



# Policing with Consent



October 2020 · Unmesh Desai AM

# Policing with Consent in London

Our police officers are public servants who put themselves in danger every day to keep Londoners safe. It is, or should be, one of the great strengths of our city that our police service and public both strive to build strong, community-based relationships with policing by consent at their core.

Policing in the UK is grounded in the principle of 'policing by consent'. Derived from the nine principles of policing developed by the founder of the Metropolitan Police, Robert Peel, the notion of 'policing by consent' is rooted in the belief that for policing to be effective, there must be broad public support for a police service's actions.

First set out in 1829 as 'General Instructions' issued to every police officer, these principles included asking officers to recognise that "the power of the police to fulfil their functions and duties is dependent on public approval of their existence, actions and behaviour and on their ability to secure and maintain public respect". They also asked for officers to use physical force only when "persuasion, advice and warning is found to be insufficient to obtain public co-operation" and to use "the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective".<sup>1</sup>

'Policing by consent' is today most commonly referred to when a significant change in the law comes into effect and there are corresponding



demands and responsibilities placed on the police as a result.

The new laws introduced by the Government in response to the Covid-19 pandemic are a prime example of such a change. As a result of the public health crisis, Londoners overwhelmingly gave their consent for new laws, and the police's enforcement of them, to prevent the spread of the virus. Polling undertaken in April found that 68% of Londoners at least partially supported the police's approach to enforcing the Coronavirus 'lockdown'.<sup>2</sup>

There also appeared to be high levels of compliance with these measures. Use of London's transport network reduced by over 90% during the period where the strictest limitations on people's movements were in place, whilst the Metropolitan Police handed



- I fully support the approach taken by the police**
- I support the approach taken by the police but in some cases they are going too far**
- The approach taken by the police to enforce the COVID-19 lockdown is too heavy handed**
- The police should take tougher action to ensure public compliance**
- The police have no role in enforcing the COVID-19 lockdown, compliance should be a matter for individuals**
- None of the above**

Source: Crest Advisory <https://www.crestadvisory.com/post/policing-the-covid-19-lockdown-new-poll>

out fewer than 1,000 Fixed Penalty Notices for breaking lockdown restrictions during the two months of the emergency law.<sup>3</sup> Research from the Nuffield Foundation also suggests that during the early stages of the lockdown, the majority of UK citizens were complying with all lockdown restrictions and that citizens were not reporting problems or disputes arising from treatment from the police in enforcement of Covid-19 restrictions.<sup>4</sup>

Whilst support for the police's enforcement of these new regulations appears to be high, concerns around the trust and confidence London's BAME, and specifically black, communities have for policing in London have been brought into sharp relief.

## Disproportionality during Lockdown

Following the tragic murder of George Floyd at the hands of a police officer in the United States, and the worldwide protests which followed this, police services' actions towards BAME, and particularly black communities, have understandably been under increased scrutiny. Meaningful policing by consent

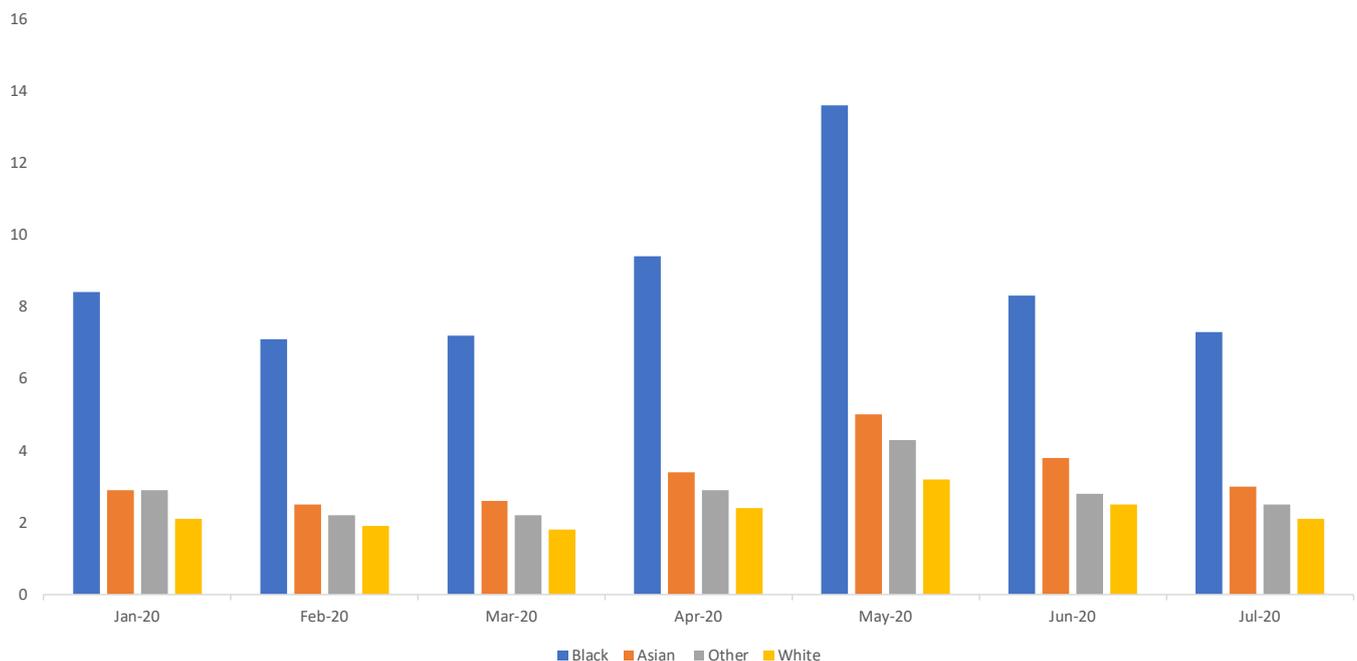
means the power of the police must derive from the support entrusted into the service by all communities that comprise our society.

Black Londoners continue to be more than four times as likely to be stopped and searched than their white counterparts.<sup>5</sup> During the months of April and May 2020, when the most stringent Coronavirus restrictions were in place, the Met's use of stop and search significantly increased.

The number of stop and searches conducted in May was more than double the number compared to the same month last year, whilst the use of 'section 60' powers, which allowed the police to stop and search people with no grounds for suspicion, also saw a sharp increase.<sup>6</sup>

Whilst the number of Fixed Penalty Notices (FPN) issued to Londoners for being in breach of the Coronavirus restrictions may have been low in volume, between 27th March and 14th May 2020, black Londoners were more than twice as likely as white Londoners to have received a fine, and were also more likely to be arrested for breaching the restrictions.<sup>7</sup>

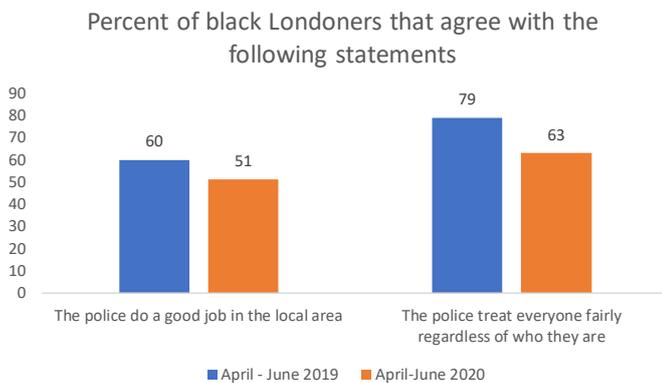
**Searches in London per 100,000 population**



# Public Confidence

Quarterly public perceptions data collected by the Mayor's Office for Policing and Crime (MOPAC) showed that, prior to the Coronavirus pandemic, there were roughly similar levels of support for the Met Police across most demographic groups, although Londoners from BAME backgrounds were slightly less positive in their responses to questions on whether the police did a good job, could be relied upon, or were well informed about the local area.<sup>8</sup>

Black and mixed ethnicity Londoners were, however, 13% and 15% respectively less likely than White Londoners to agree that "the police treat everyone fairly, regardless of who they are".<sup>9</sup>



The latest public perceptions data published by MOPAC reveals a marked shift in the attitudes of Londoners who identify as black or of mixed ethnicity towards the police. Figures from quarter one of 2020 reveal that only 51% of black Londoners now feel that the police are doing a "good job" in their local area, a 9% fall when compared with the same period last year and 7% fewer than the average results of the survey. Similarly, the proportion of black Londoners who feel that the police treat everyone fairly has fallen by 19% in the last 12 months and is 13% lower than the average result recorded for the survey.<sup>10</sup>

In July 2020, a poll conducted by ITV, after the most stringent Coronavirus 'lockdown' measures had begun to be eased, showed

that 62% of BAME Londoners felt there exists a culture of racism within the police. A higher percentage of BAME Londoners felt that a racist culture existed within the police than in any other institution or organisation included as part of the study. For the sake of comparison, only 48% of BAME Londoners regarded the Home Office as having a culture of racism.<sup>11</sup>

The combination of increased activity by the police during the height of the pandemic, and a greater focus on pre-existing disproportionalities in the police's actions, could be factors in the further deterioration in support for the Met Police amongst London's BAME and Black communities.

Without a willingness to address the concerns that are being raised in London amongst these communities, the consent that must underpin our approach to keeping people safe is in danger of being eroded.

## Building Trust

The Mayor of London has responded to concerns raised by London's BAME communities by announcing that he will draw up an action plan to address trust, confidence and transparency in the Met. This is an important first step and recognition at a political level that changes must be made. Action should include reviewing the Met's approach to communications. Whilst not an extensive list, this should include looking at the way it uses social media channels, the way it engages with local community groups, how it promotes recruitment campaigns and also the way its leaders approach addressing issues and incidents relating to disproportionalities when giving interviews.

The broad support and consent given to the Met to exercise the extra powers it was given to tackle the Coronavirus crisis was accompanied by a strong public understanding of the reasons

for their need. The Met and policy makers must work towards building a similar understanding and support for the measures it needs to take in order to address violent crime.

Violence, and particularly youth violence, continues to be one of the most pressing concerns of all Londoners. There are disproportionalities present in the profile of the victims of crime in London, with young black men most likely to be the victims of violent crime. The Met do discuss this, although, too often this is only done reactively, when being questioned on the reasons for the disproportionalities present in their tactics.

When introducing initiatives, such as the newly formed Violence Suppression Units, the Met should ensure that the communities these units will operate in have been communicated with and played a role in developing the purpose and objectives of the service. If trust and confidence in the Met is to increase, engagement must be improved, especially amongst those who are disproportionately impacted by both crime and law enforcement tactics.

Figures which provide detail on the Met's social media posts in the last six months provide

evidence that more could have been done to increase engagement around increasing levels of stop and search, and the introduction of Violence Suppression Units, during the first six months of 2020.

It is to be expected that the Met would have more posts relating to a global health pandemic such as Covid-19. When we consider that the Met has over 1,000 social media accounts across all major platforms, however, it is possible to envisage that there could have been a more marked increase in posts relating to stop and search to correspond with the increased use of the tactic in April and May.

There needs to be better awareness and acknowledgement amongst senior leadership within the Met of the importance of improving its relationship with all the communities it polices. Whilst it would be wrong to say there has been no progress made since the landmark Macpherson report was released in 1997, for the Commissioner to state recently that she no longer felt the Met to be institutionally racist risked, however inadvertently, giving the impression that the service doesn't recognise the need for further improvement. This in turn risks placing the Met's rhetoric at odds with the views of BAME Londoners and potentially that

	January	February	March	April	May	June
<b>Coronavirus posts</b>	0	0	276	468	205	56
<b>Stop and search and section 60 posts</b>	48	32	40	18	57	78
<b>Violence Suppression Units posts</b>	0	0	0	0	28*	13

\*Violence suppression units launched 13th May 2020

Source: Mayor's Question Time 16th July 2020

of the IOPC, which is currently investigating whether racial bias is present in policing in England and Wales.

Whilst the Met's communication around its tactics must improve, this should be matched with a commitment to rooting out any institutional biases that may persist within the Met too. The first step should be the roll out of unconscious bias training beyond the 20,000 officers and staff that have already received it to the whole of the Met. This would help to ensure officers are trained on how to recognise unconscious biases. Furthermore, this training should be regularly evaluated and refreshed to ensure its effectiveness.

The Met must also become far more representative of the population it is here to serve. Whilst there has been some improvement in recent decades, still only 15% of the service's officers are from BAME backgrounds, yet BAME Londoners make up around 40% of the capital's population. The representation of black Londoners within the Met is even lower, with black officers making up only 3% of the police service, whilst black Londoners make up 13% of the population.<sup>13</sup>

Whilst increasing representation has been a long-standing issue for police forces across England and Wales, with the Met currently undergoing its largest recruitment drive for over a decade this moment must be seized upon as a real opportunity for change in this area.

The London Assembly Police and Crime Committee recently heard from the leader of the Metropolitan Police Federation and a Metropolitan Police representative from the Police Superintendents' Association, who both said that they would welcome radical approaches to recruitment practices in order to achieve a more representative organisation which reflects the community it serves. It is now for the Met and Mayor's Office for Policing

and Crime to set out clearly how they will increase representation as a matter of urgency.

 *If trust and confidence in the Met is to increase, engagement must be improved, especially amongst those who are disproportionately impacted by both crime and law enforcement tactics.*

## Conclusion

Events in recent months have brought to the fore issues around the trust and confidence London's BAME, and specifically black, communities have with the Met. The Met want to reach out and change to address these concerns. Maintaining the principle of policing by consent also means understanding that building trust with London's BAME communities is a vital part of making sure everyone feels safe in our city. Whilst by no means an extensive list of actions that could be taken to address these, both the Mayor and the Met should take into consideration the points raised within this report.

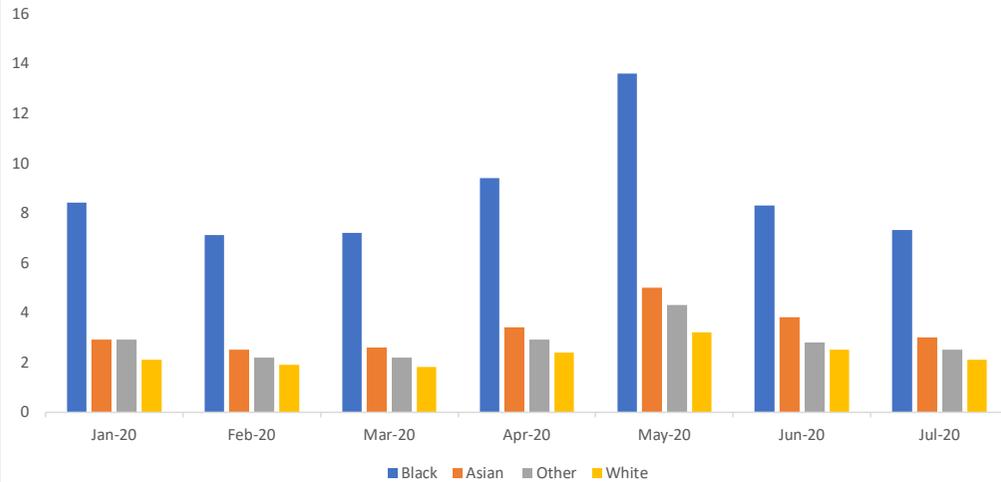
A focus on five key areas is needed: **recruitment; retention; training; operational practices; and community engagement.** I will be monitoring the progress made by the Met across these areas and this will inform my future work.

If the Met Police are to uphold the principle of policing by consent, and deal with the rising violent crime that has recently blighted our city, it must increase the levels of support for its actions amongst all of London's communities.

# Appendix - Statistics on Disproportionality

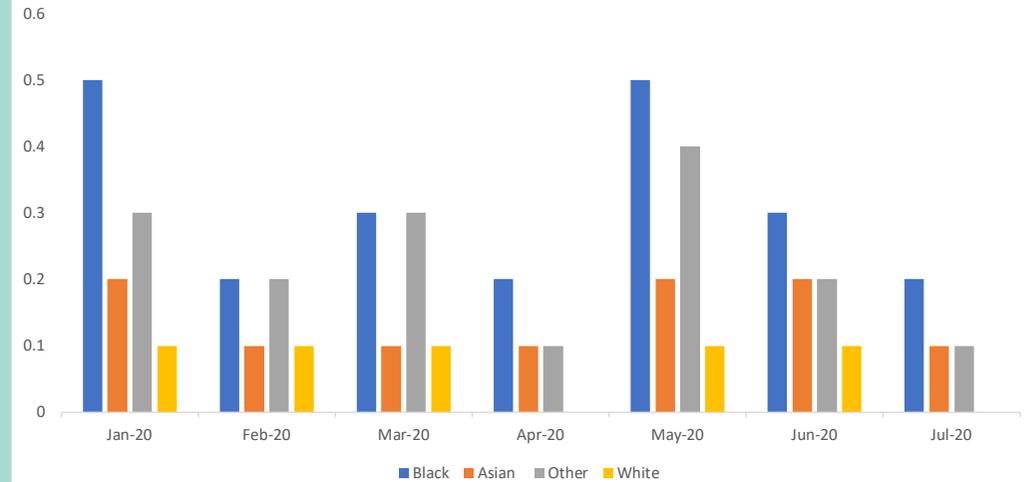
## Stop and Search

Searches in London per 100,000 population



## Section 60

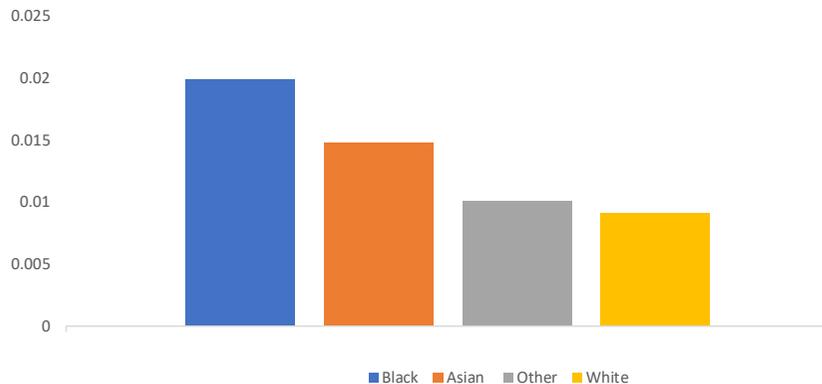
S60 searches in London per 100,000 population



## Issuing of Covid-19 Fines

Covid-19 Fixed Penalty Notices Issued in London per 100,000 population

Period covering 27/03 to 14/05



## Perception of Londoners

	Asian	Black	Mixed Ethnicity	White British	White Other	Other
<b>Police do a good job in the local area</b>	62%	54%	46%	54%	64%	68%
<b>Agree the police can be relied upon to be there when needed</b>	75%	67%	64%	65%	76%	82%
<b>Feels well informed about local police activities over the last 12 months</b>	37%	29%	34%	37%	31%	39%

# Endnotes

- 1 Home Office, *Definition of Policing by Consent*, <https://www.gov.uk/government/publications/policing-by-consent/definition-of-policing-by-consent>, published December 2012, accessed 12/10/2020.
- 2 Crest, *Policing the COVID-19 Lockdown: new poll*, <https://www.crestadvisory.com/post/policing-the-covid-19-lockdown-new-poll>, April 2020.
- 3 Metropolitan Police Service, *FPN Arrest Analysis Report Final*, <http://news.met.police.uk/documents/fpn-arrest-analysis-report-final-96735>, June 2020.
- 4 Simon Halliday, Jed Meers and Joe Tomlinson, *Public Attitudes on Compliance with COVID-19 Lockdown Restrictions*, <https://mk0nuffieldfounpg9ee.kinstacdn.com/wp-content/uploads/2020/04/Public-Attitudes-on-Compliance-with-COVID19-Lockdown-Restrictions.pdf>, May 2020.
- 5 Metropolitan Police Service, *Stop and Search Dashboard*, <https://www.met.police.uk/sd/stats-and-data/met/stop-and-search-dashboard/>, accessed 12/10/2020.
- 6 Metropolitan Police Service, *Stop and Search Dashboard*, <https://www.met.police.uk/sd/stats-and-data/met/stop-and-search-dashboard/>, accessed 12/10/2020.
- 7 Metropolitan Police Service, *FPN Arrest Analysis Report Final*, <http://news.met.police.uk/documents/fpn-arrest-analysis-report-final-96735>, June 2020.
- 8 MOPAC, *Public Voice Dashboard*, <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/data-and-statistics/public-voice-dashboard> accessed 12/10/2020.
- 9 MOPAC, *Public Voice Dashboard*, <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/data-and-statistics/public-voice-dashboard> accessed 12/10/2020.
10. MOPAC, *Quarter 1 Quarterly Performance Update Report*, [https://www.london.gov.uk/sites/default/files/q1\\_pack\\_performance\\_and\\_finance\\_18\\_aug\\_2020.pdf](https://www.london.gov.uk/sites/default/files/q1_pack_performance_and_finance_18_aug_2020.pdf), page 11, August 2020.
11. ITV, *ITV Has Britain Changed Poll (Ethnic Minority respondents)*, <https://www.ncpolitics.uk/wp-content/uploads/sites/5/2020/07/itv-has-britain-changed-tabs-ethnic-minority.pdf>, July 2020.

12 Written Answer by the Mayor of London, *Mayor's Question Time 16th July 2020*, <https://www.london.gov.uk/questions/2020/2288> and <https://www.london.gov.uk/questions/2020/2289> and <https://www.london.gov.uk/questions/2020/2296>.

13. Metropolitan Police Service, *Workforce Data Report*, <https://www.met.police.uk/sd/stats-and-data/met/workforce-data-report/#:~:text=The%20Workforce%20Data%20Report%20provides,to%20give%20information%20on%20diversity>, July 2020 and Office for National Statistics, *Population Characteristics Research Tables*, <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationcharacteristicsresearchtables>, December 2019.

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