

Disproportionality Board Minutes

London's Disproportionality Board

11th January 10:00-12:00

City Hall Room, Committee Room 5/6

Attendees

Colin Wingrove

Darren Rodwell

Davina Smith

Dione Usherwood

Joseph Foxwell

Katie Harber (Guest Presenter)

Kris Venkatasami

Lynn Ferguson

Patrick Olajide (Guest Presenter)

MPS

Barking and Dagenham

London Councils

MOPAC ERG

London Councils

MPS

CPS

London Councils

Crest

Apologies

YJB

IOPC

College of Policing

Judiciary

HMICFRS

Black Police Association

VRU

Metropolitan Police Federation

Justice

Officers

Bridie Blower

Caroline Drummond

Debbie Weekes-Bernard (DMCSJ)

Kenny Bowie

Mel Asare

Natasha Plummer

Paul Dawson

Sophie Linden (DMPC)

Purpose of the Meeting

This is the tenth meeting of the Disproportionality Board. The purpose of this meeting is to bring partners together to consider disproportionality and how to address it across the criminal justice system.

The meeting had a particular focus on the CPS Joint Enterprise Pilot and tackling disproportionality in the adult criminal justice system.

Agenda

1.	10:00	Welcome and review of notes and actions of the previous meeting	Dr Debbie Weekes-Bernard, Deputy Mayor for Communities and Social Justice
2.	10:10	Policing Board Update	Deputy Mayor for Policing and Crime-Sophie Linden
3.	10:20	Evidence and Insight Data Pack and Research updates	Paul Dawson, Head of Evidence and Insight Amber Evans-CREST
4.	10:40	ERG Dashboard review findings and reflections	Aba Abekah-Mensah
5.	10:50	CPS Joint Enterprise Pilot https://www.cps.gov.uk/publication/crown-prosecution-service-joint-enterprise-pilot-2023-data-analysis#:~:text=The%20CPS%20commenced%20a%20pilot,another%20to%20commit%20a%20crime.	Kris Venkatasami, Deputy Chief Crown Prosecutor
6.	11:20	Race Action Plan General Update	Chief Superintendent Jeff Boothe
7.	11:25	Adult Criminal Justice System Action Plan update	Detective Superintendent Katie Harber
8a	11:50	MPS-Mayor's Action Plan Update	

8b		<ul style="list-style-type: none"> Monitoring Stop and Search Rates per borough across populations-sharing the learning 	Commander Colin Wingrove
		<ul style="list-style-type: none"> MOPAC-Mayor's Action Plan - Community Engagement update 	Natasha Plummer, Head of Community Engagement
9.	12:00	Any Other Business Date of next meeting 6 th March 2:00-4:00pm	

Item 1 – Welcome and agree notes of the last meeting and note actions

- DMCSJ opened the meeting, welcoming attendees to the tenth meeting of the MOPAC Disproportionality Board.
- Minutes were ratified by members and previous actions were noted. DWS highlighted that actions outstanding are part of this agenda or the upcoming meeting in March.

Item 2. A Policing Board Update

DMPC provided an update on the second meeting of the London Policing Board (LPB). She clarified the remit of the LPB and its structures for operation. She raised key areas that were raised at the last meeting including Right Care Right Person (RCRP), MPS's overall approach to Violence Against Women and Girls (VAWG), policing protests and responding to rising hate crime, which were significantly impacting day to day policing and officer wellbeing, the 27 per cent real terms per capita decrease in MPS funding over the last 10 years.

Also mentioned was the The New Met for London's Plan (NMfL) mission under 'Less Crime' includes reductions in serious violence specifically robbery; violence with injury; and homicide. The NMfL plan also prioritises addressing longstanding concerns about keeping children and

young people safe, which have been highlighted in the Baroness Casey Review and recent HM Inspectorate of Constabulary and Fire & Rescue Services inspection.

- The next meeting of the Board is scheduled for **Tuesday 5 March 2024 at 10:00am at City Hall**

Papers can be found here [LPB Papers](#)

Item 3. Disproportionality Data Pack

Paul Dawson provided an overview of the key points from the routine data pack that is circulated in advance of the meeting.

The Data Pack provides a summary of key statistics on ethnic disproportionality across the key aspects of the Action Plan (Public Perceptions, Stop and Search, Use of Force and Workforce). This is a high-level summary, and Paul encouraged Board members to access the published Mayor's Action Plan Data Dashboard which provides more detailed data and breakdowns (such as age and borough).

Key points

- Intersectionality data has been added to this pack which was brought to the LPB in December. This includes VAWG victim and perpetrator rates and evidences that for Rape offences and Domestic Abuse, the highest rate of victimisation was for Black women aged between 18-34. **Black women aged 18-24 were 2x more likely than White women to be a victim of rape, and 1.6x more likely to be a victim of Domestic Abuse.**
- Black males aged between 18-44 are most likely to be suspects across all VAWG measures presented. **Black males aged 25-34 years are 4.7x more likely to be suspects of Rape offences, 4.2x for Harassment, 4.1x for Other Sexual Offences, and 3.6x for Domestic Abuse compared to White males in the same age group.**
- Q2 23-24 saw a slight increase in **Confidence in the MPS**. Levels of confidence between the three groups has widened slightly this quarter (other 53%, Black 43% & White 47%), following a recent narrowing of the gap between Black and White Londoners.

- Black Londoners continue to have lower levels of **Trust in the MPS** (60% vs. 69% for White Londoners) and a lower proportion believe the police treat everyone fairly (52% vs. 61%).
- As of Q2 23-24 **Black individuals were 3.6 times more likely to be stopped and searched for any reason as compared to White individuals.** The disproportionality gap has remained at similar levels over the last two years and is stable as compared to levels recorded at the launch of the Action Plan (3.0). The rate increases to 6.8 times more likely for stops related to weapons, points and blades.
- As of Q2 23-24 **Section 60 CJPO weapon searches of Black Individuals increased to 24.3 times more likely when compared to White individuals.** This is believed to be linked to police activity in Notting hill carnival.
- **Use of force** data does not show a large disparity in the type of tactic used by ethnicity. The recorded use of handcuffs has reduced since the launch of the Action Plan (across all ethnicities).
- **The number and proportion of Black police officers has remained stable over the last five years.** Black officers currently represent 3.7% of police officers (November 2023) - this has remained stable over recent years (a change of 0.3 percentage points over the last five years). However, there has been a recent increase in the proportion of Black recruits (6% of all recruits between April-November 2023).
- The most diverse rank in the MPS is Constable (19% BAMEH).
- The Met's Outreach Programme to help attract Black police officers has been evaluated and is included within this agenda.

Members raised their concern about the low trust and confidence that Black women have in the police as well as Black women aged 18-24 were 2x more likely than White women to be a victim of rape, and 1.6x more likely to be a victim of Domestic Abuse and that this should be examined in more depth.

DMPC asked for Evidence and Insight to complete a slide for next time related to if you are young and Black in London.

Paul introduced Patrick a Senior Analyst at Crest Advisory who updated the Board on their stop/search officer decision-making research and offered Board members the opportunity to join an expert roundtable initiating the research taking place on the 7th of February.

This research is focusing on two boroughs: Barking and Dagenham and Kensington and Chelsea due to the differences in their disproportionality rates. The research will include ethnographic research, co-production sessions and officer interviews with aim of trying to understand officer decision making when using their stop and search powers. Crest are aiming to have the final report by Spring.

Lynn (ERG Board member) asked Patrick about given what officers say and what they actually do are two separate things, how is this research going to address this?

Patrick explained that the questions for officers have been designed in a way to capture the reality of what is happening and that they will also be observing real time stop and search practice to help achieve this.

Lynn expressed that she welcomes this research and that the ERG are reviewing disproportionality for these same boroughs to better understand officer practices and that should would like to attend their roundtable event.

Darren (Barking and Dagenham lead, B&G) asked Patrick about how they are going to capture the voice of young people that are most marginalised as B&G has the highest young people population in the country and is also the most diverse.

Patrick explained that they recognise that the most directly affected young people don't often feel comfortable taking part in such research and that this can skew things, however they will be tapping into MOPAC Advisory Groups and the Violence Reduction (VRU) in these boroughs. ERG offered to provide access to young people.

Darren asked about if there is a heatmap of London with the highest and lowest level of domestic violence recorded and asked how this dataset feeds into the Crest research as things are more complex than only ethnicity i.e. single parent families, socio-economic status etc.

Patrick explained that this particular study is not covering domestic violence however Paul (MOPAC, Evidence and Insight) explained that they are undertaking another piece of research that will include other relevant factors that may contributing to disproportionality factors in stop and search.

Davina Smith from London Councils asked about how the two boroughs were selected. Paul explained that they selected the borough (K&C) with the highest level of disproportionality and the borough with he lowest (B&D). DMCSJ asked if a third borough can be selected with similar rates of disproportionality with those being stopped and searched but are actually living in the borough, given K&C has a high rate of individuals not

living there. It was agreed by the Board that having a third borough would be useful.

Katie Harber (MPS Strategic Insight Unit, SIU) asked how the sampling of officers for interviews was taking place. Patrick explained that they are working closely with her Unit to identify the right cohort. Lynn suggested that selecting officers using their stop and search powers most would be sensible.

Darren raised concerns about this research expressing that Local Authorities already hold extensive, quality data with robust research teams in place and that a line with the councils as experts is needed. Kenny (MOPAC) raised that this project has been with this Board for a year and that a model data set for disproportionality in London is needed. It was agreed for Crest to link with London councils.

DMPC expressed that we need to make it clearer to Londoners why these boroughs have been selected.

Item 4. ERG Dashboard Findings and Reflections

Dionne (ERG) provided an update on the scrutiny activities they are undertaking in relation to policing powers. She informed that they are undertaking a

- Deep dive into disproportionality data relating to stop and search across London
- A Qualitative Analysis of young Londoners' experience of Stop and Search
- Deeper understanding of the impact of existing initiatives e.g. Precision Stop and Search

Their aim is to present their findings to the Disproportionality Board in Autumn 2024.

Item 5. Joint Enterprise Pilot Findings

Kris Venkatasami (CPS) presented on the Joint Enterprise Pilot. (Presentation circulated to members)

Kris explained that the CPS convene a Pan London Disproportionality Panel, whereby they invite partners to support them in scrutinising CPS decision making on key themes by reflecting on case examples and related presentations.

The Crown Prosecution Service (CPS) has launched a programme of research to identify, understand and tackle disproportionality in its charging decisions.

Disproportionality has long been recognised as a criminal justice system-wide issue, and the CPS is committed to ongoing examination of our work to ensure suspects and defendants are treated fairly.

The CPS commissioned the University of Leeds to examine the outcomes of charging decisions and identify whether demographic factors led to disproportionate outcomes.

The study found that there is evidence of disproportionality in the outcomes of legal decision making, with defendants from minority ethnic backgrounds significantly more likely to be charged for a comparable offence than White British defendants.

Given ongoing concern regarding disproportionality in Joint Enterprise prosecutions, the CPS commenced a pilot scheme whereby homicide and attempted homicide cases prosecuted on a joint enterprise basis are 'flagged' manually in six of the fourteen CPS Areas – London North, Mersey Cheshire, North East, North West, West Mids, and Yorkshire and Humberside. Joint Enterprise Pilot

Flagged cases were manually reviewed to identify case features of particular interest – the number of defendants associated with each case, whether these defendants were the 'principal' or 'secondary', demographic details regarding the defendant, and whether the case was considered to fall within the definition of 'gang' related offending as set out in CPS Legal Guidance. Cases which were live upon the commencement of the pilot were flagged, in addition to any new relevant cases referred to the CPS in these Areas. Further, the CPS has convened a 'scrutiny panel' to review two finalised Joint Enterprise cases, selected from the sample gathered for this pilot.

The scrutiny panel comprise of a number of experts in the field of Joint Enterprise, from a legal, academic, and specialist voluntary sector background. The overall sample includes 190 cases and 680 *defendants*. This is a relatively small sample size when broken down by CPS Area, case feature, defendant characteristics, and other variables captured in the pilot.

- As of February 2024, the CPS will commence a full national scheme in all CPS Areas comprising a mandatory Joint Enterprise Monitoring Code 'flag' on the CPS Case Management System (CMS) for all cases of homicide and attempted homicide brought on a Joint Enterprise basis.
- A report of homicide and attempted homicide cases brought on a joint enterprise basis broken down by the protected characteristics of ethnicity, sex, age and disability will be produced annually.
- The CPS will convene a scrutiny panel in January 2024 with a focus on joint enterprise cases where evidence of gang association is a feature.
- The CPS will undertake a review of its guidance on gang-related offending in consultation with stakeholders.

Davina expressed that conclusions from this pilot can help inform the strategy for Out of Court Disposals. Katie (MPS) raised that she will be touching on this as part of her presentation. Katie also raised that sharing methodologies would be helpful between the MPS, CPS and MOPAC.

Action: MPS, CPS and MOPAC to share methodologies.

Lynn asked about disproportionality within sentencing. Kris informed that this is with the Court and part of a separate working group.

Action: Sentencing workstream to come to July Board meeting.

Item 6. was moved to Item 7. as part of the MAP update.

Item 7. Adult Criminal Justice System Action Plan update

Detective Superintendent Katie Harber presented an update on the work the MPS Strategic Insight Unit (SIU) has been commissioned to deliver on behalf of the working group. (presentation circulated to members)

This is to understand the feasibility of assessing disproportionality in case disposal decisions, comparing Charge/Out of Court Disposals. (presentation circulated to members) this work is looking at:

- case disposal decisions (e.g. whether to NFA, charge or issue out of court disposal).
- Reviewing (sergeant) ERO decision making processes (including the training & legal guidance) to make an assessment of MPS vulnerability to subjective decision making (including bias) that could contribute to disproportionality.
- Exploring recommendations that could improve the quality and consistency of decision making at key case disposal decision points. E.g. digital tooling for eligibility screening.
- Assessing the feasibility of making process changes.

Future work includes:

- Exploring the potential for statistical analysis of disproportionality in case disposals.
- Understanding how decision-making data is captured to assess viability of regression modelling (this work has started). There is concern that data linkage of offenders on different CJ systems (CRIS, NSPIS, COPA, PNC, Connect), missing data and free text decision recording may make meaningful statistical analysis impossible.
- SIU will seek data science advice internally and from MOPAC's E&I to see if free text decisions can be analysed.

Katie informed this work will also be exploring, the use of overnight remand and exploring the potential for statistical analysis of disproportionality in remand use/decision making. N.B There are similar data issues as with case disposal decisions.

SIU will be providing an outline on what is possible with the data and its limitations with a recommendation to proceed (or not).

Item 8. MPS & MOPAC MAP update – SL

Commander Wingrove informed the panel that he will update on the governance arrangements for cross borough learning in relation to disproportionality rates in stop and search as part of the precision stop and search update in March.

Commander Wingrove provided an update on the Race Action Plan. He confirmed that they will be publishing a version of the plan in March 2024. Commander Wingrove provided the Board an update on the following workstreams: Attraction and Recruitment, Stop and Search and Scrutiny and Engagement which will be linking in with their culture review.

Darren commented about whether accommodation could play a part in why officers leave the Met during their probation period or shortly after, given the high prices in London. Commander Wingrove explained that most leavers are from London and that they are trying to understand what is behind the drop out rate i.e. loss of interest, shift work, culture etc.

Action: MPS to send through the Race Action Plan Newsletter.

Action: Commander Wingrove to provide DMPC an update on their service to victims in light of the intersectionality data provided by Evidence and Insight i.e. **Black women aged 18-24 were 2x more likely than White women to be a victim of rape, and 1.6x more likely to be a victim of Domestic Abuse.**

Natasha (MOPAC) provided an update on the community engagement work (paper provided to members). This is currently building on phase one of the project which sought the views of stakeholders and members of the public in what a re-design of community scrutiny mechanisms could look like to ensure they are more representative of the community, more accessible as well as more effective. Phase two is currently taking these insights and working with stakeholders and relevant communities to help design model options.

Item 9, AOB and Details of Next Meeting

The next meeting is the on the 6th of March at City Hall from 2:00-4:00pm. This has been bought forward due to the statutory pre-election period. The planned agenda items for this include:

- Met's Child First Strategy
- The Precision Stop and Search Pilot evaluation including details of the procedural justice training
- Croydon's Stop and Search Pilot Evaluation

Actions

Action	Owner
Presentations to be circulated	Mel (MOPAC)
Share Crest roundtable event details with members	Mel
Provide a profile of relevant stats if you are young Black female or male	Paul (MOPAC)
Crest research to link with London Councils	Paul
Consider a third borough in the Crest research	Paul
Academics to share methodologies	SIU, CPS, E&I
Kris to circulate newsletter via Mel	Kris/Mel
What services are we providing to victims i.e. Black young women	Commander Wingrove
Colin to provide S&S governance arrangements as part of precision stop and search presentation in March	Commander Wingrove
Connect London Councils with ERG	Mel
ERG S&S research project to come back in Autumn	ERG
Pre charge/charge workstream to come back in July	MOPAC
Criminal Justice Sentencing workstream to come in July	MOPAC

CPS Disproportionality Phase 2 study to be on July's agenda	Kris
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