious approach. We cannot carry on down that road. I do not accept that we can ever again allow that number of police officers to face that level of behaviour and that barrage and not have greater reserves in place, so we are going to have to reverse that; we are going to be much more cautious. As we saw yesterday. We are into a different period I am afraid. We will be putting far more asset in place to make sure that we can respond properly. Essentially, the game has changed. We did not have

sufficient asset on and we did not have sufficient asset to call on. The officers that were there did a superb job.

We will be making greater use of social networking sites but we have got to be careful here. Social networking sites are not intelligence. They might give us an indication but they are not always a reliable indication. We need to make greater use of them and be smarter around it. We must not, and should never, just rely on intelligence. We have got to look at the broader situation and the likelihood. Certainly the likelihood is for more disorder on our streets. That is plain. We must need to be prepared for it and we will be using asset to do something about it.

We have learnt from that experience. Of course part of the learning from that experience was yesterday. If I may, Chairman, I will give you a brief report on yesterday and then stop and take questions. That is exactly what we did yesterday. The bottom line is we did not get it right two weeks ago and, in my opinion, we did get it right yesterday. We did put an enormous amount more asset on yesterday but it was a very difficult day.

If I just take you through that. There were four formal protests notified to us for yesterday and we do work closely with the organisers and it was estimated that, across the four protests, there would be about 4,000 people. A significant command put in place with four key elements; policing of the notified events, policing of potential vulnerable properties, a significant reserve capability to respond to any incident that did take place, any spontaneous disorder, and a second wave of police support units available in the boroughs to further mobilise. From the start of the day officers were dressed in part public protection gear but with normal headgear on, so that we could rapidly change should we need to. Learning the lessons of last week.

It was a slow build up. Two marches met up in Trafalgar Square just after midday and joined about 100 or so students already there. Just after 12.40 pm the marchers - about 3,000 of those - suddenly left the Square and began to go down Whitehall. As they went down Whitehall they met up with a group who had been involved earlier in some skirmishes in Victoria Tower Gardens. It was quite clear that latter group had been determined to reach the Liberal Democrat headquarters in Cowley Street but they were prevented from doing so by the police intervention so they joined the main body of protestors. As that large group passed the Youth March for Jobs which was assembling in Horseguards Avenue they too abandoned their plans and joined in the larger group, so we had a much larger group. To control the crowd a cordon was placed across Parliament Street. That prevented the protestors going into Parliament Square but the protestors - about 4,000 of them - could have left by any other route at that period. There was quite some pushing against police lines and hoarding and fencing around roadworks forcibly removed and destroyed by protestors.

It was clear from our intelligence and the behaviour of the first group that the intention was to go to the Liberal Democrat headquarters in Cowley Street with some hoping to occupy it. Given their intentions and the public order offences and criminal damage offences that were being committed and seen in Parliament Street and Whitehall, a

containment - popularly known by another phrase - was authorised at 1 pm. The command team was in no doubt, if the protestors had been given free rein through Parliament Square and the Government security zone, they would have tried to enter premises by force and we would have seen a great deal more damage. That was the command team's view and I support that view.

There were a number of youths seen masking up. There were reports of smoke canisters being discharged and aerosol cans ignited. I understand - I have not got details of this - that some people received facial burn injuries because of that. I cannot confirm that but that is what I understand at this moment in time.

Extensive criminal damage to an unattended police carrier within the containment. There were not any officers in it. It was unattended and the crowd came around it. We left the car in situ. It is an inanimate object. There was criminal damage to it and it is beyond irritating; it is disgraceful. Had we deployed to that carrier we would have achieved nothing. We would have injured protestors, we would have had police officers injured and we could not have got the vehicle out anyway, so the correct command decision was made to leave the vehicle there, evidence gather and deal with the criminals later, which is what we have done.

Learning the lessons from the G20 a bronze cordon was appointed and water and toilets were requested and later delivered. Now it takes time to deliver those things, but they were later delivered for those within the containment to try to cater for welfare in a difficult scene which was, also I have to say, a crime scene. Those on the cordon sought to identify vulnerable people from early on in the containment to allow them to be released. A lot of messages were passed to the crowd and officers on the containment removed **NATO(?)** helmets to go to normal head gear so they could communicate with them better and to try to calm things down.

All vulnerable premises went into lock down mode with officers, again, explaining to affected members of the public the rationale for that. Forward intelligence teams and evidence gathering teams were deployed around the containment because we were determined to gather the evidence of the people who were committing the crimes.

One of the delays in starting the controlled release was the violent behaviour of protestors outside the cordon on the north side of the containment. Frankly, we contained them to stop further damage and to stop the people in that containment joining people outside the containment in some disorder there, and it takes time to calm the whole situation down.

Damage occurred to telephone boxes, bus stops, the Old War Office, the Treasury and there were attempted incursions into Numbers 53 and 54 Whitehall which were prevented. There was also widespread graffiti and fires lit on the roadways.

During the evening another demonstration blocked Westminster Bridge and then Parliament Square, but this was quickly cleared.

Whilst vulnerable people were released through the cordons from early on, the formal controlled release did not begin until just before 7 pm. As this occurred a number of arrests were made for offences that had taken place during the day. It took some considerable time and it is frustratingly slow at filtering people out through the cordons. We were taking details of people because we were controlling a crime scene. We gathered evidence and we arrested people as they came out where we could identify them, but we needed to make sure we knew who was there so we can properly mount a post incident investigation with a determination to find people.

At this time - I think it is still the case - we have made 35 arrests, including 9 for damaging the police carrier. Seven officers were injured. Thankfully, whilst two were taken to hospital, one had soft tissue damage to the leg and the other has a broken bone in her hand. I understand 11 members of the public were reported injured.

I attended the feeding station late last night and I attended the late night briefing at 10.30 pm last night. I congratulated the command team because I thought they handled a very difficult situation very well. I was quick to come out on the streets when I did not think we had handled it as well as we should have done. It was the right thing to do, in my opinion, to say to the command team last night I think they did a very good job in a very difficult circumstance.

Kit Malthouse (Chairman): OK. Sir Paul [Stephenson], thank you very much for that. I also passed the scene twice yesterday. Once during the demonstration which seemed, to me, to look much worse on television (TV) than it actually was at the time I went past, and then afterwards to go and inspect the damage, which was extensive and, it strikes me, completely unnecessary. I have no idea why trashing a police van or a bus stop would achieve anything but, there you are, that is what the crowd did.

I think it would be sensible on questions if we take questions on this issue first and then we will move on to some of the written questions. Kirsten [Hearn]?

Kirsten Hearn (AM): The question I would like to ask is, we are going to get quite a lot more of this activity, there is quite a big campaign going on about anti-cuts. The vast majority of it will be peaceful and relatively law abiding, if sometimes a little colourful in some of the things that they do. There will always be a minority of people who want to do more damaging things. What relationships are you building up with new coalitions that are developing, for example UK Uncut(?), or Women Against the Cuts and the various other groups?

Sir Paul Stephenson (Commissioner, MPS): Thanks, Kirsten [Hearn]. We will be doing that. Again learning the lessons from G20, the amount of engagement with anybody who has given us any intention to demonstrate is very, very extensive. Whilst I agree with you, the vast majority of people who come to demonstrate come to do so peacefully, those that do not are, in my opinion, somewhat more than colourful; they are committing a great deal of criminal damage and criminal disorder on our streets and it is unacceptable. We will try to build up whatever rapport we can with any group to try to

make sure there is a good understanding of how we can facilitate lawful protest and how we can facilitate peaceful protest but where the lines have to be drawn and what they can expect. That is key with demonstrators; knowing what you can expect. We did learn the lessons of G20 and we engaged heavily with notified demonstrations beforehand.

Kit Malthouse (Chairman): I received a briefing before the demonstration that indicated to me that the four groups that had organised demonstrations had engaged extensively. As I think you heard the Commissioner say, the problem is those groups did not stick to their plans, became unpredictable during the day and joined other groups. Is that right?

Sir Paul Stephenson (Commissioner, MPS): That is right. That will happen and it will happen even with peaceful demonstrators. We have to have the capability to be able to respond to that. That is something we are aware of and we would normally do, but we need to have the sufficient asset on to deal with a developing and different mood out there and a different situation. We have not seen this sort of behaviour for some considerable time in these sorts of demonstrations.

Kit Malthouse (Chairman): Joanne [McCartney]?

Joanne McCartney (AM): Thank you for saying you are going to circulate the report on two weeks ago because that was one of my questions.

One of the concerns about yesterday is that the nature of the demonstrators were very different. A lot of them were school children. We have reports of Year 11s, GCSE and 'A' Level students on the streets. It was a very different make up from normal protestors. There was extra concern, because of the make up of a lot of the protestors, with the fact that the kettling occurred into the night and I believe lasted, for many of them, for 7 to 9 hours in freezing temperatures. Was there anything more that could have been done to let those people out earlier and identify them? Also, the dangers that there may be with them then being able to return home in central London late at night.

The other question I have is that there are newspaper reports today about the mounted police charging protestors. I wondered whether you had any information on that? At the end of your review are you going to do another review that we can have another briefing on? It would be useful, particularly on the Civil Liberties Panel, to look at this as well.

Sir Paul Stephenson (Commissioner, MPS): Thanks, Joanne [McCartney]. You are absolutely right. Quite shocking seeing young kids out there in that sort of situation and engaging in the acts of crime that some of the clearly were doing. Quite shocking. They are vulnerable. We did learn lessons from G20. We tried to do a huge amount of communication and we tried to identify those vulnerable people. But this was a violent crime scene that, had we not contained it, could have got worse elsewhere and we would have been hugely criticised, and rightly criticised, had we not contained it.

We then have to manage what is a violent scene and a scene that can become more violent. It is very, very difficult. It is not straightforward, as you well know. It is a turbulent scene. We have got to do the best we can in those circumstances, having learnt lessons. Some of the things we deployed yesterday would not have been done pre-G20 because we did learn some lessons from G20 and we implemented them. It is never going to be a scene of perfection.

We do have to make sure that, for those who are leaving that scene, we do the best we can to identify those engaged in criminal behaviour. There are a lot of people masking up and covering themselves up. We have got to make sure we have the record there so we can do a thorough post (inaudible) investigation. Not to do so would leave us vulnerable to justifiable criticism.

Joanne McCartney (AM): The charging of protestors?

Sir Paul Stephenson (Commissioner, MPS): I was at the debrief last night. There was no reference to that whatsoever and I have no reference to it.

Joanne McCartney (AM): Would you go back and look into it? It is in some of the reports today.

Sir Paul Stephenson (Commissioner, MPS): Of course I will --

Joanne McCartney (AM): Thank you.

Sir Paul Stephenson (Commissioner, MPS): -- but, in doing that, I do not want to then create a headline saying I acknowledge something happened. I will respond to your question.

Joanne McCartney (AM): Thank you.

Kit Malthouse (Chairman): Cindy [Butts]?

Cindy Butts (AM): Thank you. I was going to ask a question about young school children as well. Given your answer to Joanne [McCartney], leaving aside yesterday's events and moving forward, if we are to see younger and younger people being involved in demonstrations how do you think the MPS's approach and the tactics it employs might change in order to accommodate that element of young people on demonstrations?

The second question is you talked about the need to have further abstractions, taking officers away from local community policing - and not necessarily Safer Neighbourhoods I would hope. My question is what does that piece of communication to local communities sound like, given that the increase in demonstrations and the need for further abstractions is as a result of Government cuts? How do you explain and communicate that to local people?

Sir Paul Stephenson (Commissioner, MPS): OK. How will our approach change because young people are involved in these demonstrations? Well we learn from every event. That is demonstrable by the way in which we policed yesterday as opposed to two weeks' previously and as opposed to G20. We will undoubtedly learn from this. It is a bit early for me to be able to come here and say, "We will dramatically change". We will not dramatically change tactics. It is a bit early for me to come forward and say, "We will do something different".

One of the things we have got to be thinking about is the way in which we engage within London - but, of course, it is much wider than London - through our Safer Schools officers. The officers we have in schools. How do we make sure that we communicate and get teachers and parents to talk to kids and tell them the risks of going on demonstrations because they can get tricky, there can be agitators and they can get themselves in some difficulties. There is a big communication job to be done by wider society of how we try to educate our kids and inform our kids as what it is wise to do and what it is not wise to do. That is probably a bigger learning piece.

As for what does the communication look like? My communication that we are going to be more cautious and my communication that we are going to ensure that we have the right number of people in reserve and we cannot afford to do anything else - firstly, I hope it looks honest and straightforward because that is what we are going to do. We have no choice. At the same time that is not the only thing the MPS does or will do in the future and that is why we have had this discussion around Safer Neighbourhoods, given a commitment to maintaining Safer Neighbourhoods, given a commitment to maintaining borough based policing and given a commitment to making sure that we use as much of our money and asset on operational capability as opposed to back office. That is our other communication at the same time.

We have got to be honest and say there will be an effect. We have been reducing the amount of aid we have been giving to public order events. We have done it very successfully over recent years. We will have to reverse some of that and that will have a cost. It is an honest communication.

Cindy Butts (AM): On the basis of the unhappiness that the public has with the cuts that are being made by the Government --

Sir Paul Stephenson (Commissioner, MPS): Some of the public.

Cindy Butts (AM): Some of the public, yes. I am trying to work out, when people see less police officers in their local area, how is it the MPS is going to justify the fact that those officers are being used to police demonstrations as a result of Government cuts? I want to know what that communication sounds like. How do you explain that?

Sir Paul Stephenson (Commissioner, MPS): We have got to be very careful. We do not yet know what the effect is going to be. That is one of the regrettable things. We will

not know until December 2010 into January 2011 what the effect is going to be. We have got to be a bit careful that we do not announce now there are going to be widespread cuts.

Secondly, at the same time as doing this, of course we have taken action over things like single patrols and more specials etc, so we have been putting more police officers out there than ever before. That is what --

Cindy Butts (AM): That is part of the problem; because people are used to it.

Kit Malthouse (Chairman): You have got this slightly the wrong way round, if you will forgive me, Sir Paul [Stephenson]. It is not for the police to justify it. It is for the demonstrators to justify why their actions are absorbing all that police resource they have got.

Jenny Jones (AM): For the Government to justify why it has done it --

Kit Malthouse (Chairman): Not necessarily. You are saying there is justification for violence that needs policing, Jenny [Jones]. I do not think that is a responsible thing to say.

Jenny Jones (AM): -- and incited that amount of civil unrest.

Cindy Butts (AM): I think a communication piece is important because of the fact that local people have so got used to seeing more police officers being there and dealing with their issues. That goes. How do we explain it? That is what I am asking.

Sir Paul Stephenson (Commissioner, MPS): Part of the explanation is here, publicly, saying what we are going to be doing is taking a much more cautious approach. We are doing it very openly and very publicly. Do not forget we do have a very good communications network called Safer Neighbourhood Teams now, which we use heavily to get messages to local people.

I am not saying here that nobody is going to see cops in their town centres or on the Safer Neighbourhood Teams at all. We are determined to carry on with the progress. I am trying to be honest about it and say, "We cannot carry on with the policy we have been using because, now, the game has changed". The mood music has changed.

Kit Malthouse (Chairman): OK. Jennette [Arnold]?

Jennette Arnold (AM): Chairman, thank you. I am going to carry on the same line, Commissioner. I do not know if you recall but when we had your briefing following the G20 it was then that I raised the case of pregnant women being caught up in the cordon or kettling - whatever phrase we want to use - and they did not have access to either toilets or water. I welcome that that recommendation has been implemented. I want to stay with welfare because it seems to me, following on from what Cindy [Butts] has said, we are not going to see fewer Year 11s. Why I say that is I know for a fact that yesterday

schools across London were keeping their Year 11s in who wanted to go to the demonstration, were geared up to go but they had forgotten to get parental permission. Next time I am sure that they will have sorted. I do not see we will see fewer Year 11s because they are absolutely politicised and will be out there. Given that, do you not think that what you could do is add to that welfare brief a support line so that the messages can be given and posted so that parents, on phoning, can understand where the situation is? You talked about you do not arrest these people in the cordon until you recognise a crime scene. That sort of statement; that these people are involved in a crime scene and therefore will not be released for X number of hours would be something useful that could be communicated out to anyone who wants that information.

The other point is I was picking up a lot of concerns by people in my network about allegations made that young people - and, in fact, anyone - within that kettle, the fact that you were keeping them there was breaching their human rights. Is that part of the risk assessment that you take? I want an answer. Is it OK for you to breach that and then somebody has to put the charge against you for that charge to be found, or do you positively say, "Because we have done that risk assessment and because this is a crime scene then it is OK for us, as police, to breach the human rights of people that you are arresting in the kettle"?

Sir Paul Stephenson (Commissioner, MPS): We need to make sure we do not create a myth here that it is the only time we have dealt with large numbers of young people in potential public order situations. I draw your attention to the length of the Tamil dispute.

Jennette Arnold (AM): I am not saying that.

Sir Paul Stephenson (Commissioner, MPS): I am just saying. It is not the first time. We had lots and lots of young people there. Whilst that was extraordinarily difficult, actually a different nature of behaviour than what happened this time.

What you are saying is exactly what I was trying to say in my response to Cindy [Butts]. That is, rather than trying to look at how can we deal with the actual public disorder situation differently, the real issue is how we communicate beforehand, which is exactly what I was saying Cindy [Butts], and what you are saying. Using Safer Schools officers to make sure that schools understand and teachers understand, trying to get the message through to kids what they can expect, is exactly what I am talking about. I think we are in agreement there; it is about communicating beforehand.

As for the breach of human rights, you must remember the containment tactic has been in front of the courts, was tested and was upheld, if that is the right phrase. It can be tested on each and every occasion. That is everybody's right. We believe we are complying with the law. We believe what we did was proportionate and necessary. We are convinced of that. Of course it can be tested on each occasion by the courts. It has been tested previously.

Jennette Arnold (AM): So you take that into your risk assessment; that court cases could follow following the use of kettling on every occasion?

Sir Paul Stephenson (Commissioner, MPS): Our preparations are extensive now and we extensively consider human rights. We extensively consider the basic approach which is facilitating people to engage in peaceful protest.

Jennette Arnold (AM): You talked about communications before. I specifically went on and talked about keeping that communication updated. Parents who I was relating to at 8 pm and 9 pm last night were saying on their mobile phones they had used up all their credit and so they were not able to talk to them anymore. It was just an understanding of how much longer they would be kept given the temperature and given, as Joanne [McCartney] was saying, there were issues now of them travelling home. It is that updating that I think is as important as any communications that you do prior to the demonstration.

Sir Paul Stephenson (Commissioner, MPS): I will come on to that. To take you back to the human rights issue, within any consideration such as this within any operation, when we are considering human rights, the basic tests are lawfulness, necessity and proportionality. They are always considered in every risk assessment in every operation. Each one can be tested if any individual wishes to test it.

In terms of updating people, we do the best we can on that. Of course we can always learn and do better. You never close your mind to it. You do have to remember the situation that commanders were facing there and the amount of asset that was coming from the MPS into that situation last night to prevent it getting any worse.

We have to look where we can improve things but we also have to use every opportunity - Police Authority, politicians, councillors, parents and teachers - to get a message across to people what they should and should not be doing, how they should engage and what the risks are so that we do not get quite as many people in those situations in the future. Communicating during the event will always be very difficult because it is a turbulent and difficult period. I think we need to be more responsible as a society to make sure that we are making sure our kids know the dangers and making sure that we do know where they are and making sure that we do prevent them getting themselves into great difficult. That is the other side of the debate.

Jennette Arnold (AM): I am sure that we are all aware of that, Commissioner. I am seeking assurance about what you, as leader of the police, are going to do in terms of --

Sir Paul Stephenson (Commissioner, MPS): We will do the best we can in each and every situation.

Jennette Arnold (AM): It is our right to demonstrate. Our young people have a right to demonstrate. You have a duty of care to those young people. I want us to be sure that we are doing everything that we can in terms of the welfare of those young people.

Sir Paul Stephenson (Commissioner, MPS): I think, in my answers, I am trying to demonstrate that we are.

Jennette Arnold (AM): Thank you.

Kit Malthouse (Chairman): John [Biggs]?

John Biggs (AM): Thank you, Chairman. I do not want to repeat the points that have been made across the table and I tend to agree with them. The record shows that I have been fairly emphatic in my support for police, particularly in relation to the events in the City the other year so I am not in any way suggesting that the tactics are fundamentally wrong.

I have got a couple of concerns. The first is, when you as the most senior police officer in the country, state that we can expect lots more of these events you are, inadvertently, creating a climate in which people will expect there to be more such events. If I am a bolshy student - which I was once, not that bolshy, but I was a student - I would say, "They're up for it. We're up for it." One needs to be careful about creating a climate in which we expect there to be more disorder. Clearly there are going to be concerns with cuts. It is a lot easier when you are giving everyone more money than when you are giving everyone less money. There are policy issues. We need to be careful about the message that comes out of us saying things.

The second point is - I am going to get into trouble with the right wing in saying this. You said we need to collect evidence in order that we can apprehend the criminals later. Sometimes it is pretty open and shut who a criminal is because something has happened; you bang someone on the head with a metal pole and you are clearly committing a criminal act. It is really for the legal system to decide who the criminal is and at that stage they are suspects. Again, it is a question of the language one uses in apprehending suspects rather than apprehending criminals. If you only apprehended criminals then that would imply that no one is ever innocent, even when they have been arrested. It could be viewed as a contentious point by some people but, sometimes, we do not get the criminals.

The third point is about the policing of the event. I was up in Westminster yesterday. I avoided being kettled by doing a long detour which was good news for me. I noticed there were two things happening. The first is you had mobilised a lot more police officers who were there ready in the event that things turned difficult. I do understand that. The second then was the tactical use of this thing called kettling. The two do not, necessarily, have to follow one another. I do not want to repeat everything that Jennette [Arnold] and others have said.

You talked about the vulnerable people were released. The question in my mind is whether minors can be viewed as vulnerable people? That is an interesting question. You are quite capable of being a complete job at the age of 14 but, equally, the law and

society generally view you as being more vulnerable and more able to have some license but not license to commit criminal offences, for example. There is a delicate question about the policing of events like this. I would agree that we should not in any way stamp on peoples' right to demonstrate if they want to and do so peacefully, because it is part of peoples' developing - particularly when they are young people - their understanding of their role as citizens.

Sir Paul Stephenson (Commissioner, MPS): John [Biggs], I take your note of caution about what my responsibility is of not over inflaming a situation. I do genuinely take that. It would also be wrong of me, in front of my governance authority, not to discuss with you what the consequences are of the last two weeks. It would be wrong not to do that. I think it would be wrong not to indicate to you that we have to change our approach because of what happened two weeks ago and because of what happened yesterday. I owe that to you so, therefore, I have got to do something different in taking a more cautious approach. It would be bizarre of me to say that if I did not think that the mood music has changed. I have been very honest that, two weeks ago, we did not get it right.

John Biggs (AM): Wouldn't the right posture be to say, "There is a risk of such things happening but we need, collectively, to work out what steps we might be able to take to mitigate and avoid that from happening by, for example, encouraging and supporting peaceful assembly and demonstration", rather than perhaps creating a message which some of my colleagues try to create that anyone who goes out collectively is in some way inviting themselves to get into trouble with the police?

Sir Paul Stephenson (Commissioner, MPS): I will leave you to have the debate between you and your colleagues. I take it as read but I am very happy to re-state it; our job is to facilitate peaceful protest. We are passionate about it. We do it all the time. We also have to state and get the message through to people, when it goes beyond the peaceful, that is criminal. When I am talking about criminal I think I am justified in saying it was quite clear that criminal acts took place. It is my job to apprehend the people that we believe engaged in those criminal acts. Of course it is for the courts to make the judgement. I have never pretended otherwise. It is legitimate for me to talk about criminal acts. To do otherwise would be irresponsible. I take your note of caution.

As for the tactical use of containment - you call it what you will, I will continue to call it containment. We have always said that the tactic remains there but it is not the first tactic to consider. The command team that was there yesterday is our top command team and it did consider carefully. It knows full well when it implements this tactic there is going to be lots of contention. They do it wisely and in an informed manner to try to prevent further trouble. I think they got it right yesterday. I think it was right. In doing it, it tried and did learn the lessons of G20. Is that ever going to be a perfection in such a turbulent scene? No, it is not. Hugely different from where we have done it before. Demonstrably different in the way we did it.

You are right; it is our duty to try to protect people, particularly minors, and try to take people out. We have also got to accept, in a turbulent scene where we are also trying to gather evidence, that is never going to be a short process and people did their best yesterday in very difficult circumstances.

John Biggs (AM): On the assumption that minors are vulnerable?

Sir Paul Stephenson (Commissioner, MPS): We will be debriefing this situation anyway. We are in a public order situation in a crime scene. How do we define minors? How do we identify minors? I expect my officers to do their best during that but that is not an easy thing to do. Can we always improve? Of course we can always improve. I think our officers did an extraordinarily good job yesterday. Can we always do better? My view is we can always do better.

John Biggs (AM): For the record, I am happy to acknowledge that I agree with you from my understanding to date but I still have some concerns.

Kit Malthouse (Chairman): It is worth also noting in terms of containment where the demonstration took place. This was right in the middle of some of the most sensitive buildings in the country and yards from Downing Street and the Houses of Parliament. If there had not been some element of control of the crowd God knows what would have happened. Jennifer [Jones]?

Jenny Jones (AM): My parents used to call me that when I was naughty! First of all, the real problem here is there are two things in conflict; there is keeping the peace and the right to peaceful protest. These are two things that we all agree with. My argument is that when you - I am not going to say kettle or contain - imprison thousands of people, which in essence is what you did yesterday, you do have a duty of care to them. I was there for three hours. I left because I was too cold and needed to go to the loo myself. I cannot imagine what it was like to stay there for another five and a half hours, which some people had to do. Six and a half hours some people had to stay there.

You say that you put the portaloos in but I did not see any go in, after three hours. There were thousands of people within that area. I do not know how many loos you put in at what time. I do hope your report will say that. I had a lot of phone calls and messages from inside the area. People did not know they were there and they could not get there when they did know because there were queues and so on.

You have a duty of care to people. You punished the innocent. You kept people for nine and a half hours. You punished innocent people for going on a protest. How can that be right? I just do not see it.

Sir Paul Stephenson (Commissioner, MPS): Jenny [Jones], I am not entirely sure I can add anything much to the answers I have already given and the debates we have had about this before. You are right; we are there to facilitate the right to peaceful protest. You are also right; we are there to keep the peace. That is a tricky balance, particularly

when there is an element who do not want to keep the peace. We have a wider responsibility to other people to make sure they do not get drawn into disorders and disturbances. I think we did that. I continue to say that containment is a valid tactic to be used wisely, on the best of information, and carefully. We learnt from G20. We did it differently. Will it ever be a thing of perfection? These are scenes of disorder and disturbance with people who do not often want to cooperate. Can we learn from it? Absolutely.

Jenny Jones (AM): Can you see that there is an issue and it can be counter-productive? In fact, what you are doing is making a lot more people angry and upset and distressed and who might start doing much worse things than have already been done? When you imprison people like that there is going to be a lot of resentment.

Sir Paul Stephenson (Commissioner, MPS): That is your language, Jenny [Jones]. I will let that go. Listen, I will tell you what I think would have been counter-productive; to let a whole bunch of people go to join some other people that were already causing some difficulties and have an uncontrolled situation in various parts of London that would, in my belief, would have led to more damage and potentially more injury. That would have been unacceptable.

Jenny Jones (AM): There was more damage and more injury afterwards because people had got so upset. Anyway, we are never going to agree on this.

Sir Paul Stephenson (Commissioner, MPS): No, we are not.

Kit Malthouse (Chairman): Toby [Harris]?

Toby Harris (AM): I find some of the discussion we have just had completely surreal. I know I probably have been moving politically rightwards for the last 40 years and these are pendulums which sometimes swing the other way, but when I was a teenager and went on demonstrations there was a degree of personal responsibility; you dressed according to what you thought the weather was likely to be and recognised how long you might be out there and you recognised that there might be some degree of personal inconvenience. This was before the days of mobile telephones so, if your parents were worried about you, you got more of a bollocking when you got back rather later than anticipated! I do think there is a degree of personal responsibility that has to be taken into account in this. The luxuries of portaloos and all this other gubbins.

The alternative, which I also recall from my younger days, are people running down streets being chased by police officers, sometimes on horses waving batons around, was probably not in the interests either of the demonstrators or anyone else who just happened to be in the area at the time and got knocked around as a consequence.

I talked about the pendulum swinging in terms of my personal position. I do think there was a sense that the pendulum had rather swung dramatically as far as the MPS's position on how to manage these things had gone and I think that what the Commissioner has said

is an indication that, yes, perhaps the pendulum did swing away from a rather softer tactic to one which was rather heavier.

What I would be interested in is some comment on the resources deployed. I think you told us there were 32 PSUs deployed. Is that the equivalent of 800 officers?

Sir Paul Stephenson (Commissioner, MPS): Yes.

Toby Harris (AM): Was that including any additional reserve that you had deployed? I was quite struck, when I passed through Trafalgar Square early on, with the entire Square being ringed by police transport vehicles. It was a bit like the wagons having being circled for something, only people were inside as opposed to outside. I do wonder what the vehicle was doing in the middle of Whitehall? Again, I saw that there much earlier. Why was it left there? It seemed to be an odd place to have it. Could you give us some indication of the extent to which you did transfer resources from the boroughs? What extent was there abstraction yesterday, or was it entirely from the reserves that you have available?

I ran into one of your predecessors - I will not mention which one, you can choose which of the four it was - who was surprised at the number of horses that he had seen on his way into the House of Lords! Had we deployed all the police horses in the capital? To what extent was the MPS at stretch as far as managing a public order situation? Although there was obviously a lot of drama about it and there had been the Prime Ministerial intervention about what had happened two weeks ago, this was a comparatively small demonstration. I would be interested to know whether you felt your resources were at stretch and what the consequences would be had it been something which was much larger or much more difficult to manage for a variety of reasons?

Sir Paul Stephenson (Commissioner, MPS): OK. Firstly, in terms of other police forces in the capital, we do work very well with our colleagues in British Transport Police (BTP) and City and there were BTP and City officers assisting us yesterday.

In terms of stretch of the MPS, I think we are considerably way off stretch. It was a significant event. Because of the events of two weeks ago and because of the obvious potential we were not just policing demonstrations. As I said, one of the key objectives was policing vulnerable premises. That was the right thing to do. A lot of our asset was on maintaining protection of vulnerable premises, which did not come under attack because we did not allow it to happen. Had we allowed it to happen it would have done. Therefore, to redeploy the people who were protecting vulnerable premises that looked very quiet would have been a big mistake because suddenly there would be no protection and then we would have been in some difficulty. The operation was a protect as well as a policing operation. That is what we did yesterday. That took quite a lot of people.

Did we take people from boroughs? Yes, we did. I have not got the detail here, Toby [Harris], but Tim [Godwin] has just whispered to me almost certainly a sergeant and seven from most boroughs, if not some more. 800 is quite a lot of people. We think

we put the right asset in place. It was not just the demonstration; it was also a protection exercise as well. I think it had to be.

We are a long way off stretch. We can do much bigger than that, but much bigger has more consequences of course. Yes, the boroughs were affected yesterday.

Kit Malthouse (Chairman): OK. Graham [Speed]?

Graham Speed (AM): Thank you, Chairman. I think that, as a Police Authority, it is absolutely right for us to challenge over the events that we saw yesterday and we saw two weeks ago. However, I feel that we need to be a little more robust about this and offer a greater degree of support. I am rather inclined towards the views that Toby [Harris] has expressed, rather than some of those that we heard earlier on. Last time the Commissioner was rightly criticised for the level of resourcing that was put in. This time sufficient resources, over resourcing - however we care to describe it - was available and it is my strong belief that, as a result of that, substantial further disorder, damage and injury was avoided.

I would like to add my congratulations to the command team involved in this who have an unenviable job, a thankless task, because whatever it does, it is damned if it does and it is damned if it does not. There is too much resource. There is not enough resource. Whatever it does it is subject to criticism, particularly from a body like this. I would also like to thank the officers on both of those events, particularly those on the front line and especially those who were the subject of injury. I very much hope that they will be back on duty soon.

We have also got to accept that there is an inevitable financial cost to events such as yesterday and two weeks ago as a result of the increased resources. As we have seen now, rather than the lower level of resourcing applied, we must accept, almost inevitably, that there is going to be a greater degree of resourcing and that resourcing is going to come at a cost. It is going to come at an overtime cost. It is going to come at a cost of abstraction from boroughs, from each borough, from officers that would be doing things in their communities and towns. That is something that we will be talking about a little bit later on in terms of the resourcing picture.

I also think, picking up on Toby's [Harris] point that those involved, those organising, those choosing to attend, those choosing to absent themselves from school, college, university or wherever need to take a greater degree of responsibility for their own well being. They choose to be there. There were opportunities to move away from those areas where there were difficulties. If you are organising something like that, why organise it on a day like that? There may be better ways of doing it. Clearly this is about the right to protest and the absolute responsibility for the police to ensure the safety of those protesting, but a degree more responsibility from those involved and those attending would be welcome.

If someone was observing this, they might go away from this thinking the Authority is really very critical at the way this has been policed. I would like to see us saying we think there are areas where we can learn but, broadly, what went on yesterday was a well policed event.

Kit Malthouse (Chairman): Hear hear. At last. Victoria [Borwick]?

Victoria Borwick (AM): Does the Commissioner not wish to respond at all to any of that?

Kit Malthouse (Chairman): I thought it was a comment really rather than a question. A very welcome one I have to say, at last.

Sir Paul Stephenson (Commissioner, MPS): The response I will give is I will pass those comments on to the command team and, of course, I endorse them.

Kit Malthouse (Chairman): Victoria [Borwick]?

Victoria Borwick (AM): Right at the beginning you were giving us a briefing of who was where and when. I was interested when you said that you ended up having what was effectively three marches together and interested in the thought that that, often, can bring herd behaviour where people might not have intended to behave in some way but then seeing how others behaved. I am interested in the point that you made about letting them all merge or whether you should have, as you do at football matches, keep them separate using cordoning. The marching from where to where were you going to permit and what happened when everybody met?

There have been concerns, if you listened to the radio overnight, of younger people, perhaps less prepared than they should be - and I take the comments of my colleagues - and whether, therefore, we have a slightly more proactive role there. One of the things that we all talked about before was the need to communicate effectively with those that we are policing, which is very, very difficult in those situations. We have talked about different ways of how to do that because it is very difficult to communicate if you are just having abuse thrown in your face. It is quite difficult to convey back, certainly past the first line, to other people, what is going to happen to them and when you are going to kettle and when you are going to let the people disperse. That has to be a matter of safety. I would welcome a bit more information about your communication methods, which was raised earlier too.

I had heard that afterwards some of the people who were released went and damaged a bus and other things in Trafalgar Square. I also walked around the various cordons yesterday from about 12.30 pm and again later on at about 7 pm. I saw for myself what was going on. Obviously I share the concerns that the people have made but very delighted that, as you say, in the end it all passed off reasonably satisfactorily. There are always lessons to be learnt and I feel that is my role here. Please, some questions.

Sir Paul Stephenson (Commissioner, MPS): Command decisions. Do you keep them separate or do you let them merge? The football analogy is not the most precise analogy, if I may say so, because we have competing fans, some of whom - taking John's [Biggs] note of caution - may wish to engage in violence. We do segregate football fans. These people were not going to engage in violence against each other. The command decision would have been, "If we try to segregate these people, we are going to be in a for a long haul using lots of police asset to keep them separate, and for what purpose?" That would probably have been more difficult and ended up with more containment than allowing them to come together. Whilst it was a difficult situation we are not talking about 25,000; we are talking something in the region of 4,000. Always difficult judgements to make.

I do not think anybody here, to be fair, is trying to second guess. I certainly try not to second guess, certainly in the aftermath. When I went to the debrief last night - and it was a very detailed and a hugely impressive debrief, frankly - everything I heard, the considerations it had gone through, I was very confident that I had the right people making the right decisions at the right time.

The one thing I do want to stress, no matter how well we plan for these things and no matter how well we police these things, we can never guarantee to prevent disorder in these things. What you can expect us to do is to make sure that we do the best we can to prevent it and, if it happens, to be in the best position to mitigate it, which is what we did on this occasion.

Communication. Really difficult. Once you have got into the event it is a turbulent and noisy scene. A lot of people do not want to be communicated with. Despite our very proper concerns those concerns were not shared by a lot of the people that were in there yesterday. A number of them were doing everything they could to overcome anything we could do to assist them. I understand that we tried to use public address (PA) systems and they were drowned out by the crowd, so we could not communicate. We tried.

Victoria Borwick (AM): That should be recorded that you did, though.

Sir Paul Stephenson (Commissioner, MPS): Yes. One of the things that we did, and I think it was more effective - Jenny [Jones], we had a discussion earlier on and I think this might be an area where we might be able to agree - was they did take their NATO(?) helmets off when they felt it was safe to do and put normal head gear on so that they could communicate. That was another lesson coming out of G20. I am told that certainly, in certain areas, calmed the crowd down a little bit more.

I never resile from the fact that we can learn lessons and I always try to improve. I just want to stress these are difficult scenes and some people do not want to be communicated with. That does not mean to say we should not try and find other ways, but they do not always seem to receive the message.

Victoria Borwick (AM): We could certainly watch it on television. You had your own helicopters up there and there were the press helicopters up there as well. In that sense it was, as usual, minute by minute. I thought it was impressive; the fact that most of the police that you saw were in what I call low dress as opposed to riot gear. I am sure that was a very good decision.

Kit Malthouse (Chairman): OK. I have got Steve [O'Connell], Neil [Johnson] and Tony [Arbour] and then we should move on. We have got some other questions.

Steve O'Connell (AM): Thank you. First of all I would like to identify myself with some of the comments already made, particularly with concerns around finances and resources of this going forward around overtime because, as has been pointed out by many speakers, it may well be that in the coming months we will have more events. I have some concerns around the resource side.

I would like to particularly agree with Toby [Harris] around the personal responsibility piece. It is to the credit of this group that we have a more balanced debate around this. It is around personal responsibility and responsibility of parents and schools. My boys are a bit older but if I had a 15, 16 or 17 year old who took himself up to town to join that sort of environment I would have some concerns about it. We need to look at that.

I will be rather Biggs-like here because I have been indicating. For those many thousands of people who are probably watching this, I would particularly confirm that I do support demonstrations, legal demonstrations, and the right to demonstrate. Eight or nine years ago I joined a very large demonstration in this town of about 300,000 with a couple of Jack Russells tucked under my arm. You can be a judge of what demonstration that particularly was.

What I would like to say, particularly, is to applaud you and thank you and your team for what was a successful piece of work yesterday in the round. As Graham [Speed] said, you are in a no win situation. A couple of weeks ago - and I was involved in some criticism - there were problems. You have now got to a situation where you had a successful piece of work and I thank you for that.

The question I really have is if, going forward, we will see more of these events it is around abstractions. I have some concerns about the abstraction side and the financial side and the effect on those outer London boroughs and other boroughs that may lose resources for these events going forward. I would like your comment around that, Sir Paul [Stephenson]?

Sir Paul Stephenson (Commissioner, MPS): I would link answering that into what John [Biggs] was saying and my responses earlier. I do happen to agree with what John [Biggs] said and that is we have got to do everything we can to communicate in advance to say to people lawful and peaceful protest is fine. We will facilitate. Obviously every peaceful protest has a consequence as well in terms of cost, but that is what we do.

My comment is, Steve [O'Connell], I do not expect you to be jumping for joy with the news that we are going to take a more cautious approach. I do not expect anybody in this Chamber to be delighted with the fact that that is going to mean more abstractions. I do think we have a responsibility to be honest with each other and that there is a cause and effect here. We have to police these things. I am not trying to inflame it and I do hope we do not have any more violent disorder. Frankly, I do not relish the prospect of putting my hat back on and going back outside New Scotland Yard again, in the near future, to say that we did not put sufficient people in place. That is not a prospect I relish in the near future so I do not intend it to happen.

Kit Malthouse (Chairman): Neil [Johnson]?

Neil Johnson (AM): Chairman, thank you. I am going to slightly continue the theme of rights and responsibilities if I may. Can I, first of all, associate my comments entirely with some of the later speakers in congratulating Sir Paul [Stephenson] on a successful operation yesterday.

The issue that I want to raise really is very much related to this but it covers a wider point of principle too. That is that I was personally extremely concerned yesterday to notice that a Member of this Police Authority was, as it were, intervening very publicly - I think it is called twittering according to my children - in real time during a very complex police operation. I am an Independent Member here but, nevertheless, there is a sense of corporate responsibility around this group that should apply to all Members. I feel quite strongly that it cannot be right, or appropriate, for any Member of this Authority to, effectively, undermine an operational commander during an operation.

It is perfectly appropriate, as we are doing today, that we hold to account the police service in the execution of its responsibilities. It is not right that that should interfere with operational command. I think, Chairman, that we should all agree that this will never happen again.

Kit Malthouse (Chairman): OK. I have to say, Neil [Johnson], I tend to agree with you. Whether that is enforceable, I am afraid in the current Authority structure, I do not know. We will note your comments for the future in similar situations.

Dee Doocey (AM): Just on that point, I really do not think that we can even accept that because every person is an individual in their own right and they are elected here to do a job and it is for them to make a decision whether or not they are going to comment on something. Where would this end? Those of us who are politicians on this Authority would feel that we could never, in real time, criticise anything that was going on. It is a complete nonsense. It does not mean that I think what has happened is right but, far from it not being enforceable, I am not even sure that it is right that we accept this as a premise.

Neil Johnson (AM): Dee [Doocey], with respect, it is not wrong. What is wrong --

Dee Doocey (AM): That is your view, Neil [Johnson].

Neil Johnson (AM): No, no. Please listen. Rights and responsibilities. Everybody around this table has a right to criticise anything they like and our police service defends that right. The responsibility of this group is to give oversight and to hold to account the police service in this forum and in all the other Committees that we have in order to do that. It is irresponsible for a Member of this organisation, during an operation, to undermine the operational commander in public. That is what happened yesterday and that cannot be right.

If you want to attack the operational commander in real time then step down from this body and do it as a politician, not as a Member of the Police Authority.

Kit Malthouse (Chairman): Jenny [Jones], did you want to say something?

Jenny Jones (AM): I think I am being referred to here as the person who was tweeting. It is good to see Neil [Johnson] at one of his rare appearances at this Police Authority even though many of us do not agree with what he is saying. Perhaps he would like to speak to the ground commander who was there yesterday and with whom I did speak and who, in fact, did ask my opinion a couple of times on things that he should do. I gave him, to the best of my knowledge, my opinion which he followed and which was successful. The role that I played was a moderately balanced one, even though I was extremely critical of the containment.

Neil Johnson (AM): Jenny [Jones], you are ducking the issue of private advice --

Dee Doocey (AM): Chairman, we should not be lectured --

Clive Lawton (AM): I would want to endorse Dee's [Doocey] view. I think it is an impossible suggestion. Let us assume an extreme position. You observe a police officer bashing somebody over the head with a baton for no apparent reason and you immediately start yelling in the street, "This is fascism. It is unacceptable. Cannot be done". Are we supposed to wait until the next meeting before you object? You have got to be able to immediately, if you believe that, object to what you see. It seems to me intolerable to suggest that any Member of this Authority cannot do that. There is a separate statement that Neil [Johnson] may be making about responsibility of moderation and care and all those things. As an absolute principle or an instruction we should all sign up to, I think it is nonsense.

Dee Doocey (AM): Absolutely right.

Kit Malthouse (Chairman): OK. That is why I think we say we note your comments.

John Biggs (AM): Chairman, there is a question of a code of conduct isn't there? If someone has breached something then there is a process we should go through. Make the complaint.

Kit Malthouse (Chairman): OK. All right. Thank you. Tony [Arbour]?

Tony Arbour (AM): Initially, Chairman, I want to say to Toby [Harris] there is more joy in central office over one sinner who repents ...

Toby Harris (AM): What sin is it suggested that I have repented?

Jenny Jones (AM): Your socialism.

Tony Arbour (AM): You have repented your former socialism from the sound of it. What is important is that we, as an Authority, are critical friends and very often at these meetings it sounds that we only criticise.

I would very much like us, as an Authority - and I think this is really for you, Chairman, rather than the Commissioner - to make it clear how much we do respect the rights of citizens to demonstrate but they ought to know that, if they interfere with the Queen's Peace, appropriate action will be taken. So far as I can see that is exactly what happened yesterday and, indeed, on the previous occasion. It does seem to me that a demonstration for this cause is being carried out by people who really ought to know exactly what it is that they are doing and, therefore, they should have known precisely what may have happened to them. In case they did not I would very much like the Authority and you to make it clear that this is the risk they run.

On the new McGuffin that has just been thrown in I have to say that, just as we believe that students and other citizens have the right to freedom of speech, I think the Members of this Authority do also.

Kit Malthouse (Chairman): Finally, Dee [Doocey]?

Dee Doocey (AM): I am not going to repeat anything that anyone has said. I have just got one particular point that I would like to make. I feel very sorry for the students because, for many of them, this was the first time they had ever engaged in the political process and they seemed to have their events hijacked by people who are intent on causing mayhem and doing all sorts of things. It is very, very difficult to balance what needs to be done.

I am not looking for an answer now. I am wondering if there is any more work that could be done to identify known anarchists. We keep being told by the press there were X number of anarchists. I am wondering if that is right and, if there are, if there is anything further we could do to identify them. It is a great shame that those who do want peaceful protest are just going to be turned off because they are going to be so scared of going and being in a situation where they are kettled for days on end - hours on end.

James Cleverly (AM): Days!

Jennette Arnold (AM): That was the next stage.

Sir Paul Stephenson (Commissioner, MPS): Even I would not try to justify days. I cannot give you a precise answer but what I would say is I agree with you; I keep saying it, our job is to facilitate peaceful protest and we believe passionately in doing it. When that process is hijacked it is hugely regrettable and often dangerous.

From the demonstration two weeks ago the arrests we have done since, regrettably I suppose, it is fair to say the vast majority of the arrests we have made are students. Difficult to go further but they are students. The problem with that is people lose their head, hysteria sets in, they get caught up in the situation and there are long term consequences for people who do that. It is very sad.

Kit Malthouse (Chairman): OK. Thank you on that. From my point of view I was going to add my congratulations, Commissioner, on what was, as far as I could see, a very good operation. Not least measured by the very small numbers of injuries and our sympathies go to those officers who were injured, particularly the lady who has broken her arm.

Jennette Arnold (AM): And the members of the public as well, Chairman.

Kit Malthouse (Chairman): I was initially going to ask a question about the safety of officers because, although we have talked a lot about the safety of the protestors, the safety of officers has to be a primary concern too, but, given the low level of injury, it is quite obvious to me that the training and preparation and the fact that you had officers properly kitted out addressed all of that. I will leave that for the moment but you have our congratulations, as do the team.

Right. We move on to written questions please. First off the bat is James Cleverly.

James Cleverly (AM): Thank you, Chairman. I would like to ask the Commissioner what mechanism is in place to incorporate the recommendations of the cross party Safer Neighbourhood Review Panel into the Assistant Commissioner's review on Safer Neighbourhood policing?

Sir Paul Stephenson (Commissioner, MPS): We will await the recommendations. It is very difficult for me to give a commitment until I see the recommendations, James [Cleverly]. We will do what we normally do and that is listen to the recommendations. More often than not we accept the vast majority of them, work on them and then put something into place and report back on it. I do not anticipate a problem of incorporating them but I would, out of all honestly, reserve the right not to commit until I see what the recommendations are.

James Cleverly (AM): To follow up on that briefly. One of my concerns was with regard to the timing. Obviously we are very keen to make sure that no decisions on this are delayed any more than they need to be but, at the same time, that no decisions perhaps are made from the Assistant Commissioner's (AC) point of view until the report has been finalised and submitted.

Sir Paul Stephenson (Commissioner, MPS): James [Cleverly], I will go away and ensure that we look at the various timescales to make sure there is some sort of coming together on this.

James Cleverly (AM): OK. Thank you, Chairman.

Kit Malthouse (Chairman): OK. Jenny [Jones]? Your written question please.

Jenny Jones (AM): Sorry, I thought there were quite a few other questions before me. I am so sorry. It is three questions around the death of Olaseni Lewis. I am not asking about that case particularly, but issues around that. The first is are you undertaking a review of the training and guidance given to police officers in the use of restraint and the implementation of that training and guidance? Secondly, I would like to know when the date of the last review of restraint was carried out by the police before the events that lead to Olaseni's [Lewis] death and what was the outcome of that review? I understood a coroner advised a review. I am not sure if a review was done then. Lastly, have the police officers involved in the restraint been removed from front line duties?

Kit Malthouse (Chairman): I think the Deputy Commissioner is going to answer this question.

Jenny Jones (AM): Thank you. Sorry. Some of the family is here today. **Kemi(?)**, Olaseni's sister, and **Umari(?)**, his best friend.

Tim Godwin (Deputy Commissioner, MPS): Thank you. Our condolences go to the family of Mr Lewis, whose death was a tragedy. At the moment it is very difficult to talk about it because it is still part of an independent investigation by the Independent Police Complaints Commission (IPCC).

In terms of our restraint training. Reviewed in 2004. That was following the inquest into the death of Roger Sylvester. From that review significant changes were made to our training manual with the emphasis being on the core restraint issues that can lead to acute behavioural disturbance and positional asphyxia. We also, at that point, introduced a safety officer whose task is to monitor the wellbeing of the person being restrained to monitor breathing etc.

As a result of that, in 2009, that was reviewed by Her Majesty's Inspectorate of Constabulary and was found to be good practice. As a result it is not being reviewed as we speak and we have had no contact from the IPCC to indicate that we should.

At the moment no officers have been suspended or placed on restricted duties in relation to that IPCC investigation but we continually review it with them as to what actions need to be taken, if any.

Jenny Jones (AM): I am sure you know the inquest is quite concerned about this matter. There are two big issues. The first is that the training for a restraint of this kind has to be very good because you are often dealing with somebody who is not well or distressed in some way. It is whether or not the police officers get frequent enough training. Each police officer must do it incredibly rarely so does the training cope with that? The second thing is, of course, the disproportionate number of young ethnic minority men who die in this way. It is way disproportionate to the number of people that it happens too. Those are the two.

Tim Godwin (Deputy Commissioner, MPS): There are a number of different bits that we could go into in relation to some of those issues that you have raised. We are very aware of the seriousness of the use of restraint in terms of the medical wellbeing of the person being restrained.

There is an independent Medical Science Advisory Board that comes and keeps testing us and checking us to make sure that we have learnt the lessons from those inquests of the past and, at this time, that was checked again after the G20 reviews and was found to be compliant with the best learning as is at present. It is regularly refreshed. All persons up to the rank of superintendent have to attend mandatory training. That will continue.

I note that you want access to that officer safety training (OST) manual. We do not print things anymore but it is on a **WARE(?)** which you can access through the MPA so you will be able to access online our OST manual.

Jenny Jones (AM): Thank you. Disproportionality? Has that been looked into?

Tim Godwin (Deputy Commissioner, MPS): Disproportionality is an issue that we look at for a whole range of things from arrests and stop search. It comes into scrutiny within the forums within this Authority and in terms of events in custody etc. Disproportionality in relation to what, thankfully, is a very rare event in the small numbers would be a hard thing to judge as to how that was disproportionate. I certainly will have a chat with you offline on that.

Kit Malthouse (Chairman): OK. Thank you. John [Biggs]?

John Biggs (AM): I am happy for my first question to be responded to in writing.

Kit Malthouse (Chairman): In writing. OK. Fine. Second question?

John Biggs (AM): Any possibility of a quick answer on the second one?

Kit Malthouse (Chairman): Would you mind reading it in just for the webcast?

John Biggs (AM): You want me to read it out? OK.

Kit Malthouse (Chairman): People do not know what the question is.

John Biggs (AM): OK. My first question was about gypsies and travellers and it was, “I note from a recent report that the Gypsy and Traveller Advisory Group, one of the independent advisory groups (IAGs), has not met for some years. What reasons are there for this disuse? What, if any, plans exist for improving liaison with gypsy and travellers groups?” I will receive a reply in writing to that.

Kit Malthouse (Chairman): OK.

John Biggs (AM): The second question is would the Commissioner care to comment on whether there are any circumstances in which the deployment of resource, including of staff, would not be an operational matter? This is in response to a letter which was sent to all Members following a question I raised at the last meeting.

Sir Paul Stephenson (Commissioner, MPS): John [Biggs], you asked would I care to comment and you asked for a quick answer. The quick answer is, no, I would not care to comment! I am not too sure hypothetical questions like that take us very far. Whenever you raise issues around this I always do respond to the specific issue you raise and try to get it as balanced as I can.

John Biggs (AM): I am very grateful for your reply. We have spent an awful lot of time discussing another matter this morning. I do not think we can do justice to this. As you say, it does have a degree of theoreticalness to it. However, Parliament is about to consider the future governance of police services. It seems reasonable for me, at the very least, to say that, in my opinion, this is an issue in which there are some fuzzy edges that might need to be usefully addressed within Parliament. I have got a hunch which way you would like them to be addressed and I think it is incumbent on all of us to think about our own views as to which way those issues might be addressed.

The question in my mind, for example, is the budget clearly has operational implications but if the implication of your reply is that it is essentially not worth the paper it is written on other than the bottom line figure, then that would not be quite the right conclusion that I would like to see.

Obviously we could debate this all day. We are not going to be able to. There are a number of complex issues that perhaps could usefully be addressed. If the MPA is thinking about its legacy, as it faces likely abolition, then this may be an issue that could exercise people to some degree, Chairman.

Kit Malthouse (Chairman): OK. Thank you.

Sir Paul Stephenson (Commissioner, MPS): John [Biggs], I am very happy to have a one to one discussion on it. The one thing I would respond is to say I do not think the implication of my reply is at all that it is just the bottom line number. I would go a little further than that.

Kit Malthouse (Chairman): OK. Victoria [Borwick]?

Victoria Borwick (AM): My question is, “Following on from the media coverage on the cost of using the Airwave radios, can the Commissioner please update us as to what the situation of the MPS is with regard to this matter and how is he advising officers to use their radios?” If you recall there was an article that says, “Police told to send text messages because it is too expensive to speak on their radios”.

Sir Paul Stephenson (Commissioner, MPS): It was an article that may have been on Dorset Police, Victoria [Borwick]?

Victoria Borwick (AM): I did not know what the situation in the MPS was. That was the problem. I thought it was sensible.

Sir Paul Stephenson (Commissioner, MPS): We are not considering using text messaging to replace voice messages for command and control communications, but we are actively encouraging officers to use status messaging, something that we now can use because of our move towards the Automatic Personnel Location Systems (APLS) system. Status messaging is for a limited range of communications which enables officers to inform the control room of the status at the press of a button and frees up available voice channels. It is hugely cheaper and far more effective and efficient.

Victoria Borwick (AM): In the past a fellow Member of this Authority has been particularly concerned about the reach and the use of the Airwave system. I am, therefore, making sure that we do not lose sight of the ability to use Airwave if that is going to help us communicate in areas that we have not previously been able to do.

Sir Paul Stephenson (Commissioner, MPS): We do have a text capability on Airwave but that is not as big an improvement as using status. We will always keep it in consideration but the status messaging makes better use of the facility, allows for more communication because the brief is short and does not take up the airways, and it is hugely cheaper as well.

Victoria Borwick (AM): That is also going to be available and used on the Underground?

Sir Paul Stephenson (Commissioner, MPS): I think it will be available for use on the Underground. I am trying to think what the situation is down there. I think it is because it is now all available for use on the Underground.

Victoria Borwick (AM): That was the concern raised by previous work done by this Committee.

Sir Paul Stephenson (Commissioner, MPS): That is a broader issue and there has been significant progress there. Certainly, on our Airwave system, now we have the status capability, which is good news.

Victoria Borwick (AM): Thank you very much indeed.

Kit Malthouse (Chairman): OK. Dee [Doocey], I should just say that, in your absence, you were congratulated and showered - even got a round of applause - for the change in the colour of your blood recently. Big congratulations from all of us.

Dee Doocey (AM): Thank you very much.

Kit Malthouse (Chairman): Your question please.

Dee Doocey (AM): My question is that I understand that borough commanders have been asked to carry out footfall surveys on their front counters. Given the Mayoral commitment not to close any police stations until a substantially better replacement is opened, can you explain the reasoning behind this survey?

Sir Paul Stephenson (Commissioner, MPS): Two footfall surveys have been completed to date; March 2010 and June 2010. The intention of the surveys has been to understand the current uptake of front counter services for London to make sure we have the information. That data is part of a wider package of information that has been, hopefully, used to improve service delivery. Particularly some analysis of how people report crimes these days and the significant changes in those reporting patterns.

The data just does not relate to physical front counters but also to the broader theme of public access to police services, considering police information points, telephone reporting of crime, appointment systems and that kind of thing. We are genuinely trying to find out what are the patterns of usage, how is that changing and how should we respond to that in the future.

I understand the Mayor may have said something about this but as we face a difficult financial situation and as we see behavioural patterns changing with young people engaging with public services in a different way we need to make sure we make the best use of the asset we have got and the resources we have got but, at the same time, make sure we are tailoring services for the 21st century and not the last century.

Dee Doocey (AM): Can I come back? I fully understand that, at a time when we have got to save very substantial sums of money, it is absolutely necessary and right to look at everything. My problem, again, is that of communication. Everybody knows that front counters are a very, very sensitive thing. It would have been helpful if we had known

that this was happening so that when people were asking us about it we were able to respond. That is point number one.

Point number two is I ought to throw into the mix, now that I do know it is happening, I had understood all borough commanders had been asked to do it but that is different to what you have just said. We need to take account of the people who, whatever happens, are not going to use the internet and the telephone, particularly some black and minority ethnic (BME) communities, and older people who prefer to go and see a human being rather than use the phone or use the internet. I would be very keen if you would make sure that, when you get the information, before any decisions are taken, that it comes back here and we have a proper debate about it so that all of those things can be taken into consideration.

Sir Paul Stephenson (Commissioner, MPS): Dee [Doocey], point taken on the first point. It is a hugely sensitive area and it would have been wise to make sure people understood what we were doing. We could have had some constructive support taking it through that way.

Secondly, it will be brought back here. It will be part of the Estate Strategy. I do take the point that we have a wide range of service users and not just young people who use the internet. I do take that point. If we can have a constructive debate around it here then we can try to thrash out what is best for the future, what is best for the current and how do we forge what our future is going to look like?

Dee Doocey (AM): OK. Thank you.

Kit Malthouse (Chairman): Thank you. Caroline [Pidgeon]?

Caroline Pidgeon (AM): I have got two questions. If I do the first one, "What is the future of the basic command unit funds?"

Sir Paul Stephenson (Commissioner, MPS): It is a specific Home Office grant payable to police authorities. The annual grant agreement document is endorsed by the MPA Treasury. I am informed that Clause 17(1) of the 2010/11 Grant Agreement states that the Authority - that is the Home Office - does not commit to renew or continue financial support to the recipient - that is the MPA - after the funding period. Indications are that 2010/11 will be the final year of the basic command unit fund (BCUF) in its current guise, however, no definitive decisions have been taken. That is what I am informed.

Caroline Pidgeon (AM): OK. Given that there are a huge number of projects - particularly partnership projects, victim support, domestic violence and so on - that are funded through this particular funding stream, are you looking at where these might be picked up elsewhere, because we do not want to lose some of that work?

Sir Paul Stephenson (Commissioner, MPS): I am sure we will be but I will make sure we are doing and I will make sure you get a note on it.

Kit Malthouse (Chairman): We are in conversation with the Home Office similarly about some of the funding streams that come out from their point of view around crime prevention and some of that work, not least there has been a Government announcement today about spending on violence against women's projects. We want to make sure that that is strategically targeted in London, rather than spread too thin. There are ongoing conversations on that.

Second question?

Caroline Pidgeon (AM): My second question is, "What changes are being made to police officer uniforms and at what cost?"

Sir Paul Stephenson (Commissioner, MPS): Considerable feedback, it says here, from patrol officers in recent times. I can inform you there has been considerable feedback about police uniforms for all of my 35 years plus in the police service! In particular, what they are looking for is a more comfortable uniform to wear with body armour, because the old uniform is not very practical or comfortable.

A report is currently being prepared for the Management Board to consider the introduction of two new items of patrol uniform; a practical shirt that can be worn with body armour and a pair of trousers that meets the current operational requirement. We have made no final decisions on that yet. We are very keen to try to maintain the traditional image of police officers but have something that is a little more user friendly.

The only thing we have changed is a contract for a new anorak to replace two anoraks currently being used. That was awarded approximately four months ago. It will be available for issue in the next two months and the new anorak costs 30% less than the outgoing items. The decision there would be do we do one mass change over or do we phase it in? I am pretty well guessing we are going to phase it in because it does not look wholly different to what we have got currently now and that would be a less expensive way of doing it.

Caroline Pidgeon (AM): I am interested you say that it is not already coming in because I had understood that boroughs had received a communication that you are now moving over to new shirts, which sounds sensible. The thing I was more concerned about was a change in the trousers to what are described as cargo pants which sounds, to me, far more military in style, rather than the smart trousers that police officers are wearing now. I appreciate you are saying it sounds like police officers may well have been involved in the development of this but have you involved the public at all in terms of how they see the police? If you move to something that is, potentially, more military in style, the police may be seen as less approachable than they are now.

I have got a further follow up but that is the first.

Sir Paul Stephenson (Commissioner, MPS): I entirely agree. What we have done is we have seen various mock ups. Every time this comes for a discussion at the Management Board I almost offer a by because I keep saying I am the last person in the world to be choosing what people should be wearing. I hate the whole discussion, but it is an important one. I personally hate cargo trousers because all I have seen is my kids looking dreadful in them for many, many years.

The Management Board has seen various mock ups and I have seen them. The mock up that we think is the right way forward, but we are waiting for the final report, which will have costings around it, to make the final decision, does look rather good and we will happily bring something here.

In terms of consultation with the public I understand there was significant consultation internally and externally. One thing I believe is there has been significant change to the uniform around the country. That is for other forces and other police authorities to decide. I am not a keen advocate of some of the changes that have been made around the country, particularly the massive changes to colour, black uniforms, polo neck jumpers. I find they do not convey a traditional policing image. I want our police officers to feel comfortable and practical but I also want them to look like British police officers, British bobbies. Achieving that balance is very difficult. The ones we have been looking at are achieving that balance but we have got to recognise body armour has changed again a bit for us and we need something more comfortable.

There has been a lot of consultation. I will happily bring a report back here on it.

Caroline Pidgeon (AM): It would be useful if you could come back to me because I have been told that boroughs are now being instructed that the new shirts, the new cargo pants and the new anoraks they have to now start bringing in as officers want uniforms replaced. It is already out there and you are saying you have not made a decision on it. That is very different to what I understand. I have spoken to a number of boroughs about this. That is one thing.

Numerals are really important in all of this and making sure numerals are visible in whatever uniform changes there are - ideally embroidered on numerals - so that it is very clear which police officers people are dealing with.

Sir Paul Stephenson (Commissioner, MPS): Caroline [Pidgeon], the importance of numerals is embroidered on my soul.

Caroline Pidgeon (AM): Excellent.

Male Speaker(?): We won!

Sir Paul Stephenson (Commissioner, MPS): No, it was always there!

Caroline Pidgeon (AM): The other issue?

Sir Paul Stephenson (Commissioner, MPS): The other issue. I will happily drop you a note on it. I am waiting for the Management Board to tell me the cost of all of this. I am quite sure there is lots of communication going on and you ought, perhaps, to also see what it is that is being proposed at the same time.

Caroline Pidgeon (AM): Thank you.

Kit Malthouse (Chairman): I am looking forward to my anorak and operational trousers, Sir Paul [Stephenson]! Joanne [McCartney], I think we have answered your first question. You had a second one.

Joanne McCartney (AM): My second question really is on the theme that Dee [Doocey] was talking about earlier. I understand the Safer Neighbourhood Property Review has put a halt on all new Safer Neighbourhood bases. Some of them, I believe, were envisaged to be neighbourhood front counters as well. How does that fit into the wider police Estates Strategy, particularly as we have a commitment from the Mayor not to close anything until something is opened up nearby and we are in a financial position where you said inanimate objects and estates are the first things we need to be looking at?

Sir Paul Stephenson (Commissioner, MPS): Anne [McMeel]?

Anne McMeel (Director of Resources, MPS): Yes, Chairman. The Safer Neighbourhood Property Review which was discussed at Finance and Resources (F&R) Committee last week is wholly aligned to the Estates Strategy and the quest by the MPS to make the most efficient use of its estate as part of our Budget Strategy going forward to look at reducing down our property costs and our running costs by about one quarter over the next few years.

I did recognise at the meeting that some of the conversations that I thought had gone on with Members had not gone on in the detail that I had expected. What we agreed at that meeting was that we would bring the proposals to the Estates Panel to have a discussion about how it does all link together and that, in the meanwhile, there was a pause on any further expenditure in terms of the properties that we talked about.

What we are looking at is making the most efficient use of the estate. This does not impact at all on any of the existing teams or models. They are all operating out from existing estate at the moment. What we are saying is that, in terms of the priorities going forward, we need to make sure that those teams are appropriately accommodated but we will need to do it as effectively as we can on our existing estate. Some of the proposals were to include front counters. Some of our disposals require us to relocate Safer Neighbourhood Teams. That will be done as part of the overall strategy going forward. It is not that we are not doing those things; it is how do we do it as cheaply and as efficiently as possible.

Joanne McCartney (AM): There will be some coming up that are on lease that may have break clauses. Is it the policy that you will always take the break clause, rather than putting yourself in another five or six year period, while the review is going on?

Anne McMeel (Director of Resources, MPS): What we said last week at the Committee - and Members recognised - was that some of the earlier Safer Neighbourhood base models were not to the same standard as the ones that came along in the next phases. We always put those bases - and, indeed, some of the current bases, into leasehold properties with a five year break to allow us to take proper operational and economic decisions about going forward on those. It is not a *carte blanche* that we will not invoke or not invoke the break clause on any of those properties, but we will be taking a proper look at that in the context of the overall Estate Strategy and the operational business model that the MPS has in terms of delivery of policing services.

Joanne McCartney (AM): Can I ask, when those decisions are made, that the Link Members could be informed in good time? That would be useful.

Anne McMeel (Director of Resources, MPS): Absolutely.

Kit Malthouse (Chairman): Yes, there will be a proper consultation process.

Joanne McCartney (AM): Thank you.

Kit Malthouse (Chairman): OK. That is it for written questions. Does anybody have any unknown unknowns? No? All happy? Great. Thank you very much, Sir Paul [Stephenson], Tim [Godwin] and Anne [McMeel].

We move on to item 6(a). The Race and Faith Inquiry. Formal response by the Police Authority. Catherine [Crawford]?

Catherine Crawford (Chief Executive, MPA): Chairman, there are two papers here. The first paper is the response of the Authority to the recommendations made by the Race and Faith Inquiry, which the Mayor launched some time ago. The second paper, which is closely linked, is a response from the MPS.

If I could speak first to the MPA's paper. What this reflects - as, indeed, does the MPS paper - is that there has been a significant amount of work that has gone on in the intervening period and a lot of the recommendations of the inquiry are, effectively, well addressed.

Perhaps the three items I would like to pick up for particular attention from the MPA's response are the recommendations that we should strengthen our capacity to oversee the general diversity equality programmes in the MPS. We have done so partly by appointing a new Head of Engagement and Equalities, Fay Scott, who has been in post now since September 2010 and is very much making her presence felt in terms of taking this agenda forward. Linked to that, and it is a particular interest of hers and where she

has been particularly active, has been on a much more vigorous and energetic scrutiny of the various equality impact assessment reports which come attached to the reports to the various Committees of the Authority. In both those respects we have something to take credit for but particularly in respect of the continued scrutiny of equality impact assessments (EIAs). We will keep up that kind of pressure.

The third recommendation on which there has been significant action and which was the most innovative of the various ones addressed to the MPA, was to organise a symposium to take forward discussion of the proposals for multi point entry into the police service. Clearly not just the MPS and clearly not just in respect of diversity and equality potential benefits, but as a general approach. What the inquiry found was, somewhat to its surprise, that, although discussions about the possibility of coming in at a rank other than constable had been carried on in various forms for years and years and years, there were no actual formal positions or evidence that people could actively take decisions on. The decision to hold a very open forum in which to discuss that was universally accepted.

That has now been arranged for 12 January 2011. It will take place here at City Hall and we hope that the Mayor will be able to launch, or at least speak at, that symposium. Invitations have gone out. Members should all have received those. We are trying to invite an as eclectic and wide an audience as possible. We have had assurances that the Policing Minister will come and speak at that and we are also hoping to have Tom Windsor. He is taking forward the review of pay and terms and conditions for police officers. This suggestion is something which he is personally very interested in and wants to contribute. We will hear also from Peter **Nerad**(?) on his leadership work which, as we heard at the conference yesterday for those people who were at the conference, also chimes in very much with an examination of a more flexible approach to recruitment of police officers and developing them through to the upper ranks.

The National Offender Management Service (NOMS) will be there and private sector input - Minister of Defence from the armed forces' perspective. I think that will be high profile and extremely valuable. Not forgetting - how could I have forgotten; so glad to be reminded - the MPS is playing a full part in that event. That is a very positive move forward.

The other thing that I think Members would want to consider now is what we do with the implementation and continuing monitoring phase of the inquiry. Recognising, as I say, that there has been significant work taking place already which means that many of the recommendations effectively have been delivered on. There are still outstanding items. The report recommends, at Recommendation A(2), that the Equalities and Engagement Committee should now take over responsibility for ongoing monitoring and implementation, but I know that Cindy [Butts], who chairs the Strategic and Operational Policing Committee (SOP), is keen to set up a small and very focused working group to look at implementation and closure and use that as a vehicle to report through to SOP for the ongoing monitoring of the recommendations both to the MPA and, extremely importantly, to the MPS.

I do not know if Members would want to discuss the MPA paper now, Chairman, or whether you want to ask Tim [Godwin] to introduce the MPS paper?

Kit Malthouse (Chairman): It is probably a good idea to ask Tim [Godwin]?

Tim Godwin (Deputy Commissioner, MPS): Thank you, Chairman. Obviously a lot of hard work went into the Race and Faith Inquiry and a number of sound recommendations came out. I do not intend to go through each of them because, if you see from the paper, the vast majority of them are agreed and being implemented or are already implemented.

There are one or two that we are still talking about with Cindy [Butts] and others, in particular Recommendation 7(a), which is the setting of overall black and minority ethnic BME progression targets in terms of promotion etc. That is always a very tricky area in how we do those types of targets. One of the things that we do do now, as Cindy [Butts] knows, is we do monitor progression and we do look at how we can support officers from black and minority ethnic backgrounds and others to approach the promotion systems and to realise their potential through the service. Those discussions as to how effective, or otherwise, we are will continue.

The other one where we, again, have some difference - more about understanding I guess - is recommendation 7(b) which is removing the right of managers to veto staff and officers applying for promotion or transfer to specialist posts. We do not see that in any of our systems there is a right to veto and we do not want it interpreted that we do not believe in intrusive supervision and in the fact that managers should make report on their staff in terms of promotion. There does have to be a balance and there do have to be checks. As a result of that there is more understanding than difference and more consensus than difference but we need to make sure that we get that piece right.

Other than those, the rest are already underway. It is managed through the Diversity Executive Board, which the Chief Executive is a Member of. Of this Authority. Equally, we would extend an invitation to Cindy [Butts] to join that as well, should she so wish. We will provide our progress reports to whichever different Committee is felt appropriate.

Kit Malthouse (Chairman): OK. Cindy [Butts], did you want to comment at all?

Cindy Butts (AM): A couple of things from me, Chairman. I am really keen that the report acknowledged that the number of black and minority ethnic and, indeed, female promotions that relate to superintendents, inspectors and sergeants increased during the period of the inquiry and has increased since. That is good positive news and I wanted to congratulate the organisation for having made that possible.

I do want to make mention of this issue around line managers. If I was to talk about the strongest loudest concern that came through during the inquiry process from written respondents, people who gave evidence and people who took part in the focus groups -

Members who sat around this table for years and years will know that we have also had people come to us talking about their concerns around the role that line managers play in determining the career prospects of their staff. They cannot all be massaging the truth or lying or whatever it might be. There is an issue there. The concern came to us - not just from black staff. I would say from all staff. That is a really important issue of trust, of confidence in the MPS's promotion system that need to be addressed. We were not saying that line managers should not have a role to play in putting forward a reference or giving their views on whether or not a candidate is ready or what their particular skills or deficiencies might be. It is right and proper that they should do so, but they should not have the right or ability to determine whether an office goes for promotion. It is wrong, it should not happen in a modern public service environment and it needs to stop. If there is one thing that I really want this inquiry to deliver above all else, it is to make sure that that gets tackled. Just to put on record my issues around that.

Other than that, there is an issue in terms of the MPA that I would like to raise which is the fact that the MPA has not chosen to accept the recommendation to allow the Head of Diversity to sit on the senior management team at the MPA. I would like some explanation as to why that is the case.

Other than that I am really looking forward to making sure we get ahead and make sure all the recommendations are implemented.

Kit Malthouse (Chairman): OK. Let us take questions and then we will get the round of answers. Jennette [Arnold]?

Jennette Arnold (AM): Chairman, thank you for calling me because it follows on from what Cindy [Butts] has said. I full support what she said. I am talking about Recommendation 7. I am not talking about whatever you want to call the usual suspects. I am talking about people who are making their career working professionally. They are not activists in any way. Time and time again, women and BME staff have said, in conversations when you are at an informal thing, the denial of access to opportunities - training opportunities, secondment opportunities - that equips them with a CV to go on to that further job. More work does need to be done there.

I would also like to refer the Deputy to what is going on now, ask him to look at the Olympics Operations specialist team and tell me whether there has been appropriate access to that. If there has been I find it strange that it is a totally white male team that is in that hierarchy of that. If you look at the impact assessment of that it was quite clear that the criteria used would only create a white padre of officers and nothing was done about that. No mitigation and no additional development opportunities. I would like him to look at that now because that is something that was done after this report was done and it points to a problem still in the system. Does not have to answer today. We can get the evidence to him in terms of what I am talking about. Kirsten [Hearn] and I have met and have looked at this. It is a problem.

Kit Malthouse (Chairman): OK. Questions. Kirsten [Hearn]?

Kirsten Hearn (AM): Yes. Several things. Firstly in relation to line managers' input into the progression of staff. The concerns I have are the ones I share with Cindy [Butts] and others have already spoken about it and we gave testimony to this inquiry. I am concerned that wherever we are in a place where subjective opinion is applied to something, we can get bias. I feel very strongly that, whilst we want to empower managers to use their judgement, we need to give them some parameters in which to use that judgement. Sometimes, unfortunately, prejudice skews those things. Sometimes it is safer, firstly, to have a process that is clear and objective and, secondly, that it is also transparent. Some of the feedback that I have been getting from officers is that they have not know why they have been blocked but they fear why they are being blocked. There is no clarity around that. Maybe there are some genuine issues. If you do not speak to someone about what those genuine concerns might be, how can they possibly ever improve? There is a lot more to be done about open and transparent processes for progressing people and real clarity and objectivity in doing that.

The second thing. I am very pleased to see that, whilst this focus was primarily around race and faith, that there is a recommendation that we look across the board in relation to learnings. That is very helpful because there is lots of influence that we can bring to bear across the full gambit of diversity within policing.

The third point is about informal and formal advice given to the Commissioner and senior management team by the staff associations, who are a huge asset to the organisation. How advice that is given in informal and formal meetings is taken on and progress seen to be made as a result of it. Sometimes the staff associations say to me, "We have told them but nobody is listened to us" or, "We don't know what happens to the advice". I would like to see that there is much more of a chain of accountability or ideas being heard - not necessarily always taken on because sometimes it is not always wise information or advice - but that there is a clear chain of understanding around that. The staff associations give huge value. They spend a lot of time and energy trying to work within the organisation to make changes. We should be much more encouraging of the MPS to show how it has taken advice and why it has not taken advice.

Kit Malthouse (Chairman): Thank you. Clive [Lawton]?

Clive Lawton (AM): I want to first of all endorse and support Cindy's [Butts] challenge over this business of the manager's veto. Setting aside whether or not there is or is not any prejudice, we all know and understand that one of the reasons for this whole report and consideration was the possibility that there is viewed to be disadvantage and that creates grounds for a sense of grievance, even if there is no justification for it. Continuing with a practice which could continue to maintain that sense of grievance seems to me to be entirely counter productive. I cannot understand an organisation that would say, "Look, we do understand this might lead to grievance, we do understand it might lead to misunderstanding, we do understand it might create ill feeling and a poor image but we are going to carry on with it, although not really we are not". I cannot understand why this veto principle is not dropped really forthwith. The documentation

here in the report says categorically that nobody is going to be able to stop this and applications are going to go forward and all the rest of it, but we are still going to retain the veto. I do not understand it and, it seems to me, this is an easy win for the MPS on this front, while of course retaining the right of a manager to make as robust comments as he or she chooses about the people who seek to go forward for promotion.

I note though, also, under Recommendation 3, item 11(a), a slight slipping of language it seems to me. The recommendation says, “Diversity must more clearly be part of the leadership philosophy of the Metropolitan Police Service”. Leadership philosophy. The agreement to this says, “Leadership Academies are working to develop a new model for leadership development, clear performance framework, in order that these dynamics can be monitored. Now that does not sound to me like a leadership philosophy. That sounds to me like checking up to see what is going on. It seems to me that the recommendation calls for a much more dramatic articulation on every level of what it is the MPA stands for and desires and aspires to. This reduces this into a curricular strategy to ensure that people say the right things and do the right things or whatever. That represents quite a dramatic shift from the aspiration of the recommendation to what will, no doubt, be useful work, but does not fulfil that recommendation. It seems, to me, to be a mismatch.

Finally, I just want to note too, in paragraph 5, there is a comment about BME officers, there are comments about numbers, there is an indication that there has been good activity with the Bangladeshi, Pakistani, Somali, Turkish and Kurdish communities. There are Somali police officers and so on. I come back to my same old boring comment that there is black and there is black. There is no reference here to what I always grew up thinking; we are black folk. That is a critical issue of trust and confidence in the police and the population of London and that is never directly referred to. The proportions and numbers are never satisfactorily responded to. They are deflected into other groupings of the general BME category.

Kit Malthouse (Chairman): OK. Thank you. Tim [Godwin], do you want to address those issues?

Tim Godwin (Deputy Commissioner, MPS): Yes. In terms of the right to veto I probably was not as clear as I could have been and I take quite a few of the questions there. We do not have a right of veto. There are checks and balances in progression and promotion. We have reviewed it since the challenges were made by the Race and Faith Inquiry and the main bit that I was trying to emphasise there is that we need to make sure that, if we are going to pick up a leadership philosophy around diversity and supporting people from black and other minority communities to progress, then just by stopping managers having a role in it might not change the leadership philosophy.

Should there be more work because this is an absolutely key relationship between line managers and staff in order for us to **deliver**(?)? Yes. Is there a lot of work going on? Yes. Where will we be taking that work to? To Cindy’s [Butts] working group and to others through the Diversity Board. As Cindy [Butts] herself has identified, we have made some improvements in terms of the numbers of people coming through.

In relation to the Olympics, Baroness Doocey has raised that - but she has gone again - with me through the Olympic Sub-Committee and, as a result of that, has raised a good issue. Chris Allison [Assistant Commissioner, MPS] and others are working through that to look at how that occurred, why it occurred and what we can do about it, with some interventions very early, a lot earlier than some of the recommendations. That is going to go back to Dee Doocey and then will come back, I am sure, to the Civil Liberties Panel (CLP). That is a piece of work that is ongoing, we are looking at it and certainly Dee [Doocey] has provided us with that information so we will definitely pick that one up.

Jennette Arnold (AM): It is the same work that I have been pushing for and we briefed(?) Dee [Doocey] into it.

Tim Godwin (Deputy Commissioner, MPS): Absolutely.

Jennette Arnold (AM): It is a matter of urgency because you are now down to three or fourth tier with no proper profile in that tier(?).

Tim Godwin (Deputy Commissioner, MPS): As I was saying that is being done quickly and there will be a response to that. We have been working up some suggestions.

Jennette Arnold (AM): Thank you.

Tim Godwin (Deputy Commissioner, MPS): In terms of Kirsten's [Hearn] point about the wider diversity issue, having just appeared to give evidence in front of Kirsten [Hearn] in a different role, I am very conscious about the wider issues of diversity and I do take that challenge forward.

In terms of the staff associations, we have got a much better relationship now with all our staff associations and, certainly, the recent Metropolitan Black Police Association report in how we can improve yet further our diversity strategy in relation to the various strands was supported and welcomed and we are working through that with Bevan [Powell] [Metropolitan Police Black Police Association].

In terms of Clive's [Lawton] points, the first one in terms of the veto I have answered. I categorically say again there is not a right of veto in the MPS.

In terms of Recommendation 3 --

Clive Lawton (AM): Sorry, can I just be clear? There is now no more veto?

Sir Paul Stephenson (Commissioner, MPS): Never was.

Tim Godwin (Deputy Commissioner, MPS): There never was a veto. What there is is a line manager will make a report on the performance and suitability of a candidate but it

normally goes through a second tier and there is an appeal process as well. That is an issue --

Cindy Butts (AM): Perception is the issue.

Tim Godwin (Deputy Commissioner, MPS): In terms of getting leadership right that is one of the challenges that is in here as well. That is what we need to talk to you about and we will be.

In terms of paragraph 11, Recommendation 3(a), the bit that you referred to, Clive [Lawton], was about the monitoring of dynamics. We were answering 3(a) which is how do we evaluate the extent which the Leadership Academy training improves the way the difference is managed. We are answering that specific question about monitoring the Leadership Academy, as opposed to the overall recommendation, which we fully sign up to, about the leadership philosophy, which is a lot more than managing and monitoring of dynamics. You might have misread that part.

In terms of paragraph 5, I take the challenge about the better and more discriminatory data in terms of specific groups. I know that does come forward, as and when asked, into Cindy's [Butts] purview and **governance(?)**.

I think that was it.

Kit Malthouse (Chairman): OK. Thank you very much. Catherine [Crawford], you had one point to answer?

Catherine Crawford (Chief Executive, MPA): Yes, Chairman. Language is so very important. Veto. Block. We will certainly need to take that back to the working group and need to make the point that we are not just talking about officers going for promotion; it is for police staff as well and it is for lateral movement developments and all this sort of thing. I think this discussion has not yet concluded.

Similarly, in respect of the specific point about the Head of Equalities and Engagement sitting on our senior management team (SMT). We have a very small SMT in the MPA. We have arranged for Fay [Scott] to attend that very regularly so, in that sense, she does sit on it. Whether it is a full Voting Member, Executive Member, is slightly more esoteric. Personally, I regard myself as Chief Executive, as being the overall champion for diversity and engagement within the Authority and I look to Fay [Scott] to advise me in that capacity as Chair of SMT. I am happy, given that we have got some new arrangements and we have got new people in place, to keep that under review and come back to it, to **CLP(?)**, as that develops.

Kit Malthouse (Chairman): As you know, we have the Head of Equality and Diversity sitting on the **Business Management Group (BMG)(?)** now at every meeting as well to advise us generally.

OK. Race and faith. Anything else? No? All happy? Thank you very much. We will monitor progress with interest over the months to come. Presumably there will be progress reports coming back to your Committee will there? So, periodically, it might be sensible, for what life remains of the Authority, for a summary report to come back up.

Cindy Butts (AM): We can fit one in before the Authority is wound up.

Kit Malthouse (Chairman): That would be great. OK. Thank you very much.

Reports from Committees. Was there anything, Catherine [Crawford]? Oh god, sorry. Victoria [Borwick]?

Victoria Borwick (AM): Thank you. May I put on record, please, my thanks to the MPA who collated this report and, more particularly, to all the Committee who worked very, very hard indeed for putting this hard work together. Because of the time there has been an opportunity of printing Sir Paul [Stephenson] and the MPS's comments within the report itself which I hope, therefore, means that is a more complete document. We welcome and thank the police obviously for helping us in order to produce a document which will stand as a matter of record for the good work that has gone one and, particularly, has been demonstrated in the recent demonstrations that we have seen. May I thank all those who have participated.

Kit Malthouse (Chairman): Brilliant. Thank you very much indeed.

Item eight was matters taken under delegated authority. There was only one in the time. It is exempt for commercial reasons but it is available to Members in the Members' Room if you would like it.

Items 10, 11 and 12. We have got a slightly awkward situation in that the vast bulk of what we need to talk about on the budget is under exempt items.

Toby Harris (AM): Can I just clarify why it is exempt?

Valerie Shawcross (AM): I was going to ask that as well, Chairman.

Kit Malthouse (Chairman): There are two reasons, broadly, why it is exempt. First of all the matters in it are uncertain and sensitive because there are implications for staff and others. That is right isn't it, Bob [Atkins]?

Bob Atkins (Treasurer, MPA): Yes. That is true.

Kit Malthouse (Chairman): Secondly, also, because it is worth saying, this is not actually the budget. What I was going to say at the start was that --

Toby Harris (AM): Chairman, there is a distinction. The fact that it is not the budget is not a valid reason for exemption under the Local Government Access to Information Act.

It should be quite specific information about individuals which qualifies for that. I am not particularly bothered whether or not there is an exempt session or not, apart from the principle about how you draw the line between what is exempt and what is not. I am not sure that we are using the definitions correctly, in legal terms.

Kit Malthouse (Chairman): What is the rationale for it?

Bob Atkins (Treasurer, MPA): Chairman, the rationale is that, at the moment, this is very much work in progress. It is an advance --

Toby Harris (AM): That is not a reason under the Local Government Act.

Kit Malthouse (Chairman): It is a reason because there are implications for members of staff that may or may not come to fruition. Val [Shawcross]?

Valerie Shawcross (AM): Chairman, if I may? I was also going to question this as well because, in other functional bodies, such debates are carried on in public. I fully understand that if you are talking about an identified small group of staff you would not want that in the public arena because you were throwing uncertainty into their lives which may not need to exist. However, perhaps one of the themes of this meeting has been about democracy and how we conduct ourselves in difficult times.

There are some very big decisions being made by the Government, potentially being made by the Mayor on financial issues and there are some choices that need to be debated in the public arena. When I went through the supplementary report that was given to us yesterday - and thank you for the additional detail that has been put in there - there were quite a lot of paragraphs when I looked through it I thought, "I do not see any legal reason why that should be kept private". In a moral democratic sense it is wrong to keep some of these big choices and big debates private for so long. The public needs to know what choices are going to the Mayor and what the impact of those choices are.

I would urge you, Chairman, to put as much of this documentation into the public side of the meeting as possible.

Kit Malthouse (Chairman): Could I just explain what the situation is? What we are doing today - this will not be and is not the budget. What we have to do is, because of the Mayor's reporting cycle, we are required to submit a document. We are now five days late for it anyway because we got an extension to come to here. We have got to submit the document. The problem is that that document is being submitted while there are still some big numbers that are very unclear. We do not yet know for certain what our income is going to be. We do not even know what our grant is going to be for certain yet. We do not know what is going to happen on specific grant. We do not know what is happening with local authorities. We have yet to conclude negotiations with the Mayor around the precept. There is still also a huge amount of work going on around the cost base and where those budgets fall and where the savings fall and developing those into the future.

The truth is that the document that we have to put before you today does put in, effectively, some scenarios that may arise or may not arise. That creates an air of uncertainty and I am afraid, in the document, it creates an air of uncertainty as you said, Val [Shawcross], for some specific members of staff and groups of members of staff.

Given that I can guarantee you this will not be the budget when we eventually come to approve it later next year but unfortunately, because of the timing, it is about three weeks or so earlier than we would like it to be, and there are some very, very significant numbers that will have an impact right throughout the organisation in terms of numbers that need to be --

John Biggs (AM): Can I raise a point of order, Chairman?

Kit Malthouse (Chairman): Can I just finish talking, John [Biggs]?

John Biggs (AM): No, the point of order is that you should be addressing yourself to the Local Government Access to Information Act, rather than your opinions about whether something is sensitive or not.

Kit Malthouse (Chairman): I am just explaining.

John Biggs (AM): No, you are not.

Kit Malthouse (Chairman): I am explaining the process of what is going on.

John Biggs (AM): Tell us what paragraphs 3 and 4 of Schedule 12(a) say then and how they relate to what you are telling us?

Kit Malthouse (Chairman): I am just explaining to you why it is important that we bear this in mind. There are implications in this paper for some groups of members of staff that may, and we have some hopes, not arise. We need to be careful about the promulgation of that uncertainty out in the public.

Now what I was going to suggest, as a process around this, because I understand that Members want to get into some of this stuff in detail, is that we are about three weeks in advance of where we need to be in terms of settled numbers. Three or four weeks. What we were going to do is offer a half day sit down detailed go through all the numbers once they are certain and the decisions that need to be taken or may not be taken can then be laid out for Members, so that at the next Authority, or the Authority after where we approve the budget, we can do things a little more coherently and sensibly.

The truth is you can ask questions now. I am perfectly happy to go through all of that. You can ask questions now but in three weeks' time we may have to come back to you and say, "The answer we gave to you then is wrong" and every question that you get answered now will be caveated with a, "Well, this might happen if X, Y and Z doesn't

happen”. It is purely a function of the slightly crazy GLA reporting scenario. What officers have tried to do in making some of the detailed decisions exempt is to try to, hopefully, stop any sense of uncertainty out there for groups of staff who may not need to have that uncertainty, particularly in the run up to Christmas.

Valerie Shawcross (AM): Chairman, these are all ultimately public decisions, they all ultimately go into the public domain and I think the public has a right to know what the parameters of the debate are. I fully accept that achieving certainty at this early stage of the budget setting process on some of the figures is difficult but people are intelligent enough to know, if you explain those parameters and say there is some uncertainty and some doubt.

Kit Malthouse (Chairman): The point is, Val [Shawcross], we cannot even --

Valerie Shawcross (AM): Legally you have overstepped the mark in not allowing all of this information to go into the public arena. I absolutely agree with you we do not want people to be upset unnecessarily etc. Equally, when you go through the supplementary report there is plenty of this information. Some of the big picture high level decisions, the high level figures, however approximate they are at the moment, ought to be debated in the public arena. The public would expect to see that going on so that they better understand what the issues are.

I would hope that you would, after this debate, even if you are not prepared to put this paper into the public arena at this meeting, perhaps with legal advice you could go through it, redact those items which clearly fulfil the requirements of the Local Government Act and ought to be kept secret, and publish the remains of this report. That would, I would have thought, be keeping in principle with the transparency that this Mayor promised when he was elected.

Kit Malthouse (Chairman): Hold on. Val [Shawcross], I completely agree with you. I completely agree with you about debating these issues in public. This is just a matter of timing and being able to properly debate what the issues are. You talk, quite rightly, about the parameters but the truth is we do not know yet what those big parameters are. We just need a short bit of extra time --

Valerie Shawcross (AM): Chairman, if this information is good enough to come to us, it is good enough to go to the rest of the population of London. I do not get your argument at all.

Jennette Arnold (AM): Chairman, John’s [Biggs] point of order. Will you defer to the Chief Executive of this Authority so that we can get some legal rulings on where we are? Can we do that? So we can move forward.

Kit Malthouse (Chairman): The Chief Executive passed to me the rules. The particular one that seems to be pertaining here is that, “Exempt information can be made exempt if it is information relating to any consultations or negotiations or contemplated

consultations or negotiations in connection with any labour relations matters arising between the Authority or a Minister of the Crown and employees of or office holders under the Authority.

Jennette Arnold (AM): Why has it not done in previous years? This is the first time, under your chairmanship, that we have seen this development. Why did that not apply in previous years?

Kit Malthouse (Chairman): The reason is because, in the past, we have not had the same level of uncertainty --

Jennette Arnold (AM): We have had uncertainty.

Jenny Jones (AM): That is even more of a reason to put it into the public domain, because it is so inaccurate --

Kit Malthouse (Chairman): Hold on.

Jennette Arnold (AM): We have always had cuts and reductions in grants at this stage.

Kit Malthouse (Chairman): No, we have had reduction of growth but we have had more certainty about our overall income lines. We are at a situation now, having done, collectively, a good job of taking cost out of the organisation --

Jennette Arnold (AM): Chairman, you do not have the majority support of the Authority on this.

Kit Malthouse (Chairman): Can I finish speaking?

Jennette Arnold (AM): Chairman, you do not have the majority support of the Authority on this.

Cindy Butts (AM): Let her speak. Let us hear from Catherine [Crawford]?

Kit Malthouse (Chairman): Speak.

Jennette Arnold (AM): We would like to hear from the Chief Executive.

Kit Malthouse (Chairman): Catherine [Crawford], go ahead.

Catherine Crawford (Chief Executive, MPA): I do think there are some very difficult balances to be struck in terms of making as much information available to Members as early as possible. There has been criticism in preceding years that we have not done that. The timetable does not make any sense in terms of being required to submit things to the Mayor in advance of having a clearer idea. To strike a balance between giving Members as much detail as absolutely possible while caveated around with that and not starting a

number of unfortunate hares running for groups of staff who can clearly identify themselves is one that we have found difficult to strike. It is also the case that a significant amount of work to prepare these papers has had to be done in the short time between the joint SOP and Finances Committee meeting in order to meet the detailed questions that Members have asked, which has not left officers with sufficient time, perhaps, to make a judgement about the balance of what could still be kept exempt and should go public.

Personally, Chairman, I thought that Valerie's [Shawcross] suggestion that we should take away these exempt papers and look at how extensively we could put the material in the public domain and publish them on the website as soon as possible after this meeting was very helpful, and I would be happy to take that away and do that. I still think that the discussions will be more fruitful and more satisfying for Members if we can manage to go into exempt section for part of this. That does not stop significant discussion happening now in the (inaudible) --

Toby Harris (AM): Chairman, I want to try to separate out what we clearly want to have. Some people want to have a rumbustuous debate about the content of the papers, from the actual way in which this Authority is obliged by law to follow the Access to Information legislation. My understanding - and I speak from having served on public authorities for 25 years since the Act came into force and being in leadership positions about this - it is not entirely satisfactory and there are occasions when things are in draft or at an early stage, but they are still required, by law, to be in the public domain.

The clause that was read out about this is about your negotiating position in a labour relations case or in terms of negotiations. It is not about this is still uncertain because there are these uncertainties out there. That is the difficulty that we are in.

I have come across a number of other incidences in this Authority - which I raised at the time. I was teasing Dee [Doocey] about it at the Olympics Sub-Committee only a few weeks ago about the way in which we use the Act. I do not think we fully follow what the Act requires us to do.

It does not mean it is, necessarily, sensible. It does not, necessarily, mean that it is what would be the best way of processing particular (inaudible). We have a problem because that is what the legislation requires. There are sometimes papers which come across from the MPS which are labelled as restrictive and have to be in Part 2 when there is not any good reason for it, or there is about half a sentence in it which could easily have been taken out and not put in those (inaudible). That is the problem within. There is a general principle about it.

I have not talked to any colleagues about this beforehand. I was just stunned when I realised how much of the documentation for this discussion was on green paper. You look through it and then you cannot see what is it here? I assumed that perhaps there were all sorts of fascinating material being disclosed about counter terrorist operations or something in there. Actually, I do not think there is. It is not there. Why is it in Part 2?

The reason that because there are uncertainties and because it is still at a draft stage does not wash here. We have got to accept the proposal that Val [Shawcross] has made in terms of taking this away and putting as much of it in the public domain. My plea is that we think about these things much more clearly in advance so that we are not faced with this at the meeting, of having documents which the huge array of press and public have not had the opportunity to see beforehand.

Kit Malthouse (Chairman): OK. All right. We will take your suggestion, Val [Shawcross], and take it away and have a look and see what we can put into the public domain. I have to say --

John Biggs (AM): That is the wrong way round. You can see what you are required to not put in the public domain.

Kit Malthouse (Chairman): Whatever the semantics of it are. Yes.

John Biggs (AM): It is not semantics.

Kit Malthouse (Chairman): We will try to do that. I have to say, in the time it takes to do that, we will probably have the certainty that we are able to put out much more exact numbers in any event. I do not know if Members would like to have what we have offered, which is a half day sit down and go through the thing in detail either just before or just after Christmas? Interested?

All: Yes.

Clive Lawton (AM): Setting aside the technical issues which are entirely valid, I have heard two things in this discussion which have led me to look forward to a discussion about these documents less and less as it has unfolded. The first is the nonsensical timetable. It seems to me that if the timetable had been set by the United Nations or world command or something or other, we might have to submit to it. A timetable has been set by a bunch of folk who know each other and could possibly talk to each other in order to come up with a timetable which is not nonsensical. It is bizarre that we should be going through this exercise.

Kit Malthouse (Chairman): It is in the legislation, Clive [Lawton].

Clive Lawton (AM): Furthermore, you said yourself, that every point of discussion that might be raised will have to be followed by the caveat, "Of course that might be wrong". My feeling is, therefore, that any discussion is completely wasted if that is the case. I cannot understand why we are at the point of doing this when we agree the timetable is nonsensical and the information is unhelpful. What kind of discussion could anybody intend to have at this point anyway?

Kit Malthouse (Chairman): That was broadly the point I was trying to make. The point is that we will have much more clarity in quite a short space of time.

Clive Lawton (AM): Why have we got this on the agenda at all though?

Kit Malthouse (Chairman): The timetable is in the legislation. We have to submit something to the Mayor by a particular date for his internal budget setting purposes here. It is in the legislation where it is supposed to be. They did, initially, want some stuff a lot earlier in the year. Because that was not in the regulations, we --

Clive Lawton (AM): I understand that. We are going to submit figures that we know have no foundation?

Kit Malthouse (Chairman): And they know are uncertain too.

Clive Lawton (AM): Right. Then we can submit whatever figures we like and we need have no discussion about it?

Kit Malthouse (Chairman): My other suggestion was I was going to say that what we should not do is approve this. What we should do is - again, slightly semantic - is allow the Authority to submit it for the purposes of the reporting timetable --

Clive Lawton (AM): Quite. Exactly that.

Kit Malthouse (Chairman): -- but that we would reserve approval once we had seen the detail of the budget later --

Clive Lawton (AM): That is my point. If it is merely being done for the purpose of fulfilling a requirement let's not discuss it --

Kit Malthouse (Chairman): Just send it in because of the timetable. Then, you are absolutely right - and Val [Shawcross] has got the point here - the one thing I am not afraid of is debating these things in public, but I want to debate them with some certainty. As I think I did at the away day, I was very open with you in the away day about what the strategy is and where we are and what the threats are and all that kind of stuff. I am more than happy to do a half day non-public session to give you all the details so that when we get to the public session you are able to completely thrash me or congratulate me or whatever you might think of all of us in terms of budget.

The problem is we are doing this for form. We are not doing this for exactitude or certainty. That is --

Clive Lawton (AM): Can we not ennoble the form by discussion here and simply present whatever is technically required as an interim document without discussion here?

Caroline Pidgeon (AM): And without saying we support it.

Kit Malthouse (Chairman): John [Biggs], sorry?

John Biggs (AM): For the record I should declare that, as well as being an Assembly Member, I have the misfortune to be the Chair of the Assembly's Budget and Performance Committee which receives, in some form, these submissions. Therefore I am not going to vote on whether we should submit it to the Assembly or not. That seems a bit humpty dumptyish.

The point I would make though is that, if that is the case - and I do recognise that there are uncertainties - then it would be most helpful if the Authority was to make, alongside its submission, a statement about what those uncertainties are.

Kit Malthouse (Chairman): More than happy to do that.

Valerie Brasse (AM): Sorry, Chairman?

Kit Malthouse (Chairman): Yes, Valerie [Brasse]?

Valerie Brasse (AM): Can I just clarify? The one element of all of this that I assumed was not necessarily as uncertain - because we do not know the parameters of the environment - is the proposed performance indicators. Am I quite clear that these draft performance indicators will be part of the submission that is going to the Mayor? If they are I would not want it said that this has, somehow, been endorsed because we have not had a chance to consult on that.

Kit Malthouse (Chairman): No. That is the point. My suggestion is not that we approve this. We are not required to approve it. What I am going to require you to do is allow the Authority to submit it for the purposes of reporting to the Mayor. In any event, even if we were to approve it, it is only a draft. The final budget approval process is later. Frankly, a lot of the numbers will have changed very significantly between now and then. So, in many ways, we would be, as Clive [Lawton] said, slightly wasting our time.

Valerie Brasse (AM): OK. My only concern here was this is an issue between us and the MPS. Nothing to do with anybody else. OK, I would not want this to be seen, if we are putting it up in this format, that we have in any way endorsed this particular set of key performance indicators (KPIs).

Kit Malthouse (Chairman): That is absolutely right. Absolutely right.

Valerie Brasse (AM): This is between us and the MPS.

Reshard Auladin (Deputy Chairman): On the KPI, first of all thank you to the MPS for providing them. The intention was to take this to the planning group at some point, probably next week. I think we have got a meeting on 9 December 2010. That is where

the discussion on the KPIs will take place. Members, clearly, are welcome to have their input into that process.

Valerie Brasse (AM): Thank you very much.

Kit Malthouse (Chairman): OK. Right. Jenny [Jones]?

Jenny Jones (AM): Can we record that we are not endorsing it? Exactly as you said? It will be recorded like that?

Kit Malthouse (Chairman): OK. Various things. First of all I fully accept the rebuke about the balance between exempt and non-exempt. We will go away and examine what needs to be genuinely out. I have to say you will know that the construction --

Valerie Shawcross (AM): You said it. We heard you.

Kit Malthouse (Chairman): -- of any budget is like one of those games you get in your Christmas stocking where you move tiles around so you move one and the others have to move too. There is a bit of inter-linking there. We accept that rebuke and we will have a look at that.

We will organise the half day for Members at a date when we know we will have more certainty around finance to put everybody in the know. Then, as we go into the spring and the proper budget setting process, everybody will be completely well informed.

On these papers then we will make the recommendation - if I have got broad support - that we will give our permission for the Authority to pass them through to the Mayor for the purposes of fulfilling the timetable, but we are not approving or endorsing them.

Clive Lawton (AM): No, Chairman, if I could just slightly amend that? I am sorry. I do not think we should be giving permission for them to pass through these papers because we have not discussed them. We give them permission to pass through something that satisfies requirements. Otherwise, we are half endorsing or seeming to agree or warrant -
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Kit Malthouse (Chairman): OK. Fine. We note the submission of the papers for the purposes of the --

Valerie Shawcross (AM): Chairman, if I may? We have been talking about the supplementary document. We have not actually reached that point on the agenda. Given all of those provisos I would still like to ask some questions on it, which I think have to be in Part B until you have told us that they cannot be --

Kit Malthouse (Chairman): I understand that. I just want to get us to the situation where we are. While we are having those questions we will think about a form of words that will allow us to pass it through effectively.

Before we get on to questions there are three papers to consider. Notwithstanding the views about exemption or otherwise, pending our review of the paper, I think I am going to, on the legal advice, stick with the exempt section for the moment. I am advised that we can talk about some of the high level stuff in paper 10. Paper 11 is completely public so we can talk about the borrowing and capital spending plan freely, as people require.

What is Members' preference? We could do 1, 2 and 3 or we could do the draft borrowing and capital spending programme and get that out of the way and then move to exempt? Then Members will not have to be confused about what is and is not. If people have high level questions they can ask those about item 10 next. Which would people prefer? Shall we do item 11 and then move into exempt?

All: Yes.

Kit Malthouse (Chairman): OK. Item 11. Draft borrowing and capital spending plan. Anne [McMeel], are you introducing, do you have any comments or is it just to take questions? Or Bob [Atkins]?

Anne McMeel (Director of Resources, MPS): It is really part of the overall position Chairman. What I would say in terms of the capital programme is, as I said at the Committee, it is very much work in progress still and will be refined over the coming months.

Kit Malthouse (Chairman): There is the caveat to the conversation. Work in progress. Does anybody have any questions on item 11? Obviously during the summer I have been through it with **Faith [Boardman](?)** and officers to look at the capital programme and make sure we are all where we are. Fortunately, from our point of view, we get quite a small amount of capital grant from the Government so the 50% cut there has been in capital does not affect us. Significantly, most of our capital programme is funded from our own resources, disposals and otherwise, so, to a certain extent, we are able to proceed as predicted. Content? Thank you?

Right. I will move us then into the exempt session. If members of the press and public could leave that would be helpful. Thank you.

[public exited at 12.38pm]