HMIC

Inspecting policing
in the **public interest**

Stockwell - MPS progress

January 2008 – April 2009

Report Summary

1.1 Introduction

1.1.1   This is the third report by Her Majesty's Inspectorate of Constabulary (HMIC) concerning the Metropolitan Police Service (MPS) and the tragic events which led to the death of Jean Charles de Menezes. At the request of the Metropolitan Police Authority (MPA), HMIC has specifically focused on Command & Control and the closely related issue of 'inter-operability', how different units and personnel work together operationally, because these are the issues that lie at the heart of the tragic incident and are matters of public confidence.

1.1.2   The Independent Police Complaints Commission (IPCC), the Health & Safety trial, and the Inquest into the death of Mr de Menezes all sought to establish and understand whether those in command on 22 July 2005 fulfilled the requirements of their roles, whether command facilities and communications were adequate for them to exert control, what the operational units on the ground understood their mission to be, and whether they worked effectively together[1].

1.1.3   The first HMIC report on the MPS, in September 2007, was requested by the then Deputy Commissioner, Sir Paul Stephenson, and was not made public because it was classified as 'Confidential'. However, to address the issues of public interest and public confidence in the MPS response to Stockwell, both the second report, compiled at the request of the MPA in January 2008, and this review, are public documents

1.1.4   The contents of this report and its conclusions are based upon fieldwork within MPS departments, at Management Board, Operational Command Unit (OCU), and at an individual level. The report takes full account of current developments within the Association of Chief Police Officers (ACPO) and the links between the Metropolitan Police Service (MPS) and the lead forces of the Counter Terrorism (CT) network[2].

1.2 General conclusions

1.2.1   The MPS has continued to make progress since January 2008 including the installation of a new covert communications system; delivery of new Firearms Command training; improved training and exercises for surveillance units, and the implementation of robust management systems for surveillance operations.

1.2.2   But as the fourth anniversary of the death of Mr de Menezes approaches, the MPA has asked HMIC to consider whether even

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[1]   A chronology of events and reports can be found in Appendix 1, page 23
[2]   A list of terms and abbreviations is attached at pages 21 and 22

more progress could have been made. This report concludes that the MPS could in fact have achieved more but there were contributing factors, both internal and external, which slowed progress.

1.2.3 They are:

- Legal proceedings

- Perceptions of the need for change

- Organisational change processes

- Consistency of leadership

1.2.4 Two tests must be applied before HMIC can reassure the MPA that they and the public can have confidence in the developments achieved by the MPS. These are:

- an assessment of the considerable range of improvements made already

- the certainty that further important changes will be delivered based on clear deadlines for their operational use

1.2.5 In respect of the first test each HMIC review of the MPS on matters relating to Stockwell has found positive changes that build toward improved Command and Control and greater inter-operability.

1.2.6 But in respect of the second yardstick, HMIC has found individual departments pursuing individual initiatives, often with no certainty as to when they will become operational.

1.2.7 To address this need for 'certainty of delivery' the new Commissioner, Sir Paul Stephenson, has now undertaken to launch a non-departmental approach, driven and led by the Deputy Commissioner. This will provide the corporate co-ordination and energy necessary to ensure that the remaining changes are achieved within the next 12 months.

1.2.8 With such an approach, and provided deadlines are met, HMIC believes it will be able to assure Londoners that the changes made by the MPS make it highly unlikely that an innocent person would be killed in circumstances similar to those of 22 July 2005.

2. Background

2.1   In April 2006, HMIC was asked by the Home Office to take forward the majority of the recommendations emerging from the Independent Police Complaints Commission's (IPCC) investigation into the death of Jean Charles de Menezes on 22 July 2005. Sir Ronnie Flanagan, then Her Majesty's Chief Inspector of Constabulary, reported back to the Secretary of State in September 2006 with *'Learning the Lessons from Stockwell'*, a report, classified as 'Confidential' because of its broad consideration of counter-terrorism issues. It comprised three new recommendations and 21 'Critical Success Factors' necessary for the Police Service to address the challenges arising from the IPCC recommendations and the issues surrounding the tragic shooting. In January 2007, *'Learning the Lessons'* was forwarded to all chief constables.

2.2   HMIC has continued to monitor progress in implementing the IPCC recommendations and conducted two further assessments of the MPS; the classified report in September 2007 and the second, public, report for the MPA, in January 2008.

2.3   This current review of the MPS represents the final stage of a broader HMIC re-evaluation which has examined national progress within ACPO policy-making structures (August/September 2008) and the 'Lead Force' model that underpins the national counter-terrorism network (October/November 2008). The latter report was a classified document because it included a broad evaluation of operational counter-terrorism capability across the country.

2.4   Following discussions with the MPA and MPS, HMIC has concentrated in this report on two core themes that have been repeatedly raised by the IPCC; debated at the Health & Safety trial, and investigated by the Coroner[3]. These are central to the events that led to the tragic shooting, and are considered to be ongoing matters of public confidence by the MPA. They are:

a)   MPS Counter-Terrorism Command and Control arrangements
b)   MPS Counter-Terrorism Inter-operability

2.5   HMIC has chosen to adopt a simple working definition for 'Inter-operability' – *'a seamless working relationship between different units and personnel'* – that would meet the public's expectations of police capabilities, and addresses the themes emerging from the IPCC, HMIC, MPA and Coroner's reports. Seamless operation, in turn, requires certain features:

- Shared ethos (of what matters most)
- Common doctrine (a common set of operating principles or guidance)
- A unified command model (clarity of who is in charge of what)

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[3]   All HMIC's work has been undertaken with reference to the IPCC Report – Stockwell 1, other HMIC reports, the MPA's own scrutiny and the Coroner's Report

- Compatible & reliable communications systems
- Shared language (that ensure*s* common understanding in pressurised operating environments)
- Common equipment
- Common standards of professional practice

All supported through a process of continuous capability building by:

- Shared training and exercising
- Shared operational experience through working together
- Shared learning and debriefing

2.6   In practical terms in the MPS, 'inter-operability' is also defined by the way the MPS Business Group system operates, because the individual groups are the size of many of the larger police forces in their own right; Specialist Operations (2668 officers and staff), Central Operations (6279 officers and staff), and the Serious Crime Directorate (5752 officers and staff). Undoubtedly, they work together, but they also compete for resources; they have their own 'in house' capabilities, and their own specific objectives and priorities. This situation can create pressures which inhibit co-operation and collaboration.

2.7   The consistent achievement of successful results cannot be separated from clear standards of Command & Control and seamless operations. Simply put, inconsistency heightens risk. HMIC's approach has been to test how Command and Control and inter-operability have progressed since January 2008 under the following headings;

- People

- Facilities

- Technologies

- Procedures

2.8   MPS projects that are key to achieving greater inter-operability are highlighted in the diagram on page 10. HMIC's detailed findings under People, Facilities, Technologies and Procedures can be found on the pages that follow (11 – 20).

3. Methodology and the Validation process

- A full review of related inquiries and reports including: the IPCC's Stockwell 1 report; HMIC's 'Learning the Lessons' report (classified as 'Confidential'); relevant sections of the MPA Scrutiny, and the Coroner's Rule 43 Report[4]

- A full document review charting MPS activity including Management Board papers and minutes; papers from the MPS own internal review group, MPS policy documents, and HMIC reports

- An agreed interview schedule led by HMCIC Denis O'Connor targeting interviewees selected because of their role*s* and responsibilities for delivering change

- A reality check to establish the levels of knowledge and awareness among officers and staff using new practice, procedures and guidance. This was based on interviews, focus groups, and observation of records, facilities and operational exercises.

4. Findings

4.1   A tragedy such as the death of Jean Charles de Menezes is very rare indeed, and the police in London confront and deal with danger successfully on a daily basis. The public are fully aware that the unarmed officer is the national policing style, but for that model to remain the norm, armed officers must be available to deal proportionately with the risks presented by dangerous criminals. Indeed, there is a public expectation that police officers will use firearms if absolutely necessary to protect the public and themselves. To put that likelihood in perspective, between April 2008 and March 2009, officers from *a*rmed response vehicle*s* dealt with firearms incidents on over 2,500 occasions. During the same period specialist firearms officers were engaged in '*Crime in Action*' operations (securing the arrest of armed and dangerous criminals including armed robbery and kidnap) on over 480 occasions

4.2   The MPS has continued to play an important role in contributing to national policy including guidance for officers controlling operations, policy on police use of firearms, national firearms command training; and through its own Counter Terrorism Command (SO15), to the development of the national counter-terrorism network.

4.3   In the past 18 months a new counter-terrorism control room has been completed though it is not yet fully operational. Further IT support has also been introduced. Communications have been significantly strengthened by the roll out of the Covert Airwave capability (see para 6.3 et seq), and the National Police Improvement Agency (NPIA) has extended communications within the

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[4]   Issues identified by the Coroner for review to reduce risk of other deaths occurring

London Underground network (see para 6.3.2). Together, these enhancements meet a number of the criticisms that have been made. At the same time, new training for commanders, surveillance officers, firearms officers and control room staff has increased awareness and operational competence. HMIC has witnessed and tested these improvements through interviews, reviewing training provision, and observing exercise and training events.

4.4 Since May 2008, the MPS has introduced a management programme to oversee the progress and value of projects. As a result, MPS Management Board decided to introduce a smaller team, or cadre, of Firearms Commanders who will cover the whole force rather than the present 'in house' system where each department has its own commanders. The MPA Scrutiny process and the publication of its report in July 2008 has provided additional oversight and momentum.

4.5 By definition, in a process of continuous improvement there will always be 'Work in Progress'. However, whilst there has been considerable commitment and energy applied to taking initiatives forward, some of them, including projects that would improve effective cooperation, have lacked clear deadlines not only for the completion of the work but when the results will be fully operational. These include:

4.5.1 People: The single Surveillance Command was formed on 6 April 2009 but requires further development

4.5.2 Facilities: The new counter-terrorism control room known as 1600 was due to start in December 2008 and has only partially opened

4.5.3 Technologies: No date is yet available for the purchase or operational delivery of a new secure photo-imagery system for transmitting images of suspects and other data. Budgetary support has only recently been identified and implementation and delivery will take 9 months following initiation of the procurement process

4.6 Other work is progressing but there is no identified date for completion or operation in the workplace. They include:

4.6.1 People: Clarity on the roles and responsibilities of control room staff
A vital debrief of events of 21/7 and its aftermath
A structured approach to organisational learning

4.6.2 Procedures: Standard terms (a glossary) for operational use in communications by firearms and surveillance officers which all understand and will prevent mistakes or misunderstandings

4.7   It should be noted that there are national plans in relation to imagery systems and glossaries[5] and the progress of these projects will influence work in the MPS.

4.8   Now, nearly four years after the Stockwell tragedy, the MPA asked whether overall some of the work in the MPS should have progressed at a faster rate. The answer is that the MPS could have worked more swiftly but all of the following factors have influenced the pace of change:

4.9   Legal proceedings
4.9.1   After the conclusion of the many legal processes and proceedings (IPCC investigation, H&S prosecution, prosecution of the perpetrators of the failed attacks of 21 July 2005, the Inquest) the Counter Terrorist Command's debrief of the events of July 2005 began in March 2009 and a draft report is expected in July 2009. Such a postponement, however understandable, is not in the interests of the public or police officers. The spotlight on individual and corporate accountabilities, with significant legal representation on each side and at every level, cannot help but cause delay, and inhibit organisational learning and opportunities to reduce risk for the public.

4.9.2   The MPS Counter Terrorism Command is presently considering how to disseminate the lessons that have to be learnt and embed them in the working practices of operational units. However, no clear model of organisational learning has yet been identified and no timeframe has been provided for the development of this initiative.

4.10   Perceptions of the need to change
4.10.1 There is a shared and sincere acknowledgement and regret for the death of Jean Charles de Menezes, but there are still some differing individual views on what remains to be done to improve capability. In part, this arises from the structural issues of large organisations like the MPS where there are overarching, but also distinct departmental operational priorities (see para 2.6). With the unequivocal lead now provided by the Commissioner and the Deputy Commissioner, competing concerns can be managed transparently.

4.11   Organisational change processes
4.11.1 Some improvement projects do take time. Scoping, designing, testing, piloting, costing and resourcing has to be carried out, and the MPS has been a key player in piloting and delivering completely new products, that bring national benefits (e.g. the new NPIA firearms command training, the interim photo-imagery solutions, protocols for armed units crossing force boundaries). The MPS has also strengthened its approach by adopting programme management principles to oversee the current workstreams. But capability is not increased or improved until the new methods or equipment are in everyday use. Operational use is the acid test of implementation and the reference point for HMIC.

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[5]   This work is being conducted under the auspices of the ACPO Stockwell Co-ordinating Group

4.12   Consistency of leadership
4.12.1 All of the advances which have been made have taken leadership, energy and commitment. But three different assistant commissioners have held responsibility for MPS delivery against the issues raised by the IPCC and HMIC in the four years since July 2005. This is a general factor which needs to be carefully considered and reflected upon by the MPS and MPA.

5. Conclusion

5.1   The period January 2008 to April 2009 has seen important contextual and organisational milestones:

- The conclusion of the Inquest and the Coroner's Rule 43 Report

- The programmed MPS approach

- HMIC Review of *'Learning the Lessons from Stockwell'* regarding ACPO policy making and the national counter-terrorism network

- The new national impetus provided by the ACPO Stockwell Co-ordination Group and the ACPO Terrorism and Allied Matters (TAM) inter-operability project which commenced in January 2009

and highly significant achievements in terms of both Command and Control and the inter-operability of units; not least the roll out of the new covert radio capability (through Airwave) and the NPIA roll out of Airwave to London's Underground system, both of which will address many of the communications difficulties that dogged operations during and since July 2005.

5.2   Legal proceedings have had an impact on the ability of the MPS to take forward the learning from July 2005. Achieving a responsive position to events of a critical nature whereby the MPS can learn, even under sustained legal examination, is in the best interests of the public, police officers, and policing.

5.3   The timing of this Review also coincides with further improvement projects, some near to fruition, others less certain:

- The full operational opening of the new 1600 control room - a flexible and scaleable facility (completion date to be set)
- Delivery of a new chief officer Extreme Threat commander cadre (July 2009) to deal with operations involving suspected suicide bombers

- Delivery of the new Corporate Firearms cadre to enhance operational competence (Nov 2009)
- New and better photo-imagery (completion date to be set)
- Asset tracking capability (July 2009)
- Greater role clarity and professionalisation of the roles of CT control room staff (completion date to be set)
- A single surveillance command (from 6 April 2009 onwards)
- Counter Terrorist Command debrief (completion date to be set)
- The Organisational Learning opportunity (completion date to be set)
- A common Glossary of terms for both firearms and surveillance operations (completion date to be set)

5.4   It is time to complete this work as expeditiously as possible. To achieve this across the many departments represented, requires corporate co-ordination to deliver the remaining areas of work to a set timescale. The Commissioner, Sir Paul Stephenson, has given an undertaking that Command and Control, inter-operability, and all the work related to these areas will have clearly defined target dates for completion within the next 12 months. The Deputy Commissioner will assume direct oversight of the necessary operational delivery.

5.5   These improvements have to be made. They will make operations safer and reduce risk, and some of them (such as role clarity and common terminology) have important implications for the Police Service's general ability to work seamlessly in preparation for, and during, the 2012 Olympics.

Command & Control

People

- **Command competence**
- **Structural change**
- **Role clarity**
- **Training & Exercising**
- **Learning & Development**

Facilities

- **Control rooms**
- **Business continuity**

Technologies

- **Communications**
- **Imagery and imagery communication**
- **Electronic logging & Identification status**
- **Mapping systems & Asset tracking**

Procedures

- **Recording protocols**
- **SOPs**
  - **Rules of Engagement**
  - Control Room
  - Cross border protocols
- **Identification**
- **Surveillance Mgt & supervision**
- **Post Incident Mgt**
- **Language (glossary)**

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6. Detailed Findings

6.1   Command & Control - People

- **Command competence**

6.1.1   The MPS has been a key partner in the development of the new NPIA Firearms Command Training. In January 2008, a programme of Pass/Fail Strategic (Gold) and Tactical (Silver) level courses was already rolling out to train new and existing firearms commanders. In plans to further develop standards of occupational and operational competence, the selection, training, exercising and accreditation of two dedicated firearms cadres are underway. The first, a chief officer cadre at ACPO rank (commander and above) to assess and resolve extreme threat scenarios will have been selected by the end of May 2009, followed by training and a continuous programme of exercises. The cadre will be in operation from July 2009. The second initiative, a dedicated corporate cadre of Strategic and Tactical firearms commanders to meet the challenges of 24/7 policing in London, will have been identified by August 2009, and will be providing full operational coverage by November 2009.

6.1.2   The move to a cadre system means the separation of the investigatory and firearms command functions, a change intended to bring greater objectivity to decision making and to minimise risk. This mirrors a national IPCC recommendation and conflicts with traditional practice within the Counter Terrorism Command and some of the MPS serious crime units. Until at least September 2009, the Serious and Organised Crime Command (SCD7) and Trident (SCD8 – concerned with the prevention and investigation of shootings) will use their own staff as an 'in house' cadre. A review will then be carried out to see how a separate cadre would impact on the command of their high risk operations. The rationale for this is based upon the serious crime commands' existing and considerable experience in this area and their intended compliance with the spirit of the IPCC recommendation. Further change, they argue, must be most carefully assessed so as not to increase the risk to the public or officers.

- **Structural change**

6.1.3   On 6 April 2009, following a paper to Management Board in September 2008, the MPS amalgamated two of its main surveillance units[6]; a merger intended to provide consistency of training, procedure, professional practice, exposure and learning. The new single command will create a platform for increased inter-operability with other departments and national units, i.e. the Specialist Firearms Command (CO19), the Serious and Organised Crime Command (SCD7) and Trident (SCD8), and the wider counter-terrorism community. Preparation of personnel has undoubtedly taken place (see Training & Exercising) and some common operating procedures introduced (see Procedures), but the roadmap to achieve the key features of a single entity – common

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[6]   Surveillance teams from within the Counter Terrorism Command (SO15), and the Covert Policing Command (SCD11)

ethos, structures, tasking arrangements, processes and culture, is not yet developed.

- **Role Clarity**

6.1.4   National Command & Control doctrine (the fundamental principles of command in policing operations) has been agreed by ACPO's Chief Constables' Council (March 2009). The MPS has made a positive contribution to this new doctrine and the new Manual of Guidance on the Police Use of Firearms (due to be published in June 2009).

6.1.5   The MPS no longer uses the term DSO, or designated senior officer[7], for decisions on suicide bombers, but as outlined above, it intends to retain a small number of specifically trained senior officers for the tactical command of incidents involving the most extreme threats to public safety (Extreme Threat Tactical commanders). Guidance for the operation of counter-terrorism police operations rooms[8] (which includes the MPS' 1600) has been circulated by ACPO's Committee for Terrorism and Allied Matters, TAM, (March 2009), and this guidance identifies key roles in control room management, intelligence, surveillance co-ordination and monitoring. The minimum operational qualifications staff require to perform these roles has been agreed.

6.1.6   Implementation of this guidance by the MPS is yet to be determined, and the training to support the translation of the guidance into professional practice is yet to be developed with NPIA.

6.1.7   The options and conclusions drawn from a parallel MPS project on staff roles and responsibilities within 1600 is currently under consideration by the Counter Terrorism Command. A date has not yet been set for finalisation and implementation

- **Training & Exercising**

6.1.8   During 2007, the staff cadre in 1600, the counter-terrorism surveillance teams as well as the specialist firearms teams (CO19), participated in five joint exercises. A further 5 took place in 2008 as part of the Counter Terrorism Enhanced Surveillance Skills courses run for all counter-terrorism surveillance personnel, and supported by the Covert Policing (SCD11) Operational Teams. When real time operational demands are considered, this is a significant investment in both time and people, specifically designed to test the operational effectiveness and relationship between 1600, CT surveillance teams and CO19. The programme for 2009/10 sets out eight exercises, which include SCD11 teams from the Covert Policing Command and other MPS units.

6.1.9   Since September 2008, the MPS has been rotating counter-terrorism and SCD11 surveillance personnel to familiarise them in

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[7]   Designated Senior Officer, a command role conceived specifically for decision-making in relation to suspected suicide bombers
[8]   The ACPO TAM Guidance on CT Police Operations Rooms has a 'Restricted' security classification

both Crime in Action and counter-terrorism operations. To date, some 87 counter-terrorism and Crime in Action operations have been supported (44 of them involving the deployment of firearms assets). The rotation of the surveillance teams between counter-terrorism and Crime in Action operations is due to be completed by all counter-terrorism teams by September 2009. The degree to which further rotation will take place has yet to be determined.

6.1.10 The ability to respond swiftly in covert operations to prevent harm or danger to the public is vital. Historically, CO19 specialist firearms officers have been required to operate in covert environments to detain suspects as safely as possible. In 2007, these officers benefited from specially tailored surveillance courses to enhance the timeliness of police action in response to a requirement for detention or other safe resolution. To improve this tactical capability, specialist firearms teams and SCD11 surveillance trainers have just completed a training and exercise programme (the Small Teams' courses) that takes advantage of the new Airwave capability, and will be built into the annual re-accreditation of specialist firearms officers. CO19 Tactical Support Teams, which also provide support to surveillance operations, will also complete tailored surveillance courses to increase their operational flexibility and covert effectiveness. It is essential that the MPS exercises take advantage of this capability build by ensuring familiarity of the tactic with both SCD11 and CT surveillance teams, and by working through a broad range of counter-terrorism and Crime in Action scenarios to determine the appropriate command and control arrangements.

6.1.11 The MPS is also extending its tactical armed surveillance capability by ensuring that all units engaged in this activity can provide an appropriate minimum level of armed response to spontaneous emerging threats to members of the public including terrorism.

- **Learning & Development**

6.1.12 No comprehensive debrief of the events of July 2005 has yet been conducted. With the conclusion of the Inquest into the death of Jean Charles de Menezes in December 2008, and the publication of the Coroner's Rule 43 report in March 2009, the MPS has begun a formal and structured debrief involving key groups and individuals (and identified IPCC staff) to learn as much as possible from all the events of July 2005. A date for completion has yet to be determined, but a draft report is expected by July 2009. The Specialist Firearms Command (CO19) is not taking part because the MPS has decided that many of the issues for them have already been identified during the Health & Safety trial and the Inquest.

6.1.13 Post-operational debriefing is routine but there is no consistent practice. Units such as CO19 and Surveillance debrief independently and the participation of key commanders in briefings is not always mandatory. Under the auspices of ACPO TAM, there has been an understandable emphasis on detailed debriefings about intelligence and investigations. In the MPS, the Counter Terrorism Command provides a broad range of high quality learning opportunities, including multi-agency scenarios. Developing an all-encompassing approach that builds on these strengths is the present task of the Counter Terrorism Command's OCU commander.

6.1.14   As an interim measure following the events of July 2005, the Counter Terrorism Command developed and tested a cadre of control room staff for the current 1600 operations room. In 2008, the control room was staffed and opened for all surveillance operations. To build on the cadre concept, the CT Surveillance Support Team is being developed to continue to improve standards of control room professional practice in line with the guidance provided in the new ACPO TAM CT Police Operations Room Manual and through 1600 specific protocols.

6.2   Command & Control – Facilities

- **Control Rooms**

6.2.1   The quest to upgrade and improve the existing 1600 CT control room, and to identify the user requirement for a new CT control facility began immediately following the events of July 2005.

6.2.2   Creating the new 1600 has required significant investment, energy and commitment. Testing was due in October 2008, service reliability trials in November, and project completion by the end of 2008. In December 2008, the new room was tested in tandem with the Serious Crime Directorate's Crime in Action control room, Central 3000 (Operation Hook Norton). Whilst Hook Norton revealed useful lessons for the inter-operability of the two control rooms and their staff and working practices, the accreditation process for the new control room is not yet fully finalised and no date has been set for completion. Partial opening of the new control room commenced in April 2009.

6.2.3   The new facilities should provide the Counter Terrorism Command with the capability to oversee multiple counter-terrorism operations and investigations. Links to Central 3000, and to the main overt MPS control room, Special Operations Room, exist but are being reviewed. A dedicated team of permanent staff has been recruited to maintain the operating efficiency of the new control room, and to ensure that that the facilities are aligned and configured for the size and needs of specific operations.

- **Business Continuity**

6.2.4   The current 1600 control room has received a number of technological upgrades both in terms of communications, mapping and logging capabilities (see Technologies). These will provide flexibility and resilience for the new 1600 control room, but even this extra capacity will be significantly enhanced if and when secure connectivity is achieved throughout the national counter-terrorism network under Project Ascent[9].

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[9]   Project Ascent is sponsored by ACPO TAM to deliver secure IT links between units within the counter-terrorism network

6.3 Command & Control – Technologies

- **Communications**

6.3.1 The MPS's new digital communications technology, Airwave, is now fully operational. The roll out of encrypted covert Airwave capability was completed in April 2008. With the caveat that operational commanders should always plan for communications failures, officers and staff at every level have acknowledged this is a significant enhancement to operational efficiency, particularly for covert operations. Both the current and new 1600 control rooms have access to overt and covert Airwave.

6.3.2 In October 2008, the NPIA completed its rollout of Airwave to all of the 125 sub-surface underground stations in London. Radio coverage is available in all areas of the stations below ground that are open to the public, including platforms, escalators and booking halls. This new capability is being used operationally on an everyday basis. There are still a small number of stretches of tunnel not presently provided with coverage but these gaps will be filled by October 2009.

6.3.3 Having made these significant advances, challenges still remain for the MPS; firstly, in terms of systems' resilience under conditions of extreme demand, both planned and unplanned, and secondly in terms of the effective operational management of the covert capability to 'join up' the communications of MPS and non-MPS units.

6.3.4 In resilience terms, the capacity of the MPS communications system has been tested to its limit at events such as Notting Hill Carnival where several thousand officers can be on duty at one time. Procedures have therefore been devised for the procurement of additional Airwave capacity specifically designated for demanding pre-planned events such as the Carnival, the New Year's Eve Celebrations, and G20. These arrangements cannot be provided spontaneously, and in the face of unforeseen and extreme demand on the Airwave system, technical options to prioritise user access are available to operational commanders.

6.3.5 To the public, it would appear only reasonable that radio equipment should just 'plug in and play', but the reality of resourcing and managing the new covert system means that the configuration and the administration of the system adds a layer of complexity.

6.3.6 The MPS has taken this factor into account, and the radio equipment supplied to counter-terrorism, SCD11 surveillance teams, the Serious and Organised Crime command, Trident and to CO19, has been configured to enable these units to move to shared channels in fast time. The configuration and administration processes are operated by a Key Management Facility (KMF), a computer system which manages encrypted radio traffic.

6.3.7 However, if MPS units work beyond London, and/or need to communicate with covert units from other forces, then delays can be

experienced in establishing the necessary encrypted communication links. Pre-planning for such events is therefore vital. As recently as February 2009, user error during an exercise resulted in units from different forces and agencies having to swap radio equipment on the ground to work together. User error (resulting mainly from a lack of familiarity with the capabilities of Airwave), KMF availability (office hours or 24/7) and software capability are presently the main obstacles to realising the potential of the new system.

6.3.8   This additional layer of complexity is significant for the MPS as a key player within the counter-terrorism network. When the rollout of Covert Airwave for the national counter-terrorism network is completed during 2009, the national network will be administered by a separate KMF. The Counter-Terrorism Command is working to solve KMF problems and completion of an upgrade is set for July 2009. This development, along with continued training and exercising, will help to address the issues raised above in para 6.3.7 and ensure full capability for the 2012 Olympics.

- **Imagery Systems**

6.3.9   Innovative collaboration between the MPS Directorate of Information (DoI[10]) and the surveillance commands helped to introduce an interim photo imagery communication system in January 2008, rolling out across SCD, counter-terrorism surveillance and CO19 units. Counter-terrorism work requires high standards of security classification, and the Counter Terrorism Command has identified suitable technology with sufficient security classification to deliver both image and briefing solutions to the required specification. The proposed new system is already operational in other parts of the counter-terrorism network. Funding has been identified in the MPS, and, once the procurement process is underway, it is estimated that implementation and delivery would be achieved within nine months

6.3.10   In the meantime, the MPS interim imagery system continues to be tested in counter-terrorism exercises, and on a daily basis by front-line officers (both surveillance and firearms) in the course of Crime In Action operations.

- **Electronic logging & Identification status**

6.3.11   An electronic logging capability has been embedded as part of the operation of the current 1600 control room for more than two years. It is standard practice for the log to be available, not just individually, but displayed on large screens visible to all control room staff. An 'Identification status' field (see Procedures) has been developed and was tested in an exercise in April 2009. The outcome of this test and a decision as to incorporation is awaited.

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[10]   The MPS department that deals with Information Technology issues

6.3.12 The electronic log used by the MPS (CLIO) can be accessed by authorised users at workstation*s* via the corporate intranet system. Operational logs supporting activity in other MPS control rooms (i.e. Central 3000 or Special Operations Room) can therefore be read within the 1600 control room but *s*ecurity encryption prevents this being a two-way capability.

6.3.13 Counter Terrorism Command is, under the auspices of an ACPO inter-operability project, considering harmonising its logging systems with those currently being piloted within the national counter-terrorism network. Harmonisation would form part of a wider package of national plans to be considered by ACPO's Chief Constables Council in July 2009.

- **Mapping Systems and Asset Tracking**

6.3.14 Electronic mapping systems and associated technologies were introduced to the current 1600 control room in 2007 and they are a feature of the new 1600 facility.

6.3.15 The ability to track covert vehicle units electronically has been available for several years. Since 2007, changes in technology, such as the introduction of Covert Airwave have made it possible to track both vehicles and officers deployed on foot. The MPS intends to develop this capability following the upgrade to their KMF in July 2009.

6.3.16 As an interim measure, in March 2009, Counter Terrorism Command tested additional software giving operational commanders and control room staff the possibility of monitoring the changing locations of firearms and surveillance officers in appropriate operations.

6.3.17 Whilst the MPS solution is still 'work in progress', Counter Terrorism Command has sought ways to extend this monitoring capability to identified ground commanders.

6.3.18 A variety of views exists as to the necessity and utility of such technology. Those who support implementation identify intelligence opportunities, command and control and Health & Safety considerations as tangible benefits.

6.4   Command & Control - Procedures

- **Recording protocols**

6.4.1 The audio recording of briefings for firearms officers in operations where an arrest was expected was introduced across the MPS in January 2008. This practice has been extended to the many and various intelligence briefings for firearms officers in authorised operations; for example, armed vehicle checkpoints in security operations, and the guarding of victims of violence in

hospital who may still be in danger.

6.4.2   Both the current and planned 1600 control rooms have facilities for the recording of radio and phone traffic, and for ambient recording i.e. within the control room. The quality of the latter is presently under review in both the new 1600 and Central 3000 control rooms. Notwithstanding significant and complex legal issues in relation to what might be recorded and the use to which it would be put, any system must have the confidence of partner agencies. At the moment, investigating officers and commanders can refer to standard operating procedures for guidance in circumstances where the threat to public safety is extremely high.

6.4.3   Mention has been made of the investment in electronic logging systems, and the MPS is looking to establish a common glossary of operational terms (see below) which will support improved communication and shared understanding.

- **Standard Operating Procedures (SOPs)**

6.4.4   The MPS has created, or is in the process of creating, Standard Operating Procedures to ensure consistency of practice in critical areas of its counter-terrorism control room, surveillance management and firearms operations. When agreement is finally reached on the relevant glossaries (see Identification and Language), these SOPs need to be carefully cross-referenced to deliver the desired consistency in terminology.

6.4.5   For the reasons described in para 2.6, concerning the competing internal pressures and priorities between MPS business groups, where SOPs involve more than one operational command their successful implementation will require agreement at the highest level, robust follow-up and reality checking to ensure they are properly used.

- **Rules of Engagement SOPs**

6.4.6   These have been subjected to a process of continuing review, both operationally and legally, since the SOPs relating to the threat posed by suicide terrorism were first drawn up following events in July 2005. The most recent review was conducted in February 2009. The language used has been simplified in line with ACPO policy, and code words have been removed.

- **Control Room SOPs**

6.4.7   In addition to the recording protocols, and the new ACPO guide for counter-terrorism operations rooms, draft responsibilities for MPS 1600 control rooms have been developed to provide a series of options consistent with the national guidance. The identified roles are intended to build into a standardised minimum staffing model for a control room handling a particular type of operation. The result would be flexible to meet the challenges posed by a broad range of counter-terrorism scenarios. The final report,

including costed options and conclusions is currently under consideration by the Counter Terrorism Command.

- Cross-border protocols

6.4.8 Cross-border protocols between the MPS and surrounding forces for spontaneous firearms operations have been in existence since 2007. Following the development of a pre-planned protocol with one constabulary, CO19 has sought agreement with a number of forces to adopt a consistent approach. Agreement has been reached across the ACPO South East and South West regions, and the obvious benefits of the template have generated considerable national interest.

- ### Identification

6.4.9 The MPS has been standardising its terminology and practice in relation to surveillance operations. Recognising the need for nationally accepted definitions, it has contributed significantly to the national debate surrounding the revision of the surveillance identification system. The three new levels of identification – Positive, Unconfirmed and Negative - will be incorporated into the ACPO Surveillance Manual in July 2009. In practical terms, such designations signal their own actions, justifications and accountabilities, and together make for a far more robust system supported by documented processes of Surveillance Management and Supervision (see below).

6.4.10 Such a system must also be supported by radio discipline. MPS surveillance training emphasises the necessity for brevity of communication during surveillance operations, and the procedures governing the surveillance commentary are mandatory. The MPS surveillance activity and radio discipline witnessed by HMIC in the course of this review was satisfactory. As a matter of course, it is constantly assessed through training and exercises.

- ### Surveillance Management & Supervision

6.4.11 All surveillance teams maintain a dedicated loggist who is tasked with following the surveillance commentary and recording material information as well as attributing this information to the relevant officer. At the conclusion of the operation, the surveillance team is required to review the surveillance log to ensure accurate recording. Over and above this process, the use of "Surveillance Management Records" (SMRs) has been national policy since April 2007.

6.4.12 The MPS published its own guidance in July 2008, requiring surveillance team leaders to complete SMRs during the course of an operation, adapting these documents to provide a clear audit trail for identification issues including the level, timing, and rationale. Counter-terrorism and SCD11 records and surveillance logs examined by HMIC have shown compliance with the new policy. Supervisory activity is recorded and provides a comprehensive record on the quality of compliance and any necessary follow-up

actions. Security arrangements for surveillance logs comply with ACPO and MPS guidance, and staff are fully aware of the absolute necessity of preserving their integrity.

6.4.13 Undoubtedly, management and supervision have been enhanced.

- **Post Incident Management**

6.4.14 On the basis of detailed advice, and taking into account legal arguments in the case of R (Saunders) v IPCC [2008], in October 2008, ACPO accepted an amendment to its post incident procedures such that - "As a matter of general practice officers should not confer with others before making their accounts (whether initial or subsequent accounts) and that the important issue is to individually record what their honestly held belief of the situation was at the time force was used ".

6.4.15 MPS practice accords with the ACPO amendment, and interim instructions have been issued to the armed commands pending the publication of the new ACPO Police Use of Firearms Manual of Guidance forecast for June 2009. Since October 2008, the new procedures have been tested in London following two incidents: one fatal, and the other involving the wounding of an individual by armed police. The IPCC's response to the changes, both in policy and practical terms, has been positive at this stage.

- **Language (glossary)**

6.4.16 Firearms teams are working with surveillance teams everyday in London, and when necessary bringing operations to a safe conclusion. However, to build on current standards of professional practice, the MPS has recognised the need for a greater breadth of definitive and commonly understood terms (or glossary) for use in firearms operations, and joint surveillance/firearms operations, to support both consistency and clarity.

6.4.17 A consequence of this, and the achievement of the national agreement on identification status, has been the wider appreciation of the need for a national glossary for firearms and surveillance terminology. Co-ordinated through the ACPO Stockwell Co-ordinating Group, the MPS is working closely with relevant ACPO policy portfolios and the ACPO TAM inter-operability project to these ends.

6.4.18 Progress in drawing up the firearms and surveillance glossaries is advanced but will require national negotiation and agreement prior to implementation.

Glossary of Terms and abbreviations used in the report

1600   Counter Terrorism Command's CT control room

ACPO   Association of Chief Police Officers
ACPO TAM   ACPO committee for Terrorism ands Allied Matters
Airwave   MPS Digital Communications system

Central 3000   the Serious Crime Directorate's Crime in Action control room
CLIO   Electronic logging system used in the CT and SCD control rooms
CO19   Specialist Firearms Command
CT   Counter Terrorism

DoI   Directorate of Information
DSO   Designated Senior Officer

GPS   Global Positioning System

HASW   Health and Safety at Work legislation
H&S   Health and Safety
HMCIC   Her Majesty's Chief Inspector of Constabulary
HMIC   Her Majesty's Inspectorate of Constabulary
Hook Norton   MPS exercise to test the inter-operability of the new CT operations room and
                                  the Crime in Action control room, Central 3000

IPCC   Independent Police Complaints Commission

KMF   Key Management Facility

LUL   London Underground

MPA   Metropolitan Police Authority
MPS   Metropolitan Police Service

NPIA	National Police Improvement Agency
OCU	Operational Command Unit
Rule 43	Issues identified by the Coroner for review to reduce risk of other deaths occurring
SCD	Serious Crime Directorate
SCD 7	Serious and Organised Crime Command
SCD 8	Trident – concerned with the prevention and investigation of shootings
SCD 11	Covert Policing Command
SMR	Surveillance Management Record
SOP	Standard Operating Procedure
SO15	Counter Terrorism Command (CTC)
Trident	SCD8, the MPS OCU concerned with the prevention and investigation of shootings

Key Dates

April 2006: Home Office request that HMIC take forward the majority of the 16 recommendations emerging from the IPCC investigation into the death of Jean Charles de Menezes

Sept 2006: HMIC's response, 'Learning the Lessons from Stockwell', delivered to the Secretary of State. The report comprised 3 new recommendations and 21 Critical Success Factors considered necessary to address the challenges levelled by the IPCC recommendations and the context of policing the post-7/7 world.

Jan 2007: 'Learning the Lessons' forwarded to all Chief Constables by the ACPO President

Sept 2007: HMIC monitor progress against the IPCC recommendations within the MPS

Oct 2007: Conviction of MPS for failures under HASW legislation

Nov 2007: IPCC publish the results of their investigation into the fatal shooting of Jean Charles de Menezes - Stockwell 1

Jan 2008: Further HMIC assessment of the MPS at the request of the MPA

July 2008: Publication of MPA Scrutiny containing 34 recommendations relating to Stockwell 1 and 2

Aug 2008: HMIC begin the current follow-up to "Learning the Lessons", examining the achievements of policy making structures, and related progress arising from the development of the national Counter Terrorism Network of Lead Forces (excluding the MPS Counter Terrorism Command)

Dec 2008: Inquest into the death of Jean Charles de Menezes records an Open verdict

Jan 2009: HMIC assessment of progress by ACPO and within the CT Network

Feb 2009: HMIC begins review of MPS progress

Mar 2008: Coroner's Rule 43 report and responses from the MPA and MPS published