



## Police Committee

**Date:** THURSDAY, 22 SEPTEMBER 2016  
**Time:** 10.30 am  
**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:**

Deputy Douglas Barrow (Chairman)	Christopher Hayward
Deputy Henry Pollard (Deputy Chairman)	Alderman Ian Luder
Nicholas Bensted-Smith	Helen Marshall
Mark Boleat	Deputy Richard Regan
Simon Duckworth	Lucy Sandford
Lucy Frew	Deputy James Thomson
Alderman Alison Gowman	

**Enquiries:** Amanda Thompson  
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Lunch will be served in Guildhall Club at 1PM  
**NB: Part of this meeting could be the subject of audio or video recording**

**John Barradell**  
**Town Clerk and Chief Executive**

# **AGENDA**

## **Part 1 - Public Agenda**

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **MINUTES**

To agree the public minutes and summary of the meeting held on

- a) Police Committee - 30 June 2016 (Pages 1 - 6)

To agree the public minutes and summary of the meeting held on 30 June 2016.

**For Decision**

- b) Police Professional Standards & Integrity - 3 June 2016 (Pages 7 - 10)

To receive the draft public minutes of the meeting held on 3 June 2016.

**For Information**

- c) Economic Crime Board - 22 July 2016 (Pages 11 - 14)

To receive the draft public minutes of the meeting held on 22 July 2016.

**For Information**

4. **OUTSTANDING REFERENCES**

Report of the Town Clerk (copy attached).

**For Information**  
(Pages 15 - 16)

5. **RESOLUTIONS FROM FINANCE COMMITTEE**

**For Information**  
(Pages 17 - 18)

6. **STANDARD ITEMS ON THE SPECIAL INTEREST AREA SCHEME**

- a) Equality Diversity and Human Rights (EDHR) Update (Pages 19 - 26)

Report of the Commissioner.

**For Information**

- b) Community Engagement Update (Pages 27 - 38)  
Report of the Commissioner.

**For Information**

- c) Any Other Special Interest Area Updates

**For Information**

7. **HEALTH AND SAFETY ANNUAL PERFORMANCE UPDATE**  
Report of the Commissioner.

(Please note that Appendix 2 to this report is restricted and will need to be considered in private session)

**For Information**  
(Pages 39 - 58)

8. **BARBICAN CCTV UPDATE**  
Report of the Town Clerk and Commissioner

**For Information**  
(Pages 59 - 92)

9. **ANNUAL UPDATE ON CUSTODY (YOUNG PERSONS, CHILDREN AND MENTAL HEALTH) AND USE OF FORCE**  
Report of the Town Clerk and the Commissioner

**For Information**  
(Pages 93 - 118)

10. **ANNUAL REPORT ON PROFESSIONAL STANDARDS ACTIVITY - 2015/16**  
Report of the Commissioner

**For Information**  
(Pages 119 - 134)

11. **CITY OF LONDON ATTRO - PUBLIC CONSULTATION REPORT**  
Report of the Director of the Built Environment

**For Information**  
(Pages 135 - 142)

12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

14. **EXCLUSION OF THE PUBLIC**

MOTION - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

**For Decision**

**Part 2 - Non-Public Agenda**

15. **COUNTER TERRORISM CAPABILITY AND RESPONSE - PRESENTATION**

To receive the presentation.

**For Information**

16. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held

- a) Police Committee - 30 June 2016 (Pages 143 - 148)

To agree the non-public minutes of the meeting held on 30 June 2016.

**For Decision**

- b) Police Professional Standards & Integrity - 3 June 2016 (Pages 149 - 152)

To receive the draft non-public minutes of the meeting held on 3 June 2016.

**For Information**

- c) Economic Crime Board - 22 July 2016 (Pages 153 - 154)

To receive the draft non-public minutes of the meeting held on 22 July 2016.

**For Information**

17. **POLICE ACCOMMODATION STRATEGY OVERVIEW & PROGRAMME UPDATE REPORT - TO FOLLOW**

This report was not available at the time of despatch and will be circulated separately.

**For Decision**

18. **CITY OF LONDON WIRELESS CONCESSION & CITY WIFI NETWORK**

Report of the City Surveyor, the Chamberlain and the Commissioner.

**For Decision**

(Pages 155 - 160)

19. **NATIONAL POLICE COLLABORATION AGREEMENT - PROPERTY & WIRELESS INTERFERENCE NOTIFICATIONS**

Report of the Commissioner

**For Decision**

(Pages 161 - 166)

20. **EMERGENCY SERVICES MOBILE COMMUNICATIONS PROGRAMME**

Report of the Commissioner

**For Decision**  
(Pages 167 - 172)

21. **DECISIONS TAKEN UNDER DELEGATED AUTHORITY OR URGENCY POWERS**

Report of the Town Clerk

**For Information**  
(Pages 173 - 174)

22. **HEALTH AND SAFETY ANNUAL PERFORMANCE UPDATE - APPENDIX 2**

This document is Appendix 2 of the report at Agenda item 2.

**For Information**  
(Pages 175 - 176)

23. **COMMISSIONER'S UPDATES**

Commissioner to be heard.

24. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

25. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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## POLICE COMMITTEE

Thursday, 30 June 2016

Minutes of the meeting of the Police Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Thursday, 30 June 2016 at 11.00 am

### Present

#### Members:

Deputy Douglas Barrow (Chairman)	Alderman Alison Gowman
Deputy Henry Pollard (Deputy Chairman)	Christopher Hayward
Nicholas Bensted-Smith	Deputy Richard Regan
Simon Duckworth	Deputy James Thomson

### In Attendance

#### Officers:

Ian Dyson	- Commissioner, City of London Police
Commander Chris Greany	- Commander Economic Crime, City of London Police
Alistair Sutherland	- Assistant Commissioner, City of London Police
Hayley Williams	- Strategic Development, City of London Police
Richard Woolford	- Commander Operations, City of London Police
Oliver Bolton	- Town Clerk's Department
Mike Braude	- Comptroller and City Solicitor
Chris Butler	- Town Clerk's Department
Peter Kane	- Chamberlain
Philip Mirabelli	- Comptroller and City Solicitor
Alex Orme	- Town Clerk's Department
Amanda Thompson	- Town Clerk's Department
Steve Telling	- Chamberlain

#### 1. APOLOGIES

Apologies were received from Mark Boleat, Alderman Ian Luder, Helen Marshall and Lucy Sandford.

#### 2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations of interest.

#### 3. MINUTES

##### 3.1 Police Committee - 19 May 2016

RESOLVED – That the minutes of the Police Committee held on 19 May 2016 be approved as a correct record subject to the following amendment:

11. Insulin Dependent 'Police Officers' to be replaced with 'Blue Light Drivers'.

**3.2 Performance and Resource Management Sub-Committee Minutes - 31 May 2016**

RESOLVED – That the minutes of the meeting held on 31 May 2016 be received subject to the inclusion of Deputy Henry Pollard being recorded under Apologies for Absence.

**3.3 Safer City Partnership Strategy Group - 6 June 2016**

RESOLVED – That the minutes of the meeting held on 6 June 2016 be received.

A Member asked if there was any update on Cycle Safety and it was agreed this should be referred to the Safer City Partnership Strategy group.

**4. OUTSTANDING REFERENCES**

RESOLVED – That the list of Outstanding References be noted subject to the inclusion of a reference for the Corporate Communication Strategy and Community Engagement Review which has been agreed at the last meeting.

It was further agreed that a reference to funding for the Bridge House Estate be added as an action for the Remembrancer.

**5. STANDARD ITEM ON THE SPECIAL INTEREST AREA SCHEME**

The Chairman reminded those members of the Committee with responsibility for a SIA that he would be seeking verbal updates at each meeting. It was suggested that this could be done on a rota basis.

**6. CITY OF LONDON POLICE MUSEUM - PRESENTATION**

The Committee received a presentation regarding the City of London Police Museum which was scheduled to open in October 2016. The museum was hosting an open day on 27 July in the Guildhall Galleries complex to illustrate the development of the City's police service from the earliest days, through to modern policing methods.

**7. REVENUE AND CAPITAL OUT TURN 2015-16**

The Committee received a joint report of the Chamberlain and the Commissioner of Police detailing the revenue and capital outturn for 2015/16.

The Committee was advised that as a result of higher than expected spending the Force's 2015/16 revenue outturn required a net transfer from the Police General Reserves of £4.5m. This represented an overall increase of £1.4m compared to the latest budget approved by the Police Committee in January 2016, which envisaged the need to draw some £3.1m from General



Reserves. The impact of this adjustment was a revised balance on the Police General Reserve of £4.1m as at 31 March 2016.

The outturn for the year signified a more challenging position for the Force in light of the need to identify future efficiencies and cost reductions to provide a balanced budget for 2017/18 and 2018/19. The outturn and its implications for future assumptions would inform the review of the medium term financial forecasts, the results of which were due to be reported in September.

The Commissioner reassured the Committee that efficiencies were still being proactively sought and more innovative ways of seeking additional income would be explored.

RESOLVED – That the report be noted.

**8. RISK REGISTER**

The Committee received a report of the Commissioner regarding the Force Strategic Risk Register which had been reviewed as part of the quarterly assurance process maintained within the Force. The report had also previously been considered by the Performance and Resource Management Sub-Committee.

It was agreed that a copy of the risk register itself should be circulated to Members and in future appended to the report to facilitate more meaningful discussion.

RESOLVED – That the report be noted.

**9. LOCAL AUTHORITY DESIGNATED OFFICER 2015/16 ANNUAL REPORT**

The Committee received an update from the Director of Community and Children regarding the activity and performance of the Local Authority Designated Role (LADO) for 2015/16. The update was further to the 2014/15 annual report submitted to the Committee in September 2015 which provided Members with background information on the role of the LADO, referral data and highlighted the need to raise greater awareness of the role both across the City of London Corporation and partners. The Community and Children Services Committee requested that the 2014/15 report be taken to several committees to raise awareness of the role.

In addition to sharing the report with members across a number of committees, a significant amount of training and briefings on the role of the LADO was carried out. As a result of this awareness-raising activity there had been a significant percentage increase in referrals to the LADO in 2015/16 compared to previous years.

RESOLVED – that the update be noted.

**10. ONE SAFE CITY PROGRAMME - CONTEXT AND FUNDING**

The Committee considered a report of the Town Clerk concerning the One Safe City Programme and the creation of a Working Party to oversee it.

Members were advised that the Committee's representative on the Working Party would be considered at its next meeting in September.

RESOLVED - That:-

- 1) It be noted that the Chamberlain, in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub-Committee was due to consider the allocation of a sum of £567,000 from 2015/16 corporate underspends on City Fund;
- 2) Should the above-mentioned sum be approved, it be allocated to take the Programme, and the various projects associated with it, forward in 2016/17; and
- 3) A Working Party be created to oversee the Programme, comprising Members of relevant Committees and Chief Officers as follows:-
  - Chairman of Policy and Resources Committee (or representative);
  - One additional Member of Policy and Resources Committee;
  - Chairman of Police Committee (or representative);
  - Chairman of Finance Committee (or representative);
  - Chairman of Port Health and Environmental Services Committee (or representative);
  - Chairman of Planning and Transportation Committee (or representative);
  - Chairman of Community and Children's Services Committee (or representative);
  - City of London Police Commander (Operations);
  - Assistant Town Clerk - Programme SRO.
  -

**11. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

In response to a question concerning the current position on the CoL ATTRO, the Committee was advised that consultation on the proposal was due to end that day.

The Chairman asked for the results of the consultation process to be reported back to the Committee.

**12. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no items of urgent business.

**13. DAME ANNE OWERS - CHAIR OF THE INDEPENDENT POLICE COMPLAINTS COMMISSION**

The Committee heard from Dame Anne Owers, Chair of the Independent Police Complaints Commission (IPCC), who spoke of the expansion of the Commission and improvements to the investigations process, issues going

forwards and the need for clarity around recommendations made, and also the impact of the increased threat of terrorism and the role of the IPCC in relation to this.

Dame Anne also congratulated the CoL Police on its effective and timely process for dealing with complaints.

14. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Local Government Act.

15. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the Police Committee held on 19 May 2016 be approved as a correct record.

16. **POLICE ACCOMMODATION PROJECT - CONTINUATION OF IT PROGRAMME**

The Sub-Committee considered a report of the Chamberlain regarding the IT Programme for the Police Accommodation Programme.

17. **LONDON WALL CAR PARK**

The Committee considered a joint report of the City Surveyor and the Director of the Built Environment concerning the allocation of underutilised parking spaces in London Wall Car Park as part of the City of London Police's Accommodation Strategy.

18. **ACRO CRIMINAL RECORDS OFFICE- S22A COLLABORATION AGREEMENT**

The Committee received a report of the Commissioner of Police regarding the ACRO Criminal Records Office S22A Agreement.

19. **S22 COLLABORATION AGREEMENT - NATIONAL FUNDED UNITS**

The Committee received a report of the Commissioner of Police regarding the several national funded units.

20. **CCCI PROJECT - CONTRACT APPROVAL**

The Committee received a report of the Commissioner of Police in relation to the Crime, Custody, Case Prep and Intelligence (CCCI) system replacement.

21. **RIVER CAMERA'S PROJECT - GATEWAY 1&2**

The Sub-Committee considered a report of the Commissioner regarding the River Camera's project.

22. **RADIO TACTICS LTD**

The Committee considered a report of the Commissioner concerning a novation of contract to provide forensic front line mobile device examination terminals and network infrastructure.

**23. COMMISSIONER'S UPDATES**

The Commissioner of Police was heard concerning on-going and successful operations undertaken by the City of London Police.

**24. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

**25. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

The Committee considered an item of urgent business in relation to an alternative decant solution for the City of London Police.

**The meeting ended at 1.00 pm**

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Chairman

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## PROFESSIONAL STANDARDS AND INTEGRITY SUB (POLICE) COMMITTEE

Friday, 3 June 2016

Minutes of the meeting of the Professional Standards and Integrity Sub (Police) Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Friday, 3 June 2016 at 11.00 am

### Present

#### Members:

Alderman Alison Gowman (Chairman)  
Helen Marshall  
Nicholas Bensted-Smith

Deputy Richard Regan  
Deputy James Thomson  
James Tumbridge

### In Attendance

#### Officers:

Oliver Bolton	- Town Clerk's Department
Amanda Thompson	- Town Clerk's Department
Richard Jeffrey	- Comptroller and City Solicitor's Department
Stuart Phoenix	- Head of Strategic Development, City of London Police
Dermont Robinson	- Director of Professional Standards, City of London Police
Alistair Sutherland	- Assistant Commissioner, City of London Police

#### 1. APOLOGIES

Apologies for absence were received from Deputy Douglas Barrow and Deputy Henry Pollard.

#### 2. MEMBERS DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations on interest.

#### 3. MINUTES

RESOLVED - That minutes of the meeting held on 4 March be agreed as a correct record.

#### 4. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE

In response to a question concerning the fact that the agenda front sheet and public minutes had been printed on blue paper, the Town Clerk advised that this was an error and both would be printed on white paper in future.

5. **ANY OTHER BUSINESS THE CHAIRMAN CONSIDER URGENT**

There were no items of urgent business.

6. **EXCLUSION OF THE PUBLIC**

**RESOLVED** - That Under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1, Paragraphs 1, 2 and 7 of Schedule 12A of the Local Government Act.

7. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 4 March 2016 were agreed as a correct record.

The question of the issue of the papers to members was again raised. The use of the Corporation's secure IT system was proposed and this would be reviewed and a solution sought.

Representatives of the Town Clerk's Department and the Professional Standards' Department would be attending a national conference on the Code of Ethics on 21 June which would provide an opportunity to find out more about the plans of other police authorities and the College of Policing.

Members would find it useful if acronyms were explained and/or a list of regularly used acronyms could be circulated.

It was noted that the Glossary of Terms should be included in every set of papers and might be expanded to provide the regular acronyms.

8. **PROFESSIONAL STANDARDS STATISTICS - QUARTER 4 - 1 JANUARY 2016 - 31 MARCH 2016**

The Sub-Committee received a report of the Commissioner of Police.

8.1 **Summary of Cases**

The Sub-Committee received a report of the Commissioner of Police.

8.2 **Misconduct Hearings**

The Sub-Committee received a report of the Commissioner of Police.

8.3 **Misconduct Meetings**

The Sub-Committee received a report of the Commissioner of Police.

8.4 **Conduct and Complaint Cases - Case to Answer (Nil)**

There were no reports.

8.5 **Conduct and Complaint Cases - No Case To Answer**

The Sub-Committee received a report of the Commissioner of Police.

**8.6 Complaint Cases - Local Resolution**

The Sub-Committee received a report of the Commissioner of Police.

**8.7 Complaint Cases - Discontinuance and Disapplication**

The Sub-Committee received a report of the Commissioner of Police.

**9. INTEGRITY REPORT AND DASHBOARD**

The Sub-Committee received a report of the Commissioner of Police.

**10. EMPLOYMENT TRIBUNAL CASES**

The Sub-Committee received a report of the Comptroller and City Solicitor.

**11. NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE SUB-COMMITTEE**

There were no questions.

**12. ANY OTHER NON-PUBLIC BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no items of urgent business.

**The meeting ended at 12.55 pm**

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Chairman

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## **ECONOMIC CRIME BOARD OF THE POLICE COMMITTEE** **Friday, 22 July 2016**

Minutes of the meeting of the Economic Crime Board of the Police Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Friday, 22 July 2016 at 12.00 pm

### **Present**

#### **Members:**

Simon Duckworth (Chairman)  
Deputy Douglas Barrow (Ex-Officio Member)  
Helen Marshall  
Deputy Henry Pollard (Ex-Officio Member)

#### **Officers:**

Commander Chris Greany	- Commander, Economic Crime
Alix Newbold	- City of London Police
Tony Macklin	- Assistant Director, (Public Protection)
Steve Playle	- Trading Standards Manager
Damilola Balogun	- Commercial Services Support Assistant
Craig Spencer	- Town Clerk's Department
Angela Roach	- Principal Committee and Members Services Manager

#### **1. APOLOGIES**

Apologies were received from Nicholas Bensted-Smith, Lucy Frew and Tom Sleigh.

#### **2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations.

#### **3. MINUTES**

The public minutes of the meeting held on 5 February 2016 were approved.

#### **4. INVESTIGATORY POWERS BILL**

The Board considered a report of the Remembrancer concerning the provisions of the Investigatory Powers Bill.

In response to a query on why the City of London Police (CoLP) was not included amongst the bodies able to apply for a warrant such as the National Crime Agency (NCA) and the Metropolitan Police, the Commander explained that the cost of intercepting information prohibited the CoLP from acting independently. However, it worked closely with the NCA and would work with the Agency on matters such as this.

RESOLVED – That the content of the report be noted.

**5. NATIONAL LEAD FORCE Q4 PERFORMANCE**

The Board considered a report of the Commissioner of the City of London Police summarising the quantitative and qualitative performance of the Force as the National Lead Force for Fraud for the fourth quarter of 2015/16 and for 2015/16 overall.

The Commander was heard in support of the report and proceeded to take Members through the various elements of the paper. Detailed discussion ensued during which a number of comments were made. This included the following:-

Whilst the customer satisfaction figures had reduced since last year, they were dependent on people being willing to complete a survey after each case. People were becoming more survey weary and as a consequence the level of participation had fallen making it more difficult to capture relevant information.

Reference was made to the reduction of crime reports and the Board noted that this had occurred as a result of a gap in the service caused by BSS going into administration. It was of the view that the paragraph would have benefitted from the inclusion of a footnote, particularly as monitoring reports such this were also perused by HMIC.

The Chairman of the Police Committee referred to the use of social media and it becoming a more effective way of disseminating information and messages. He felt that the use of social media was now so main stream more effort should be made with regard to its use. In addition, the merits and benefits it could make nationally should be communicated to the HMIC and the Home Office in due course. Members supported his sentiments and noted that Action Fraud attracted nearly 25,000 followers on twitter whereas a survey attracted far less participants. It was agreed that the Police Committee should be asked to consider whether more resources and emphasis should be placed on the use of social media.

The Chairman commended the creation of the Economic Crime Academy and highlighted the significant increase in the number of delegates attending it. He also questioned the disseminations and outcomes appendix. There were a lot of figures with no explanation of the reason for collating the information. Members supported his sentiments commenting that the data should be produced in a more meaningful way.

RESOLVED – That the content of the report be noted and that the Police Committee be requested to consider whether more resources and emphasis should be placed on the use of social media.

6. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

7. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no urgent items.

8. **EXCLUSION OF THE PUBLIC**

RESOLVED - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

**Item Nos.**

**Paragraph(s) in Schedule 12A**

9 - 12

3 and 7

**Part 2 – Non-Public Agenda**

9. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 5 February 2016 were approved.

**Matters Arising - Fact Sheet**

A Member questioned whether the fact sheet referred to at the February meeting had been circulated. The Commander confirmed that it had been circulated shortly after the last meeting.

10. **OPERATION BROADWAY - BEYOND MARCH 2016 AND BEYOND THE CITY OF LONDON**

The Board considered and agreed a report of the Director of Markets and Consumer Protection, proposing the recruitment of an additional Trading Standards Officer to assist with the development of Operation Broadway across Greater London for a fixed period of time.

11. **ECONOMIC CRIME ACADEMY UPDATE**

The Board considered and noted the content of a report of the Commissioner of Police concerning the progress of the Economic Crime Academy.

12. **RESTRICTED ACTIVITY UPDATE**

The Board considered and noted the content of a report of the Commissioner of Police, updating it on the activities of the City of London Police in its capacity a National Lead Force.

**13. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

**14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no urgent items.

**The meeting ended at 1.05pm**

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Chairman

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## POLICE COMMITTEE

30 JUNE 2016

### OUTSTANDING REFERENCES

No.	Meeting Date & Reference	Action	Owner	Status
1.	25/02/2016 Barbican CCTV	Barbican CCTV upgrade	City Police/ Safer City Partnership	<b>On Agenda</b>
2.	25/02/2016 14/04/2016 19/05/20 Police Pensions Sub-Committee	Appointment of Employer/Scheme representatives approved by the Committee.	Town Clerk / Commissioner	<b>In Progress</b> Applications are with Alderman Luder
3.	19/05/2016 Mental Health in Custody and Detention Data	Report to Police Committee	City Police	<b>On Agenda</b>
4.	19/05/2016 CoLP Corporate Communication Strategy	Report to Police Committee	City Police	<b>November</b>
5.	30/06/2016 Community Engagement Review	Report to Police Committee	City Police	<b>November</b>
6.	30/06/2016 River Cameras Project	Clarification of remit of City bridge Trust Funding	Remembrancer	<b>Informal report will be provided at the meeting.</b>
7.	30/06/16 Revenue and Capital Budget Outrun 2015-16	MTFP Update	Chamberlain and Commissioner	<b>November</b>  The minutes from 30 <sup>th</sup> June state that an update would be brought to September but subsequently it has been agreed with the Chamberlain that this will be November as further data is needed and further meetings need to take place before a meaningful update can be submitted for Members

8	30/06/16 Force Risk Register	Copy of the full Risk Register to be circulated to Members	Commissioner	<b>Complete-</b> a copy was sent over for circulation to Members on the 8/7/16 and circulated by Oliver Bolton to Members that day
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TO: **POLICE COMMITTEE**

Thursday, 22 September 2016

FROM: **FINANCE COMMITTEE**

Tuesday, 19 July 2016

## **REVIEW OF SUB-COMMITTEES**

The Committee considered a report of the Town Clerk which set out the findings of a review which had been conducted of the Finance Committee's Sub-Committees, following the request for such a review by the Chairman of the Committee.

### **RESOLVED – That the Committee:**

- a) Appoints the following Members as Chairman and Deputy Chairman of the following Sub-Committees:
  - Corporate Asset Sub-Committee  
Chairman: Nick Bensted-Smith  
Deputy Chairman: Deputy Brian Harris
  - Efficiency and Performance Sub-Committee  
Chairman: Jeremy Mayhew  
Deputy Chairman: Deputy Roger Chadwick
  - Finance Grants Sub-Committee  
Chairman: Simon Duckworth  
Deputy Chairman: Philip Woodhouse
  - Information Technology Sub-Committee  
Chairman: Deputy Jamie Ingham Clark  
Deputy Chairman: Deputy Roger Chadwick
- b) Approves the amended Terms of Reference of the Finance Committee's Sub-Committees set out within Appendices B, C, D and E,
- c) That there be flexibility with regard to the size of the Sub-Committees, with a total of up to 15 Members being able to sit on any particular Sub-Committee.
- d) **Requests that the Police Committee create a Special Interest Area (SIA) for Information Technology, with the Member appointed to that SIA being a Member of the IT Sub-Committee.**
- e) Requests that the Policy and Resources Committee consider an amendment to the Projects Procedure to provide Corporate Asset Sub-Committee with a strategic role in the Projects Procedure for operational property projects, as set out later in the report.
- f) Requests that the Investment Committee considers an amendment to its Terms of Reference (and subsequently to Standing Orders) to allow Corporate Asset Sub-Committee to be responsible for the disposal of surplus operational properties which are not suitable as investment properties.

*(The relevant extract from the report considered by the Finance Committee is appended on the following page)*

Information Technology (IT) Sub-Committee

18. The existing IT Sub-Committee Terms of Reference are descriptive of the kinds of reports that the Sub-Committee will receive, which is information more properly included within a Committee's Work Programme.
19. It would be more appropriate for the Terms of Reference to be focused on the purpose and priorities of the Sub-Committee, from which the items of business will be generated. To that end the Terms of Reference have been redrafted (set out at Appendix B). The Terms of Reference seek to demonstrate that the Sub-Committee will take a risk-focused approach to IT systems to ensure that the systems are capable of delivering business operations for the City of London Corporation and City of London Police.
20. It has also been suggested that, given the current workload of the IT Sub-Committee, it would be beneficial for the Sub-Committee to schedule meetings every two months, rather than its current frequency of meeting every three months. This seems appropriate, although there would be a small resource implication for the additional two meetings per annum.
21. **Although the Sub-Committee has responsibility for the City of London Police's IT systems, there are not currently any representatives from the Police Committee on the IT Sub-Committee. Therefore, it is also recommended that the Finance Committee requests the Police Committee to create a Special Interest Area (SIA) for IT. The Member appointed to this SIA would be appointed to the IT Sub-Committee. The Chairman of the Police Committee has indicated that he is supportive of this proposal.**



<b>Committee:</b> Police	<b>Date:</b> 22 <sup>nd</sup> September 2016
<b>Subject:</b> Quarterly Equality and Inclusion Update	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 37-16	<b>For Information</b>
<p style="text-align: center;"><b><u>Summary</u></b></p> <p>This paper provides your Committee with the quarterly update on Equality and Inclusion related activities conducted by the Force since the previous report to your Committee in April. Highlights covered by this report include:</p> <ol style="list-style-type: none"> <li>1. <b>Accessibility website tool</b>– An accessibility tool bar for the CoLP website is being trialled.</li> <li>2. <b>National Police LGBT Conference</b>- The City of London Police hosted the Police National LGBT conference at the Guildhall.</li> <li>3. <b>City Eid Dinner</b>– The CoLP and the Corporation hosted the annual Eid dinner at the Guildhall.</li> <li>4. <b>IBM Ignite Scheme</b>- The E and I department have set up a partnership with IBM's Ignite program to work with young people from surrounding boroughs.</li> <li>5. <b>Hate Crime work with CEJI</b>- The E and I department will be working with CEJI to build the capacities of law enforcement and public authorities to take a victim-centred approach to monitoring and recording hate crime and hate speech through online training.</li> <li>6. <b>New Induction pack</b>- A new draft induction pack has been put together for all new starters.</li> <li>7. <b>Unconscious Bias Training</b>– UB training will be delivered to all Inspectors and above in order to ensure managers have an understanding of UB.</li> </ol> <p><b>Recommendation</b></p> <p>It is recommended that this report be received and its content noted.</p>	

## **Main Report**

### **Background**

1. At your Committee meeting in January 2015 the Commissioner undertook to provide Members with a quarterly written update on matters relating to the Equality, Diversity and Inclusion Portfolio. This report highlights the work that is being carried out across the Force in relation to the above and provides an update since the last report to your Committee in April 2016.

### **Accessibility website tool**

2. We have identified a number of needs and requirements for improving user accessibility to the City of London Police website. In order to be recognised as a centre of excellence for equality, diversity and inclusion. A 3 month trial is being conducted with Recite who provide a platform tool for accessibility for websites.
3. Recite is an innovative Cloud based web accessibility solution which allows our visitors to customise our site the way they need it to work for them. Easy to use, the software includes text to speech functionality, dyslexia software, an interactive dictionary, a translation tool with up to 52 languages and many other features like:

- **Cloud Based**

The suite of tools is run from the Cloud so there is nothing for us to install or download. Product developments, updates & fixes will happen in real time.

- **Translation Tools**

The tool can translate our website content into 90 languages, opening the door to a global audience.

- **Read Text Aloud & DocReader**

Our web content is read out to users in a natural voice, adding an audio dimension to our website. The DocReader means that PDF documents are also accessible.

- **Change Font Sizes & Colours**

People with dyslexia can read quicker and easier as they are given the functionality to allow them to change the size and colour of the text and also the colour of the background colour.

- **Save Settings**

Our website visitors can save their preferences and settings so that our website appears exactly as they need it every time they visit.

- **Full Dictionary & Thesaurus**

Our website visitors have access to a fully integrated dictionary and thesaurus.

- **Legal Compliance**

The software helps us anticipate the needs of all our website visitors, especially those with a learning disability such as dyslexia, a visual impairment and someone whose second language is English.

## **National Police LGBT Conference**

4. The City of London Police's LGBT (Lesbian, Gay, Bisexual, Trans) Network hosted an annual event to address issues faced by the Lesbian, Gay, Bisexual, Trans and Queer (LGBTQ) community, with representatives from forces across the country in attendance.
5. The theme for this year's Police National LGBT Conference was religion with the focus on 'coming out' within minority groups and religious communities and the potential impact on policing.
6. Attendees were also given the opportunity to learn about the things other forces are doing to support LGBTQ officers and staff and members of the community.
7. Several speakers took to the stage including City Police's former Temporary Assistant Commissioner Wayne Chance who gave a heartfelt and honest speech about his personal journey 'coming out' and how it affected his faith.

## **City Eid Dinner**

8. The City of London Police's Association of Muslim Police, in partnership with the Muslim Network at the City of London Corporation, hosted a celebration dinner to mark the festival of Eid-Al-Fitr, commemorating the end of the holy month of Ramadan.
9. This annual dinner now in its fourth year also focused on a collective commitment to tackle hate and prejudice in all forms in the UK. It included City professionals, civil servants, politicians, and inter-faith delegates, as well as diplomats and dignitaries from the embassies of Muslim nations in London.
10. The event featured speakers from the Police Service, Government and Corporation, including London mayor Sadiq Khan, Commissioner Ian Dyson, Police Committee Chair Douglas Barrow, and Fiyaz Mughal, Founder of Tell Mama UK, a not-for-profit organisation, which supports victims of anti-Muslim hate.
11. The Eid dinner is a perfect example of the diverse communities that make up our great city coming together to celebrate an important event in the Muslim calendar, and working to build a brighter, more cohesive future for everyone, through dialogue and understanding.

## **IBM Ignite Scheme-**

12. City Gateway have partnered with IBM to improve the job readiness of trainees through a supported work experience programme. The project aims to give the young people the skills, experience and training they require to successfully secure and sustain a positive progression from City Gateway typically through an apprenticeship, full-time job or further study. In addition to this, the training and experience equips them to identify their strengths and understand which types of roles they might wish to pursue.
13. As part of the 4 week running program the CoLP have partnered up with IBM to provide the young people with a business challenge on the last day of their program for them to address at and come up with working solutions. We have so far had two groups of students visit the CoLP and we have presented them with challenges around the best use of Stop and Search and looking at how we can improve our complaints procedures.
14. The feedback has been excellent and has been used to improve our services as well as giving the young people the opportunity to learn more about the Police and the work we do. As a result of this we have agreed to host a group of 10 students every 5 weeks and present them with a current business challenge that we face.

## **Hate Crime work with CEJI**

15. CEJI – A Jewish Contribution to an Inclusive Europe has received a substantial amount from the European Commission Directorate General Justice - Fundamental rights and Union citizenship. These funds will support their new project “*Facing all the Facts*”. Built on the success of the European project “*Facing Facts! – make hate crime visible*”, this new phase of the project aims to build the capacities of law enforcement and public authorities to take a victim-centred approach to monitoring and recording hate crime and hate speech through online trainings.
16. The two-year grant will also support research to identify gaps and opportunities to improve cooperation and data sharing between criminal justice systems and civil society organisations. The research will inform EU policy through evidenced and practice-based recommendations on improving hate crime and hate speech recording, reporting and training methods in these areas.
17. The project joins 11 partners from 9 European countries, representing different types of stakeholders, including law enforcement organisations, European organisations and civil society organisations active in hate crime and hate speech monitoring. The City Police will be assisting the project through providing help and support in the designing of the training from a diversity perspective.

## **New Induction pack**

18. CoLP has produced new draft induction guidance for new starters which is being presented to the Force Senior Leadership Team on the 7<sup>th</sup> September. The aim of this guidance is to provide a fair and transparent process for managing the procedures for people joining the City of London Police. The document details the processes to be followed when Police Officers and Police Staff join the organisation.
19. Induction into any organisation is critically important, as it marks the beginning of the employment relationship between the Force and the employee and is fundamental in setting the standards and patterns of behaviour for the future.
20. The key objective of the induction process is to help new members of staff to settle into the organisation, their new role and team so that they can make an effective contribution as quickly as possible. An effective induction will also enable the new employee to gain a full understanding of where their role fits in to both the strategy of the organisation as well as a clear overview of policies and procedures.
21. There will be a section on the Equality act within the new induction process and information on support networks and how they can assist individuals when they join and during their career with the Police.

## **Unconscious Bias Training (UB)**

22. Training around UB will be delivered to all managers and supervisors across the force as part of our roll out of UB training for officers and staff. Front line officers will also receive UB training as part of their stop and search training updates.
23. By implementing a training course, it's possible for employers to break the habit of bias through education. Training can teach workers that whilst their behaviour isn't really their fault, thus doing away with the blame game, teaches how to be aware of it so that they can make better decisions based on what they know, rather than what they *feel*.
24. A course can help people to recognise the biases that they are predisposed to when they take place. However, it's complex and this is due to the way that our minds react to events when they take place and process the information.
25. Every interaction that we take, coupled with what we read and talk about has the potential to shape unconscious bias and so a mind that is self-aware enough to realise that its reactions aren't logical can process the information yet further.

26. This means that training should get our staff to question themselves, their reactions to certain people and why they think that this happens. It's essential that this is a blameless process and that it promotes the "we're in it together" idea. This is important as even with the knowledge that they can't be held responsible for unconscious bias, many people will still be embarrassed and annoyed that they are seen to have any at all.

### **BME 2018 Update**

27. The Black and Minority Ethnic (BME) 2018 Action Plan is being updated and revised by the E and I Unit, HR and Support networks as part of a plan to make the action plan more specific to target key work that is required to increase recruitment, retention and progression of BME's across the force. The new plan is intended to be a working plan that is developed through engagement with support networks and BME staff to ensure buy in and confidence in the BME 2018 strategy. The plan is for the action plan to be monitored through the Force E and I Board chaired by the Assistant Commissioner.

### **Diversity Champions**

28. The Assistant Commissioner has nominated diversity champions to lead on each of the protected characteristics within the Equality Act. Having Diversity Champions is a unique way of mainstreaming all the important work that is already being achieved within the CoLP around protected characteristics. The Champions will become the conduit for disseminating information, driving behavioural and cultural change across the organisation and linking equality, diversity and inclusion into corporate objectives of the organisation.
29. The Champions will all be above the rank of Chief Inspector and their role will be Force wide to represent the protected characteristic that they are championing. The hope is that this approach will ensure support at a senior level for staff and departments across the force.

### **Conclusion**

30. The Force continues to work on Equality and Inclusion issues, with strong oversight through the E and I Board. Acting on the feedback from the external benchmarking exercises assists the Force to incorporate best practice into its processes. Regular reporting to your Committee ensures a scrutiny process is in place that holds the Force to account on its performance in this important area.

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<b>Committee:</b> Police – For information	<b>Date:</b> 22 <sup>nd</sup> September 2016
<b>Subject:</b> Community Engagement Update- activities and outcomes	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 43-16	<b>For Information</b>
<b>Author:</b> Superintendent Paul Clements (Communities and Partnerships)	

## Summary

This report outlines the issues that communities have highlighted to us during our engagement activities since April 2016 and how the Communities and Partnerships teams have responded.

This report has four broad themes, linked to the Force's strategic priorities: (1) Counter Terrorism (CT) and communications; (2) Safeguarding the Vulnerable; (3) addressing Anti-Social Behaviour ("ASB") and (4) Road Safety.

**(1) Counter-terrorism and Communications:** We have held a series of engagements with the business community to update them on our CT preparation and activities and to listen to their concerns and feedback. We also discussed the joint work between businesses, the Corporation and the Police including Project Griffin. We heard from businesses about the additional assistance they needed on PREVENT, the Government strategy to counter radicalisation. We also responded to business feedback about communications and engagement.

**(2) Safeguarding and Vulnerability:** The Force has worked with partners across London to begin to tackle the significant increase in suicides and attempted suicides on our bridges. A Central London Bridges Working Group, chaired by the City of London Police, has been established. Additionally, acting on residents' complaints, from April 2016 we have shut down seven brothels, intervening to reduce ASB but principally to safeguard the welfare of potentially vulnerable women.

**(3) ASB:** Responding to residents' concerns, via our engagement that included the City-wide residents meeting (May 2016) and our new Street Briefings, we have continued to achieve results in our enforcement activities around begging and vagrancy; ASB around licensed premises; and cycling offences.

**(4) Road Safety:** Transport and Highways Operations Group with the Corporation continue to promote road safety awareness and enforce road traffic law. Since April 2016 we have increased our capability to address drug driving, by training our officers to use the recently introduced drug wipe kits.

## **Recommendations**

It is recommended that this report be received and its contents noted.

# **Main Report**

## **1. Counter-terrorism and Communications**

### **Engagement**

1. Commissioner Dyson held breakfast meetings with Heads of Security from businesses in June 2016. The aim was to update businesses on the current terrorism threat level and current Police preparedness and activities. Communities and Partnerships officers were present to listen to business concerns regarding terrorism.
2. Following the Islamist extremist killing of a priest in France, Communities and Partnerships officers have been working closely with our places of worship in the City to engage and reassure. As part of the Home Office Hate Crime action plan, the Government has launched the 'Places of worship: security funding scheme'. The scheme invites those responsible for the safety and security of places of worship that have been subject to hate crime to bid for a share of a limited fund. To date, seven places of worship have signed up for the scheme in the City following engagement with the City of London Police Architectural Liaison Officer.

### **Issues & Performance**

3. At the breakfast meetings, certain businesses asked for advice on how to address the potential radicalisation of staff (especially those on temporary placements or on internships) and asked us about what training in PREVENT their staff should receive. We have responded directly to those organisations and have designed bespoke training for larger employers.

#### *Engaging and reassuring our communities*

4. City of London Police officers in partnership with the City of London Community Safety Team delivered a bespoke PREVENT Workshop to representatives of the business community on Wednesday 20<sup>th</sup> July 2016. Fifty delegates from Human Resources, Security and Building Managers and Front of House Managers from the City attended the workshop. The objective was to increase awareness and understanding of PREVENT, their role within it, and the safeguarding and referral mechanisms within the City of London. The feedback from the business community to date has been very positive. Our officers provided an input into the OFSTED inspection of the Corporations' Adult Skills and Community Learning Department. In the final report PC Sadik Miah was singled out for praise for the work he has done with City apprentices.
5. The launch of the PREVENT Contact Officer film 'Left Behind' took place at the City of London Crime Prevention Association. This film highlighted the impact on families when someone travels to a conflict zone and to encourage members of the public to contact Police if they suspect anyone planning to travel from the UK to areas of conflict. Following the launch we have received an increase in requests for further information and training.

6. The Corporation have worked in partnership with City of London Police officers in rolling out a PREVENT awareness training package to its staff. This will be an ongoing process with the intention to ensure all staff receives the input. To date training has been given to Social Services, Education, Early Years Service including Sir John Cass Primary School and the Remembrancer's Department. In addition our PREVENT officers continue to work with the Corporation to develop a Higher/Further Education Forum which meets twice a year (last meeting April 2016). This forum provides a platform for the Corporation, Police and Universities to discuss emerging issues within this sector and ensuring that they recognise and understand and are able to fulfil their statutory duties associated with the PREVENT agenda.
7. Work has continued with our residential communities. Officers attended a Community Day with the residents of the Mansell Street and Middlesex Street estates in August 2016. This was an opportunity for our PREVENT officers to continue to build bridges with our communities in an informal setting. During the day, discussions about how vulnerable people were being affected by radicalisation were undertaken. The residents did not raise any concerns around radicalisation, however there were concerns about generic policing matters raised and these have been fed back to our relevant departments.

#### *Project Griffin*

8. Since April to date Communities and Partnerships officers have continued to support Project ARGUS tabletop exercises and participated in Project Griffin events held at Wood St. Police Station. These are well attended with an average of 50 delegates per event.

#### *Counter Terrorism Survey Results 2015-2016*

9. This is a breakdown of responses from the City of London Police's Counter Terrorism Survey which surveyed businesses and residents in the City of London in May 2016.

The survey received 764 responses.

#### **Q1. On a scale of 1 to 10, how confident are you that the City of London is protected from terrorism?**

742 respondents gave the following answers.

- **Very Confident:** 101 (13.61%)
- **Confident:** 396 (53.37%)
- **Neither Confident or Unconfident:** 203 (27.36%)
- **Unconfident:** 39 (5.26%)
- **Totally Unconfident:** 3 (0.40%)

#### **Q2. Do you feel reassured by the work being done by the City of London Police to protect the City of London from Terrorism?**

712 respondents gave the following answers.

- **Yes:** 631 (88.62%)
- **No:** 81 (11.38%)

10. This is a breakdown of responses from the City of London Police's Counter Terrorism Survey which surveyed businesses and residents in the City of London in December 2015.

**NOTE:** This survey was sent out shortly after the Paris terrorist attacks which occurred in November 2015.

The survey received 683 respondents  
656 respondents answered this question

**Q1. On a scale of 1 to 10, how confident are you that the City of London is protected from terrorism?**

656 respondents gave the following answers

- **Very Confident:** 76 (11.59%)
- **Confident:** 331 (50.46%)
- **Neither Confident or Unconfident:** 205 (31.25%)
- **Unconfident:** 37 (5.64%)
- **Totally Unconfident:** 7 (1.07%)

**Q2. Do you feel reassured by the work being done by the City of London Police to protect the City of London from Terrorism?**

641 respondents gave the following answers

- **Yes:** 573 (89.39%)
- **No:** 68 (10.61%)

#### *Communications & Engagement*

11. At the Commissioners breakfast meetings with businesses, Heads of Security asked questions about how we communicate with them, both in terms of emergencies and incidents; but also non-emergency communications.

12. We have started work to assess how the City of London Police and Corporation engage and communicate with communities (including business, residential and transient communities). There will be a consultation exercise to ascertain the needs of businesses. Several businesses offered to share their expertise with regard to communications. This will be a significant piece of work and when concluded we will have a much better understanding on how our communities want us to communicate with them.

## **2. Safeguarding and Vulnerability**

### **- Engagement**

13. At the residents meeting on Monday 23rd May 2016 residents asked what were the police doing to prevent suicides and there followed a broad discussion about the increasing levels of suicides and attempted suicides from bridges in the City, particularly from vulnerable people. (Often those with whom the NHS and Police have previously come into contact as a result of mental health issues).

14. During the course of routine community engagement, members of our residential community raised concern to officers about premises they believed were being used as brothels. In addition to this representing ASB and detracting from the quality of life of residents and nearby businesses, there was concern expressed with regards to the welfare and vulnerability of women using these premises.

### **- Issues & Performance**

#### **Suicide Prevention**

15. Since April 2016 the City of London Police has seen a significant increase in the number of people completing suicide or attempting to take their own life from our bridges. We have deployed additional resources to bridges during the time periods where these incidents are more common. In addition, our CCTV controllers monitor our bridges.

16. This issue requires a partnership approach to address the problem, which is not just an issue for the City. Supt. Clements of Communities and Partnerships established a Central London Bridges Working Group and chaired the first meeting on 8 June 2016. There was a broad cross section of partners comprising:

- City of London Police
- Corporation – (Public Health; Community Safety; Bridge Engineering; London Bridge Project)
- MPS Boroughs (Lambeth; Southwark; Westminster)
- BTP Suicide Prevention & Mental Health
- MPS Marine Unit
- Maritime & Coastguard Agency
- RNLI
- East London NHS Mental Health Trust
- South London and Maudsley Foundation Trust Mental Health Triage
- Samaritans

The group covered the following:

- Understanding the problem – analysing data, sharing information, identifying trends.
- How do we currently address the risk (Prevention; powers and policies; operations)

- Options – identifying good practice; designing a framework for site specific suicide prevention.
- Actions – what shall we start doing immediately, and what are our medium term options.

17. Work is ongoing to ensure that there is standardisation and cooperation between all stakeholders. A process is being implemented within the City of London Police to ensure that if an individual attempts to take their life more than once, contact is made with their social services in the area they live and their care plan is shared with the police. Based on this information, the police are able to update their records to ensure that appropriate safeguarding can be put in place.

## **Brothels**

18. From April 2016 seven brothels have been shut down in the City. In response to complaints in the West of the City, an operation was designed and delivered to close brothels and to ensure the safety of vulnerable women.

19. Communities and Partnerships officers acted on the results of a complex investigation and on the portfolio of evidence that had been gathered and assessed. Officers from Communities and Partnerships and other departments successfully raided six addresses in the City believed to be operating as 'brothels'.

20. A man aged 33, his wife aged 37, and another woman aged 19 were arrested at their home address in Hertfordshire suspected of committing offences under the Sexual Offences Act and on suspicion of money laundering. They are suspected of running five brothels in the City of London and one in Bracknell, Berkshire.

21. This operation showed that where our communities provide us with information detailing crimes in the City we will record and investigate those crimes and update our communities on the outcomes.

## **3. Tackling and Preventing Anti-Social Behaviour (ASB)**

### **- Engagement**

22. Officers attended the two City-wide residents meeting on 25<sup>th</sup> May 2016. Commander Woolford and Community officers attended and residents shared their priorities regarding ASB including anti social cycling.

23. Communities and Partnerships officers have introduced a new initiative - '**street briefings**', where officers answer community concerns at different locations across the City. Officers advertise the time and location of briefings on Twitter and our website. These briefings have been held across the City during the course of the last quarter including St. Paul's; Golden Lane; Mansell Street Estate etc. Issues raised included anti-social cycling, begging and theft.

24. Officers continue to engage with our communities via routine patrols and through our dedicated estates officers and PCSOs.

25. The EU Referendum took place on Thursday 23<sup>rd</sup> June 2016. Whilst there was an increase in the reporting of hate crime in London shortly after the result of the referendum, the City of London did not see an increase. Our Communities and Partnerships officers made contact with our communities who we considered could be subjected to this type of crime. A drop in session was arranged at Artizan Street Community Centre 'Tell MAMA' (an independent, non-governmental organisation which works on tackling anti-Muslim hatred) attended and gave a presentation.

- **Issues & Performance**

26. We continue our good working relationship with ParkGuard, providers of a proactive neighbourhood patrol service.

27. They have established patrols on the three social housing estates, Golden Lane/Mansell Street and Middlesex Street. The City of London Police receive detailed reports from ParkGuard outlining their patrols of those estates our officers will go through these reports for any intelligence or information and act accordingly in partnership with ParkGuard.

28. ASB levels continue to remain low in the City. Half of the ASB reports were complaints about begging and vagrancy, particularly in the Bishopsgate and Liverpool Street vicinity followed by noise and rowdiness, particularly around licensed premises and serviced apartments.

29. There were no high or medium risk instances of ASB (these are where the victim has experienced more than one instance or the victim is vulnerable).

**Begging and Vagrancy**

*Operation Acton*

30. This joint initiative with the Corporation and St. Mungo's homeless charity is designed to address homelessness and rough sleeping. We have continued to hold 'pop-up' hubs using local churches within the square mile to accommodate rough sleepers in order to facilitate assessment and also provide sheltered accommodation.

Since April 2016 we have:

- Provided temporary accommodation to 23 rough sleepers
- Working alongside the UK Border Agency (UKBA) removed 2 rough sleepers out of the country
- We have ensured that 2 of our entrenched rough sleepers are now fully engaging with drug rehabilitation and housing services.

*Operation Alabama*

31. Operation Alabama is a targeted intervention and enforcement strategy working in partnership with the Metropolitan Police in the use of

Community Protection Notices (CPN's). A CPN is intended to deal with particular, ongoing problems of nuisances which negatively affect the community's quality of life by targeting the person responsible. The operation utilises the powers under the Crime and Police Act 2014. The offender is given a written warning with regards to their conduct and if this behaviour does not stop within a certain time period they will be issued a CPN.

#### *Operation Fuze*

32. This is a tri-borough multi agency approach to dealing with antisocial behaviour on the bridges. Officers have worked with Tower Bridge Security to gather evidence of suspects illegal gambling and then arresting them for multiple offences. Officers have continued to conduct the operation with MPS and UKBA staff. On a pre-planned operation with the UKBA in August 2016 officers reported no instances of gambling on our bridges.

#### *Noise and Rowdiness*

33. While the Corporation is responsible for noise enforcement, we have continued to respond to ASB complaints around licensed premises/hotels and serviced apartments.

#### *Serviced Apartments*

34. Communities and Partnerships officers have responded to an increase in complaints about residents of serviced apartments, especially during weekends. Our officers have been engaging with management companies of these apartments to ensure that they have appropriate systems and processes to facilitate checks on customers and ensure accurate data are held about their identity. We will be urging management companies to manage the risk that serviced apartments can be used for large scale parties, which have recently caused ASB.

#### *Licensed Premises*

35. Since our last report the European Football Championships have taken place. A policing operation was in place for the tournament which saw extra officers used during this period resulting in the European Football Championships passing without incident.

### **Anti-Social Cycling**

36. The principal area of concern from the residents meeting was anti-social cycling, in particular the riding of pedal cycles on pavements.

#### *Operation Atrium*

37. We regularly run this operation to enforce cyclists who breach road traffic legislation or local by-laws. Cyclists receive a ticket and a fine, which is rescinded if they attend an educational event called "Exchanging Places".

38. With ongoing road works in Newgate St. we have seen an increase in the number of cyclists on the footpath. Communities and Partnerships officers



have attended the location at peak times to provide a policing presence whilst the road is closed to Westbound traffic.

### **Gambling and Unlicensed Street Traders**

39. Businesses around Southwark and Tower Bridges described the continuing problems with regard to gambling. Since April 2016 visitors and tourists to the City of London have been victims of this activity.

40. Community and Partnership officers in partnership with the Corporation/London Borough of Southwark/Metropolitan Police/Tower Bridge Security and the UKBA designed and executed operations to address these complaints. The aim of the operation was to deter, disrupt and arrest individuals found committing these offences. Since our last report:

- 18 people arrested for illegal gambling
- 16 people charged with the above offences

Year to date CoLP has completed the following:

- 7 x Criminal Behaviour Orders
- 118 x Community Protection Notices –including 92 Warning Letters.
- 14 x Dispersal Orders were issued under the Anti-Social Behaviour Crime and Policing Act 2014

### **4. Making the City's Roads Safer**

41. Since April 2016 we have continued to deliver operations aimed at making the City's roads safer for all road-users and pedestrians.

42. We have increased our capability to address 'drug driving', by training officers to use the recently introduced drug wipe kits.

43. Between May to date a number of planned operations involving our Communities and Partnerships officers have been held which produced the following results:

- 2 x arrest for possession with intent to supply class A drugs/possession of false identification documents /no insurance /no driving licence /immigration offences
- 1 x positive road side drug test/immigration offences/outstanding warrant for their arrest
- 2 x breach of court order/immigration offences - absconder/possession of false identification documents
- 1 x positive road side drug test/possession of class B drugs
- 4 x vehicle seizures
- 3 x no insurance/no driving licence
- 1 x no insurance

44. A Road Safety Campaign was held jointly with the Corporation and partners including Transport for London on Monday 22<sup>nd</sup> and Tuesday 23<sup>rd</sup> August 2016.
45. The aim of the campaign titled '*share the road*' was to combine engagement, education and enforcement aimed at all road users. By undertaking this campaign the City of London Police and the Corporation set out to encourage responsible road use with a focus on protecting vulnerable road users such as pedestrians, cyclists and motorcyclists.
46. Following the campaign the following outcomes were achieved:
- Approx. 220 Share the Road leaflets were given out. These were given to road users who committed minor offences, to pedal cyclists held at traffic lights (who hadn't committed offences) and some to pedestrians who walked out into the road without looking
  - Approx. 100 Cycle crime prevention and specific cycle safety leaflets were given out
  - Bike marking through Bike Register – 55 completed at Queen Street Place and 18 at St Paul's
  - 6 x Traffic Offence Reports (TOR's)
- (The above outcomes reflect planned operations by Communities and Partnerships officers and do not account our force wide prosecutions).*
47. The Corporation had their Road Safety stand at St. Paul's providing road safety advice and distributing leaflets to members of the public. PowerDay (waste management company) had a HGV present which provided an opportunity for cyclists to see what a HGV driver can see from inside their cabin.
48. The Road Safety Campaign itself attracted a wider range of people than normal, with office workers who cycle into work attending at lunchtime, people visiting central London for the day, and cycling-age children on holiday with their families. Over the two days officers received positive feedback from the members of the public who attended.
49. The level of cyclists killed or seriously injured (KSI) has decreased by approximately 50% in the City of London in 2015/2016 compared with 2014/2015.
50. There were a range of minor offences but all were deemed proportionate to receive road safety advice as an alternative to prosecution.

### **Community Roadwatch**

51. This is a partnership campaign launched in the City in January 2016 by TfL, City of London Police and the Corporation's Road Safety Team. It aims to reduce speeding in the City and has given local residents the opportunity to work with local police teams, and use speed detection equipment to identify speeding vehicles in the City and send warning letters to their home addresses. In this reporting period the following letters were sent:

- 20 letters in May
- 20 in June
- 20 in July

## **20mph Zone**

52. City officers continue to focus on and enforce against speeding motorists in the 20mph zone.

53. The following totals were issued:

- May – 45x TOR's, 8x Endorsable Fixed Penalty Notices (EFPN's), 7x Process (deemed not suitable to be dealt with via EFPN and will be dealt with via City of London Magistrates Court)
- June – 31x TOR's, 11x EFPN
- July – 10x TOR's, 7x EFPN

## **Conclusion**

54. This report informs Committee members of community engagement and intervention activity undertaken since the last report and highlights issues raised by our communities and how the City of London Police have responded to them.

## **Contact**

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<b>Committee:</b> Police Committee – For Information	<b>Date:</b> 22 <sup>nd</sup> September 2016
<b>Subject</b>  Health and Safety Annual Performance Update	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 39-16	<b>For Information</b>

## Summary

This report provides information on the current position regarding the management of health and safety within The City of London Police (CoLP) since the last report submitted in September 2015, POL 39-15.

The current health and safety action plan was introduced into the Force following the conclusion of the previous plan at the end of October 2014. In addition, individual Directorate health and safety action plans were introduced to enable the Directorates to devise appropriate, proportionate, local level health and safety management plans.

The Force continues to embed health and safety best practice into the day-to-day work it undertakes. The Force Leadership Programme promotes the behaviours and organisational values necessary to achieve a positive health and safety culture and achieve a high level of health and safety performance. Managers and supervisors should promote a culture of positive challenge in relation to health and safety issues and concerns within their teams; in accordance with the Force's Risk Management Standard Operating Procedure where risks are identified at a team level and escalated appropriately.

The assurance process involving internal and external assessments have highlighted areas for improvement around the management of fire safety linked to responsibilities and documentation. The Corporation of London is in the process of introducing corporate policy and guidance that supports the actions that are being undertaken to mitigate risks at City of London Police occupied buildings.

Common areas of good practice that were noted include the arrangements for the management of health and safety including risk assessment processes.

## **Recommendation(s)**

It is recommended that Members:

- A receive and note the contents of this report; and
- B receive and note the progress to date on the Force Health and Safety Action Plan 2014-17 (Appendix 1).

## **Main Report**

### **Background**

1. The City of London Police (CoLP) submits a report annually to your Committee on the progress made in applying Health and Safety policy and practice, and advises Members of any developments during the year.
2. The period covered by this report is from 1 April 2015 to 31 March 2016, although up to date information in some areas is provided for Member's information.

### **Current Position**

3. During the course of the past year changes have been made to the structure of the Force Health and Safety Committee which is now chaired by the Assistant Commissioner.
4. The Committee monitors the progression and effectiveness of the management of health and safety across the Force.
5. The Force Health and Safety Action Plan (attached at Appendix 1) are designed to support Directorates in their management of health and safety. It reinforces the mechanism to escalate issues which cannot be resolved locally, or which have Force-wide implications, to the Force Health and Safety Committee and onward to Force Risk Assurance Group or the Corporation of London Corporate Health and Safety Committee if deemed necessary.
6. There are a number of actions within the plan, which are designed to:
  - improve health and safety management structures
  - support all employees to achieve appropriate levels of health and safety competency.
7. Progress towards completion of these actions will continue to be monitored by the Force Health and Safety Committee.
8. Work continues to ensure health and safety is integrated as part of day-to-day activities. The Force's Leadership Programme promotes the three big cultural shifts (empowerment, people growing and innovation) and organisational values which are essential in any organisation with a positive health and safety culture and a high level of health and safety performance.
9. Over the past year the Force, through a network of volunteers, has set up a Health and Wellbeing network.
10. The network has the full support of the Commissioner and Force's Senior Management Team. The Force's Health and Safety Manager is part of this network

and acts as a conduit between the Health and Safety Committee and the Health and Wellbeing Network.

## **Risk Management**

11. Top X is the process for considering the top health and safety risks across the Force. All Departments of the City of London Corporation are asked to report annually to the Town Clerk on their top health and safety risks. When reported in November 2015 to the Town Clerk's Department the Forces Top X risks were:
  - **Personal Safety** risks at the entrance and exit of CoLP occupied buildings (Bishopsgate and Snow Hill) and risk of attack at the Front Office in Wood Street. Remedial works have been completed.
  - **Accommodation related issues in the High Tec Crime Unit** where a lot of action has been taken to mitigate identified risks. Some of which are temporary measures until, as part of the Accommodation Programme, permanent measures will be put in place to mitigate identified risks.
  - **Fire Safety** – a number of areas have been identified for improvement. Plans have been agreed with the Support Services and Estates Director, who has management responsibility for the Facilities Team, and these will be implemented taking into account the requirements of the new Fire Safety Policy that is in the process of been introduced by the City Surveyor's Department.
12. Since the report was submitted in November 2015 progress has been made against a number of the risks. The risks have been reassessed, and, as part of the Force's monitoring processes have been removed from the Force Top X register. These risks continue to be monitored at directorate level.
13. As part of the continual review process the following risks were added to the Force Top X in May 2016. Although outside the reporting period of this report, this information is included for Members information.
  - **Body Armour** – It has been recognised that not all Police Officers have the correct body armour and that, there are supply chain issues at a national level. The Force is currently working with existing and national suppliers to find solutions to the national issues.
  - **Personal Safety risks, Reception area, Guildhall Yard East (GYE)** - due to the changes in security threat levels the reception area at GYE presents some personal safety and security risks. At the time of writing this report proposals for the redesign of the reception area are being submitted for approval. Measures are in place to mitigate risks presented by callers who are verbally or physically aggressive.

## Accident and Incident Reporting

14. Over the past three years the numbers of accidents and near miss reports have increased during the reporting year 2015/16. The increase in reporting is from Police Officers. There are no specific trends related to this and is most likely due to on-going promotion, at Force and directorate level, of the importance of reporting accidents and near misses. Table 1, - Accident and Incident Data refers.

**Table 1 – Accident and Incident Data**

<b>Totals</b>	<b>CY*</b> <b>2013</b>	<b>FY**</b> <b>2014-2015</b>	<b>FY</b> <b>2015-2016</b>
<b>Police Officer</b>	34	38	51
<b>Police Staff</b>	14	8	5
<b>Others (including Agency workers, contractors and detainees)</b>	2	3	4
<b>Accident totals</b>	50	49	60
<b>Near Miss Totals</b>	8	9	16
<b>RIDDOR</b>	3	2	4

\*Calendar Year

\*\*Financial Year

15. During the reporting period the RIDDOR<sup>1</sup> reports to the Health and Safety Executive (HSE) comprised of one Police Officer who sustained a fracture to their arm whilst executing an arrest warrant at a private address. The remaining incidents were 'over 7 day reports' involving Police Officers who were either absent from work or on light duties for 7 consecutive days or more following an accident at work. They all related to different accidents including an injury sustained whilst on cycle duty, policing at Notting Hill carnival, a slip whilst rushing down stairs at Wood Street Police Station.
16. The HSE continue to carry out an investigation which is currently still live. Members should refer to the restricted Appendix 2 for further detail on this.

<sup>1</sup> RIDDOR: the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. Reportable incidents include fatalities to workers and non-workers, major injuries from a prescribed list including amputations, fractures (other than to fingers, thumbs and toes) and asphyxia. All workplace injuries that result in a worker being either absent from work, or, unable to undertake their normal duties for seven consecutive days or more. Non fatal accidents to non-workers where the non-worker is taken directly to hospital. Certain, specified occupational diseases. Dangerous occurrences from a list of 27.



17. As reported last year the Force is planning to move to the accident and near miss reporting system that was rolled out in other departments of the Corporation of London during the past year. Information security related issues mean that certain checks and assurances must be in place before the Force can commit to using an external organisation to process data relating to its staff and activities.
18. As a contingency measure, because this system is not used by any other Police Forces, other options to move CoLP from a paper-based accident and near miss reporting system are being considered. Preliminary enquiries into systems used by other Police Forces are being undertaken.

### **Force Health and Safety Action Plan 2014 – 2017**

19. The current Force Health and Safety action plan commenced in November 2014, it is designed to support Directorates to manage risks locally and provide a defined escalation process for those risks which cannot be managed locally or have Force-wide implications.
20. There are 12 actions in the current Force Action Plan and each Directorate has an individual action plan which is aligned to individual, Directorate risks.
21. The current plan is attached at Appendix 1 with a RAG assessment of the current status as at August 2016 included. For Members information, table 2 below provides an overview of the RAG status of actions over the past two quarters.

**Table 2 – Overview of Force Action Plan**

	Status as of August 16	Status as of May 16
Red	0	0
Amber	6	8
Green	6	4

22. Five of the amber actions where further work is required relate to planning and arrangements whilst the remaining actions relate to implementation. Progress on some of these actions has been slower than anticipated owing to the Force restructure over the end of the previous year and beginning of 2016. However, over the past quarter progress has resumed.
23. These actions are being progressed and their status will be reviewed at the next Force Health and Safety Committee in October 2016.

### **Assurance**

24. Each Department of the City of London Corporation is required to complete an Annual Certificate of Assurance covering the period 1<sup>st</sup> January – 31<sup>st</sup> December annually. The purpose of the report from Department Directors/Chief Officers to the Town Clerk is to provide assurance that the department has a health and safety management system and an assurance process.

25. There were several areas of good practice identified; in line with legal requirements, including the Force's governance structure for monitoring and managing risk and H&S and regular review of risk assessments, consultation with employee representatives.
26. The areas requiring improvement were identified as:
- The arrangements for the management of fire safety in CoLP occupied buildings. The arrangements for fire safety have also been identified as an area for action as part of the Top X process. The recent introduction of the Corporation of London's Fire Safety Policy clearly outlines requirements and responsibilities and processes necessary in line with these requirements. This will be monitored by the Force Health and Safety Committee.
  - First aid arrangements. Proposals for the future arrangements around first aid provision were discussed at the Force Health and Safety Committee and following these discussions it was agreed that a report would be submitted to the October Force Health and Safety Committee meeting for a formal decision.
27. In addition, as reported to your meeting in September 2015, at the time the report was written, the Force was awaiting the recommendations of a management system audit undertaken by the City of London Internal Audit department. When the final report was received there were no specific areas for improvement or actions identified for CoLP.
28. The report noted areas of good practice; "City of London Police (CoLP), we verified that the H&S Policy and Standard Operating Procedure (SOP) provided an overview as well as detailed guidance on the process by which risk assessments are carried out and recorded. The CoLP also provided a detailed H&S Action Plan showing the various identified risks and progress that has been made to introduce mitigating controls".
29. In January 2016 an external health and safety systems review was undertaken by the British Safety Council in 3 of the Corporation of London's departments. The City of London Police was one of the departments selected for review.
30. The findings of the British Safety Council review identified areas of strength around dedicated professional safety advice and areas where improvements could be made as around record keeping and access to information, mainly related to facilities management issues and the interface of responsibilities with the Corporation of London City Surveyors Department. The Corporation of London City Surveyor's Department are working to introduce a Fire Safety Policy and Building Compliance Standards which address the issues highlighted. Work has already begun on some of the issues, in particular fire safety, and progress of implementation will be monitored by the Force Health and Safety Committee.
31. The auditor also identified that the accident and near miss reporting system could be improved which would help with monitoring accident information. This is an area that has already been identified, internally within CoLP, as in need of

improvement; the Force currently uses a paper based reporting system and work has been on-going to move onto an electronic system.

32. The security requirements related to the handling of Police information are more stringent than those of many organisations which resulted in some delays introducing an appropriate electronic system.
33. Preliminary investigations into the viability of systems which are used in other Police Forces for accident and near miss reporting by other Police Forces are being undertaken. This is a contingency measure, should the external supplier not meet the requirements and vetting levels needed to handle Police data.

## **Recommendations**

34. It is recommended that Members:
  - A. receive and note the contents of this report; and
  - B. receive and note the progress to date on the Force Health and Safety Action Plan 2014-17 (Appendix 1).

## **Conclusion**

35. Progress against some actions has been slower than anticipated than in previous years. Changes to the Force structure and in particular the Corporate Services Directorate impacted staff with specific health and safety responsibilities, and this contributed to the slower rate of progress.
36. However, changes to the governance structure mean that the Force Health and Safety Committee are now chaired by the Assistant Commissioner and steady progress is being made against outstanding actions.
37. Both internal and external assurance processes have identified common areas for improvement around safety issues related to facilities management and the recording and retention of information including fire safety. Work has begun on these issues and the recent publication of guidance from the City Surveyor's Department support the actions required.
38. Similar areas of good practice were highlighted including the arrangements around governance and management of health and safety.
39. As reported last year, in order to make the Forces health and safety systems effective they must be fully integrated into local management processes. The leadership programme and the behaviours it promotes around initiative and taking personal responsibility are important in helping the Force achieve a positive health and safety culture and a high level of safety performance.

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## City of London Police Health and Safety Action Plan 2014 -2017

Planning and arrangements								
Area of Focus	Who is responsible for delivery?	How will this be measured/expected outcomes?	Due by:	Evidenced by:	RAG status and update October 15	RAG status and update Feb 16	RAG status and update May 16	RAG status and update as of Aug 16
The Force has an up-to-date H&S Policy authorised by the Commissioner	HoH&S	Policy is accessible to all on intranet. Responsibilities and understanding of policy will be tested at all levels as part of assurance programme	Policy updated and in place by January 2015, this will be published and disseminated for implementation. Assurance checks will be on-going and results presented to quarterly Directorate and Force H&S Committees	Up-to-date policy exists and is accessible to all on intranet	Up-to-date as per previous comment	Up-to-date as per previous comments	Up-to-date however a new policy statement has been drafted for approval by The Commissioner and Town Clerk which is a change from previous statements – which have only been signed off by the Commissioner	Policy up to date update policy statement from Commissioner to be added
The Force has a framework of H&S SOPs and guidance to support the overarching H&S policy implementation	HoH&S	SOPs and guidance available on intranet. Ongoing review of SOP and Guidance documents. Review timetable will be presented to Force H&S Committee	Timetable of updates will be included as/when presented to Force H&S Committee. This will be continuous over the 3-years of the	Updated SOPs will be available to all on the intranet	Updated/new SOPs published include:  New and Expectant Mothers  SOPs guidance documents		Existing SOPs under review:  Accident and incident reporting – delayed pending introduction of new reporting	The review of existing SOPs will take longer than originally planned. This work was originally planned due to unforeseen resourcing

			plan Planned SOPs and guidance up to March 2015 are: H&S Guidance to Support Lone Working Policy H&S Guidance to Support Agile Working Accident and Incident Reporting SOP in line with introduction on new reporting system		currently in draft format are:  Individual Stress Risk Assessment, Personal Emergency Evacuation Plans  As per previous comments Accident and Incident Reporting SOP to be update to support roll-out of new accident/incident reporting system and information gathered during trial will be used to amend		system. Broadcast published to remind all employees of accident reporting process.  Personal Protective Equipment	issues
Directorates demonstrate planning of their own H&S arrangements	Directorate Heads	Up-to-date H&S policy endorsed by current Head of Directorate  Where a Directorate leads on a specific area, and, as dictated by	Review dates as part of a rolling programme in-line with quarterly H&S Directorate and Force H&S meetings which will be	Documentary evidence will be available	Review/dip-sample of directorate H&S Polices show that none appear to have been reviewed and updated since the	Some directorate intranet pages need updated meaning that up-to-date copies of	Not all directorates have held regular H&S Committee meetings. Following the Force re-structure work	As per previous comments. Progress is now being seen and it is anticipated that this action will be Green by November 2016

Page 46		risks encountered the lead Directorate will produce health and safety guidance for the Directorate and Force. Minutes of meetings where planning including H&S considerations is considered are recorded	continually updated		introduction of new H&S Policy. The check revealed that some of the directorate H&S policies contain out of date details of key personnel whilst others don't make it clear who is the role holder which has specific h&s responsibilities such as SPOC role	directorate h&s policies are not accessible in all cases	is needed to bring the newly extended COT up-to-date	
	For operational and/or project work Directorates are able to demonstrate they consider health and safety implications	Project leads Documented evidence including; project plans, minutes of meetings and action plans.	Rolling programme of quarterly reviews in-line with H&S Committee meetings	Documentary evidence will be available	As per previous comments regarding operational planning/debrief s no invites have been received during the past 6 months	Meeting with Operational Planning Team arranged – once this takes place an informed decision can be made regarding how to progress this action	At February H&S Committee meeting it was agreed that Senior Managers attend such meetings and are assured that H&S is considered. This will continue to be monitored in this way	As per comments at May
Emergency	Directorate	Evacuation	Review in line	Up-to-date	The FM Team	Updated list	Working party	Arrangements

<p>planning. Directorates are able to demonstrate they adhere to the Force's emergency planning arrangements. In particular ensuring that there are sufficient numbers of Evacuation Marshals to cover the areas that their teams work in and that they work in collaboration with Facilities Managers</p>	<p>Heads General Services Director</p>	<p>Marshals details are easily identifiable to all and each Directorate has enough Evacuation Marshals to cover the areas they work in</p>	<p>with Force H&amp;S meetings</p>	<p>lists of Evacuation Marshalls readily available and published on intranet</p>	<p>are currently updating lists of first aiders and fire marshals and are contacting directorates to do this. Suggest the updated situation is reviewed at July Force H&amp;S meeting</p>	<p>dated 15 June 2015 published. Gaps exist and volunteers are required from all Directorates. NS to arrange meeting with MOR to discuss building notification systems across CoLP estate</p>	<p>meeting scheduled for 16 May</p>	<p>for fire evacuation points are being drawn up by FM Team and will be agreed with SB.</p> <p>Other arrangements (such as notification of evac points have been agreed) and will be implemented once agreement from SB has been obtained.</p> <p>Drills of both invac and evac to take place at all buildings within next 3 months.</p> <p>New CoL Fire Safety Policy has been produced and provides clarity on responsibilities however, some areas within</p>
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								CoLP require agreement, as arrangements at CoLP for a 24/7 estate need to be addressed. For discussion at Force H&S Committee in August
Implementation								
Area of Focus	Who is responsible for delivery?	How will this be measured/expected outcomes?	Due by:	Evidenced by:	RAG status and update October 2015	RAG status and update February 16	RAG status and update May 16	RAG status and update Aug 16
Do all Directorates have risk registers which are maintained and up-to-date?	Directorate Heads	Risk Registers are available upon request and are up-to-date. Directorate risk registers will be reviewed as part of individual Directorate Health and Safety meetings.	Quarterly milestones in line with Directorate H&S Committee meetings	Up-to-date Directorate risk registers Minutes of Directorate H&S meeting.	Yes – ongoing reviews are being introduced as part of the directorate H&S meetings. Further work needed to update and monitor risk registers regularly.  Risk assessment logs are currently up-to-date across all directorates	UPD and CSD are in the process of updating their Directorate H&S information including risk registers. It is anticipated that this will be completed before the next Force	Yes, although CSD risk register is being reviewed and amended as now part of COT directorate	With formation of new Business Support Directorate (BSD) arrangements are currently under review it is anticipated that details and arrangements will be in place by November 16 status will be turned back to Green

						H&S meeting scheduled for 27/10/15		
Do all Directorates have asset registers which are up-to-date and detail equipment that require regular safety checks and maintenance? Does each Directorate have a testing and maintenance schedule?	Directorate Heads	Asset register of equipment subject to regular safety checks and maintenance is available and gives details of: schedule for planned maintenance checks along with any comments necessary, dates of scheduled testing and calibration along with results of test.	Quarterly reviews will be undertaken in line with individual directorate H&S Committee meetings. Findings will be monitored at Force H&S Committee meetings	Directorate registers are up-to-date and available upon request. Minutes of Directorate and Force H&S meetings are available to demonstrate management reviews of findings along with corrective actions if required	3 of the 5 directorates have completed an asset register/equipment inspection and testing register. Work being undertaken to adapt those held by UPD and CSD and this will be reviewed at directorate meetings in July	As per above comment. UPD and CSD are reviewing their centrally held information and it is anticipated that this will be completed before the next Force H&S meeting scheduled for 27/10/15	UPD review of equipment and checks which already take place and are recorded is taking place	As per May's comments verbal update given at Force H&S meeting in August
<b>Monitoring</b>								
Area of Focus	Who is responsible for delivery?	How will this be measured/expected	Due by:	Evidenced by:	RAG status and update October 2015	RAG status and update February 2016	RAG status and update May 2016	RAG status and update August 2016

		outcomes?						
<p>All Directorates are able to demonstrate that they undertake pro-active monitoring of their activities and take timely, effective actions to address emerging issues, and that they periodically test the effectiveness of their risk control measures</p>	<p>Directorate Heads</p>	<p>Minutes of meetings including Directorate H&amp;S, minutes of planning and where appropriate debriefing meetings Any documentation relating to changes that have been implemented as a result of pro-active monitoring. At Force level: Accident and Incident data monitoring sickness data monitoring for trends</p>	<p>Quarterly reviews in-line with Directorate and Force H&amp;S Committee meetings</p>	<p>Documents including minutes of Directorate H&amp;S meetings, operational planning and de-briefing information. Sickness Data Monitoring by PMG monthly</p>	<p>Directorate H&amp;S Committee meetings held as follows: CI: 20/10/15 CSD: 7/10/15 ECD: 12/10/15 I&amp;I: 15/10/15 UPD: October meeting postponed until December 15</p> <p>Some of the meetings are out of alignment with the H&amp;S Risk Management governance structure which requires all Directorate H&amp;S meetings to be held in the month prior to Force H&amp;S. This may be because of the changes that have been made to Force H&amp;S Committee dates in May/June. All directorates to ensure that they have arranged their next directorate</p>	<p>Directorate H&amp;S Committee meetings held as follows: CI: 3/2/16 CSD: ECD: 3/1/16 I&amp;I: 12/2/16 UPD: 11/1/16</p>	<p>Directorate H&amp;S meetings held as follows: CI: 4/5/16 CSD: ECD: 18/4/16 I&amp;I: 20/4/16 UPD:</p> <p>For the past 2 quarters there has been an inconsistent approach to directorate meetings and the governance structure for H&amp;S is not being followed</p>	<p>Directorate H&amp;A meetings held as follows: CI: 19/7/16 BSD: - future plans for H&amp;S arrangements discussed at BSD SMT meeting 9/8/16 ECD: 13/7/16 I&amp;I: 12/8/16 UPD: 2/8/16</p>

					H&S Committee meeting to be held in the month prior to next Force H&S Committee meeting scheduled for 27/10/15			
All Directorates are able to demonstrate that they undertake re-active monitoring and take appropriate actions to prevent occurrences	Directorate Heads	Minutes of meetings Details of management follow up and corrective actions following accidents and incidents	Quarterly reviews in-line with Directorate H&S meetings	Documents including Directorate H&S Committee meetings, accident and incident investigation reports, Force level – minutes of Force H&S meetings			Unable to provide assurance as not all directorates are following the governance structure arrangements. Work needed, in particular, for COT/CSD since restructure	As comments above re directorate meetings and changes further investigations discussed for example review of accident and near miss stats
The Force has an Assurance and dip-sampling programme	HoH&S	Results of assurance checks and dip-sampling	Rolling schedule – schedule to be drawn up	Reports to Directorate Heads, Force Health and Safety Committee and other appropriate persons, as deemed necessary, are		Some dip-sampling does take place. Meetings to complete directorate level annual certificate of assurance certificates	The Force H&S management system was one of 3 CoL departments audited by the BSC in January 2016 and a 4 star result was	Dip sampling and assurance programme under development

				available upon request		will take place to provided evidence for the Force H&S certificate of assurance due for submission to the Town Clerk in January 2016.	awarded across CoL. This is a good result however, at local level it is difficult to provide assurance of the implementation of the management system – see comments above	
Review								
Area of Focus	Who is responsible for delivery?	How will this be measured/expected outcomes?	Due by:	Evidenced by:	RAG status and update October 2015	RAG status and update February 2016	RAG status and update May 2016	RAG status and update August 2016
All Directorates are able to demonstrate regular senior management review of H&S performance	Directorate Heads	Departmental escalation mechanism for H&S issues exists: Directorate H&S meetings are held quarterly and are attended by all Heads	Quarterly dates of planned meetings to be added this will be populated in advance on an on-going basis	Minutes of Directorate H&S meetings are available Minutes of Directorate SMTs are available to demonstrate SMT H&S performance review and	As per previous comments and this process is further supported by the introduction of H&S KPIs in the Directorate Performance Plans for 2015/16		As per previous comments minutes of directorate H&S meetings are available and SMT meetings however, work needed	Over the past quarter directorates have held H&S meetings at which members of SMTs discuss their directorates H&S performance

Page 56		of Departments and chaired by Directorate Heads or other senior manager within Directorate High level review of departmental H&S performance takes place on a regular basis - evidenced by minutes of SMT meetings		any actions taken			to ensure that the H&S management system is implemented at local level	
The Force is able to demonstrate regular senior management review of H&S performance	Senior management at Chief Officer Group level	Force escalation mechanism for H&S issues exists from Directorate level to Force H&S Committee  HoH&S attends Risk	On-going quarterly review in line with Force H&S Committee meetings:	Minutes of Force H&S meetings available Minutes of other senior management meetings where H&S is discussed available along with decisions and	The majority of Directorates held their H&S Committee meetings in the month preceding the Force H&S meeting. Providing the opportunity for H&S issues to be monitored at local level and allowing for them to be	As per earlier comment regarding directorate health and safety committee meetings. To get the meetings back to scheduled	As per comments in February	SLT review of H&S takes place – the SLT approved the Force Annual H&S Performance report to Police Committee at their July meeting. All directorates held H&S

Page 57		Assurance Group meetings Scheduled H&S reporting to SMB Annual reporting to Grand Police Committee		actions taken	<p>escalated to Force level if necessary within an acceptable timescale</p> <p>The Force level Top X was presented to SMB in early December and forwarded onto the Town Clerk's Dept after approval. SMB reviewed the new Force H&amp;S Policy in early December and this was published early January.</p>	<p>frequency all directorates to ensure they arrange their next meeting to fall within the month prior to Force Health and Safety Committee scheduled fo</p> <p>Annual H&amp;S Performance Report has been approved by the Commission er</p>		meetings or discussed at length at relevant SMT
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<b>Committee(s):</b> Police Committee –For information	<b>Date:</b> 22 September 2016
<b>Subject:</b> Barbican CCTV Project	<b>Public</b>
<b>Report of:</b> The Town Clerk and Commissioner of Police Pol 44-16	<b>For Information</b>
<b>Report author:</b> Commander Richard Woolford and PS Lorenzo Conigliaro	

## Summary

Members will be aware of an information report submitted by the then Assistant Director of Street Scene, Strategy and Community Safety to your Committee in March 2015, regarding the proposal to introduce 24 additional CCTV cameras to the Barbican Residential Estate. The installation of additional CCTV has been discussed previously at the Barbican Estate Security Sub-Committee and was not seen as necessary or proportionate. The March 2015 report referenced previous reviews as well as a series of isolated crimes occurring within the estate that identified a lack of camera coverage in that area. This prompted the proposal contained within the paper. The minutes of the March 2015 Committee meeting record the proposed installation of additional cameras, subject to a decision on Proceeds of Crime Act (POCA) funding by the Police POCA Board and for the project to move forward under the Ring of Steel Project.

The proposal was delegated to the Ring Steel Project, under the governance of the Ring of Steel Board, chaired by the Commander Operations, City of London Police. As part of this process due diligence was progressed to ensure its compliance with data protection regulations.

This included reference to the Information Commissioner's Office (ICO)<sup>1</sup> and the Surveillance Camera Commissioner (SCC)<sup>2</sup>. To help organisations who embark on new projects that may affect people's privacy, the ICO provide a Privacy Impact Assessment (PIA) manual of guidance. The PIA is a template which organisations can use to conduct due diligence checks and this Assessment was duly completed as part of the process for this project along with a comprehensive consultation process.

Residents in the Barbican were consulted to identify whether they were in support of the project. 56% of respondents who replied stated that they welcomed the proposal whilst 37% either rejected it or had reservations (17% and 20% respectively). The remaining either needed more information or did not answer. Of all respondents however, 51% (including some of those who supported the proposal in question 1) documented reservations or objections to it.

City of London Police completed a crime profile analysis of the Barbican Residential area. This report concluded that over the period 2013-2016 the Barbican Residential area accounted for 0.8 % of all crimes reported to the City of London Police and 5%

<sup>1</sup> The ICO is a UK independent public body responsible for upholding information rights in the public interest and has powers of enforcement if breaches are detected.

<sup>2</sup> The SCC is a statutory body whose responsibility is to ensure compliance with the Surveillance Camera Code of Practice as set by the Home Office. The SCC achieves this by providing guidance and advice

of reports of anti-social behaviour. This is a small percentage compared to the large footprint of the Barbican Estate within the City boundaries. Additionally, against a backdrop of increased terrorism activity internationally, the Force Counter Terrorism section conducted a review of security and concluded that the Barbican Residential Estate (separate from the Barbican Centre) was not a high risk area in terms of being a crowded place, or Critical National Infrastructure site.

The Ring of Steel Project Board considered carefully the above profile and review, results of the consultation, plus the findings of the comprehensive PIA, and made the decision not to proceed with the proposal to introduce additional cameras. The main rationale being that in order to satisfy the legislative requirements of the Data Protection Act, there is neither evidence of 'pressing need' nor evidence that it would be proportionate to increase surveillance in the area. This decision was verbally agreed as being the correct one by the Surveillance Camera Commission.

### **Recommendation**

It is recommended that members to note the report and current position relating to the installation of CCTV cameras in the Barbican area.

### **Main Report**

#### **Background**

1. On 26 March 2015 a report was submitted to Police Committee by the then Assistant Director of Street Scene, Strategy and Community Safety, for information, titled 'Barbican Area CCTV' (Appendix 1). This report was subsequently submitted to Communities and Children Services; Housing Management & Almshouses Sub Committee; Residential Consultative Committee; Barbican Residential Committee and the Safer City Partnership a during April, May and June. The report provided information on a proposal to introduce 24 cameras to improve the CCTV coverage around the Barbican and Golden Lane Estates.
2. The March 2015 Report it states *'the issue of CCTV installation around the Barbican Estate has been discussed by the Barbican Estate Security Sub-committee previously over recent years. At that time, when previously considered, it was not seen as being required and equally there were concerns aired that there may be increases to the service charges for estate residents to pay for the installations. More recently however, in response to a number of reported incidents, a number of elected Members have asked for a review of CCTV requirements'*. It was the backdrop of previous discussions as well as a number of isolated reported crimes that set in motion the report submitted in March 2015. Both the City of London Corporation and City of London Police agreed in principle to the installation of the new cameras and both parties also agreed in principle to securing funding from the Proceeds of Crime Act.

3. The report, on which the agreement was based, focused on the benefits of CCTV coverage in the prevention and detection of crime. The report made clear that necessary advice would be sought to ensure that any installation was compliant with data protection legislation, but did not go into detail about this nor any potential challenge regarding the necessity or legality of the proposal.
4. The task of scoping and due diligence was delegated to the Ring of Steel Project of which the Ring of Steel Board had overall governance. This Board comprises senior officers of both the City of London Corporation and City of London Police. The proposal and subsequent work has been a collaborative effort, with the police providing the statistical analysis to support the overall decision.
5. The minutes of the March 2015 Police Committee meeting are included in Appendix 2. They record that Members considered a report which set out proposals to install an additional 24 cameras in the public walkways of the Barbican Estate, including Golden Lane. The Committee noted any bid for Proceeds of Crime Act (POCA) funding would need to be discussed at the next Police POCA Board and the Committee also discussed the maintenance costs of the cameras, which would be given consideration during the project. The Committee resolved to note the proposal, subject to agreement of POCA funding and that the project would be delivered as part of the Ring of Steel project.
6. Under the Ring of Steel Project Board, the detailed work to scope the original proposal started. Their initial aim was to ensure compliance with the Data Protection Act 1998, through completion of a Privacy Impact Assessment (PIA), achieved by assessing the crime pattern analysis and the Counter Terrorism risk assessment. A PIA uses a template provided by the Information Commissioner that ensures organisations properly assess the necessity of a new project and ensure that organisations focus their mind on privacy when planning new projects.
7. The Information Commissioner identifies projects such as '*a new surveillance system, (especially one that monitors members of the public)*', as being suitable for a PIA. Conducted early in the project planning stage, a PIA can help identify risk and ultimately reduce costs later down the line.
8. One of the key phases to a PIA is consultation, both internally with stakeholders and externally to those who would potentially be affected. Internally, this included those already involved in the project, and externally, residents and members of public who were likely to be affected by the proposal. The list of consultations for Professional Opinion include;
  - Home Office Centre for Applied Science and Technology (CAST)
  - English Heritage
  - Arup – the original designers of the Barbican Estate
  - Elected Members
  - Department of Built Environment, City of London Corporation
  - City of London Police Force Intelligence Bureau (Crime and Disorder Problem Profiles).

- City of London Police Counter Terrorism Security Advisors (Barbican Centre Security Advice).
  - City of London Police Data Protection Officer and Force Information Manager (Data Protection and Security Advice)
9. On 8 September 2016 Commander Richard Woolford met with interested Members to discuss the report conclusion.
  10. On 18 May 2015, a report was produced which detailed the comprehensive estate wide consultation process in relation to the proposals for CCTV on the estate (Appendix 3). The Resident Consultation Committee (RCC) and Barbican Association (BA) led the consultation process by linking residents to an online or paper survey which asked a number of probing questions. 453 residents replied to the survey request, the largest of any estate wide survey.
  11. Question 1 of the survey very simply asked residents for their view on the proposal. 56% of respondents replied stated that they welcomed the proposal whilst 37% either rejected it or had reservations (17% and 20% respectively). The remaining either needed more information or did not answer. Of all respondents however, 51% (including some of those who supported the proposal in question 1) documented reservations or objections to it.
  12. What was clear was that residents' objections focused on privacy issues and a lack of justification for the project. There was also concern raised about the impact cameras would have on the architecture and the effectiveness of safeguards against misuse of the system. The large percentage of respondents in favour cited personal safety and enhanced security as a reason for welcoming the project.
  13. The second important piece of work commissioned by the Project Board was to examine the Crime and Disorder Problem Profile, to understand and scrutinise the crime trends for the Estate. The report looked at crime and anti social behaviour rates over the past three financial years. The summary of the profile contained within the Privacy Impact Assessment states *'the total crime figure for the City of London is approximately 16513 over the last three years. There have been 134 crimes linked to the Barbican Estate, this equates to less than 0.8% of crimes reported over the last three years'*. In relation to anti-social behaviour (including instances such as loud music and skate boarding), the PIA concluded *'the reported level of anti-social behaviour is low, and over the three year period has been on average 5% of all reported instances that occurred within the City of London'*. It is important to point out that these crime rates relate to crimes committed within the Estate itself and not on the periphery. Periphery areas are already covered by existing CCTV systems, as well as the vast private network of CCTV cameras.
  14. The conclusion of this piece of work was that crime is consistently low within the Barbican Estate and that any justification for the introduction of additional surveillance could not be predicated against the need to reduce crime.

15. Running concurrently to the crime analysis report, officers were asked to complete a Counter Terrorism (CT) review of the Barbican Estate. There are two distinct areas within the Barbican for the purposes of CT risk. Firstly there is the Barbican Centre, which being classed as a crowded place, has a separate ongoing risk assessment in terms of mitigating features. A recent review of the Barbican Centre by the City of London Police Counter Terrorism Security Advisors (CTSA) made some recommendations, but none relevant to the CCTV proposal discussed in this report. The Barbican Centre runs its own CCTV system amongst other protective measures.
16. The second area is the Barbican Residential Estate and Walkways. This is the area that would benefit from the addition of CCTV cameras under the proposal discussed in this report. Historically, this has not been subject to CTSA review specifically because it is not classed as a crowded place or Critical National Infrastructure site as defined nationally.
17. In light of recent events in Paris and Nice, and to coincide with the work being done to document the Barbican CCTV proposals, a separate review was completed specifically considering the Barbican Residential Estate. The summary of this review states; *'in terms of current threat and targeting methodology the view remains that crowded places are both most likely and most vulnerable. The Barbican Estate, like other residential estates, does not fall within this definition and is, therefore, not considered to be at risk of terrorist attack. Therefore it is concluded that at this time there is no pressing CT need for CCTV within the Barbican Estate'*.
18. Therefore the conclusion is that there is no evidential basis that the installation of additional CCTV cameras in the Barbican Residential Estate can be justified against a CT risk.
19. For the information of Members, the City of London Corporation has commissioned a security strategy for the City of London Corporation's operational property assets which includes the Barbican Centre. The City of London Police has assisted the City Corporation in completing a security review of the Barbican Centre to feed into this review and have documented a number of recommendations. The City Corporation will be submitting a report proposing activity to enhance security of the Centre (including internal cameras) in due course. This is within the remit of the City Corporation only.
20. The results of the various strands of consultation were fed into the overarching PIA to inform the decision making around the direction of the project. The conclusion of the PIA showed that *'crime and disorder in the Barbican and Golden Lane estates is consistently low'*. The PIA asked a number of questions around the justification of the project. The PIA states *'the installation of a CCTV system would make a significant contribution to public safety in and around the Barbican and Golden Lane Estates, but on current levels of reported crime and disorder it cannot be justified and would not be an effective or proportionate response'*. It followed, *'on considering the current levels of Crime and Disorder there is no pressing need requiring the installation of this CCTV system'*. In relation to the CT threat and risk the PIA concluded, *'at this time there is no*

*information to suggest that the Barbican and Golden Lane residential estates are significant locations’.*

## **Current Position**

21. The conclusion of the PIA is clear. The final recommendation states *‘that the City of London Police do not proceed with the installation of a CCTV system within the Barbican and Golden Lane estates’*. The Information Commissioner requests that the organisation ask the question *‘is there a pressing need’?* Based on the low crime levels it has been assessed that there is not a justifiable pressing need for the installation of this CCTV system.
22. The Surveillance Camera Commission (SCC) has been consulted verbally in relation to the work undertaken and has stated that City of London has followed all the current processes required by their office to ensure the correct usage of CCTV is adopted. They support the conclusion of the PIA and the decision not to go ahead with the project.
23. This document has been referred to the Comptroller and City Solicitor regarding its contents and accuracy who has indicated that he is content with the report and the conclusion within.
24. The City of London Police can, where required, respond to emerging issues of crime by increasing operational capacity or responding to incidents of crime in action through appropriate intelligence based tasking and direction. An example would be the reported sexual assault in 2015 around the City of London School for Girls. City of London Police was able to deploy covert assets to identify and arrest an offender who was subsequently convicted at court, resulting in that individual being placed on the Sex Offenders register for 5 years. This demonstrates that City of London Police can deploy normal policing methods in a justified way to respond to threat and risk as appropriate.
25. There is real risk associated to the introduction of CCTV surveillance against the recommendations and findings of the PIA. The Information Commissioner’s Office (ICO) has warned CCTV operators that *‘surveillance cameras must only be used as a necessary and proportionate response to a real and pressing problem, and that an organisation has taken action to reduce and prevent excessive use of CCTV Systems’*.
26. The ICO Code of Practice goes on to state, *‘surveillance camera systems operating in public places must always have a clearly defined purpose or purposes in pursuit of a legitimate aim and necessary to address a pressing need (or needs). Such a legitimate aim and pressing need might include national security, public safety, the economic well-being of the country, the prevention of disorder or crime, the protection of health or morals, or the protection of the rights and freedoms of others. That purpose (or purposes) should be capable of translation into clearly articulated objectives against which the ongoing requirement for operation or use of the systems and any images or other information obtained can be assessed.’* *‘The fact that it is possible, affordable or has public support should not be the justification for processing personal data,*

*you should also take into account the nature of the problem you are trying to address’.*

27. The conclusion of the PIA found that there is no pressing need or legitimate aim and therefore any installation of additional cameras may provoke a challenge in relation to the ICO guidance. By virtue of S.33(1) Protection of Freedoms Act 2012 the City of London Corporation, as a Police Authority, must have regard to the surveillance camera code when exercising any functions to which the code relates. Furthermore there are several residents who have already stated that they are against the proposals for privacy reasons.
28. For further context, there is a stated case in Royston, Hertfordshire whereby the local authority and police embarked on an Automatic Number Plate Recognition (ANPR) project. The ANPR cameras were installed to record every vehicle entering Royston as part of an initiative to reduce crime and improve security. The ICO investigated Hertfordshire Constabulary to ensure that the measure was justified by a real and pressing need to monitor people’s activity to reduce crime. The result was that there was not and an enforcement notice was served by the ICO, resulting in the reduction of scope of the ANPR project at cost to the originator.
29. The risk of proceeding with a project the scope of which could be challenged has obvious financial repercussions, as well as the reputational damage it could cause to City of London Police, City Corporation and the Ring of Steel Project, with its international reach.

## **Conclusion**

30. It is the decision of the Ring of Steel Board that the proposal to commission additional CCTV cameras to the public walkways of the Barbican Residential estate and the Golden Lane estate cannot be supported. This is as a result of the due diligence in line with the ICO and SCC guidelines, the crime profile analysis, CT risk assessment and a number of consultation exercises, examining the public opinion. The overwhelming conclusion fed into the Privacy Impact Assessment is that there is not sufficient justification of a *‘problem that needs addressing’* in order to comply with the SCC and Information Commissioner’s guidance on the introduction of surveillance systems.

## **Appendices**

- Appendix 1 - March 2015 Police Committee Report
- Appendix 2 - March 2015 Police Committee Minutes
- Appendix 3 - Residential Survey results

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<b>Committee(s):</b> Police Committee Communities and Children Services Housing Management & Almshouses Sub Committee Residential Consultative Committee Barbican Residential Committee Safer City Partnership	<b>Date(s):</b> 26 <sup>th</sup> March 2015 17 <sup>th</sup> April 2015 27 <sup>th</sup> April 2015  18 <sup>th</sup> May 2015 1 <sup>st</sup> June 2015 8 <sup>th</sup> June 2015	<b>Item no.</b>
<b>Subject: Barbican Area CCTV</b>		<b>Public</b>
<b>Report of: Town Clerk – Assistant Director Safer City Partnership</b>		<b>For Information</b>
<p style="text-align: center;"><b><u>Summary</u></b></p> <p>This report sets out proposals to install an additional 24 cameras to improve the CCTV coverage of the public walkways and the area around the Barbican Estate including Golden Lane Estate area.</p> <p>This has been triggered by recent incidents of crime being reported, some of an indecent nature, on the Barbican Estate near the School for Girls which has subsequently highlighted the fact of there being a lack of camera coverage in this area.</p> <p>The installation of additional cameras would cover the public spaces of the Barbican area and would not target any particular property or building.</p> <p>Profiling data has been produced by the City of London Police to establish a need for investment as outlined above and an assessment of the area has been done to identify the strategic locations of where best to locate any additional cameras. It is estimated that the installation of additional cameras will cost around £215k.</p> <p>As a project that aims to prevent crime, assist in the detection of crime and one which would also benefit the community as a whole in making the area feel safe, the project aligns with the criteria required to obtain funding through the Proceeds of Crime Act (POCA).</p> <p>An application for POCA funding will be made to the next board in May 2015. The project will follow the corporate project gateway process.</p> <p>When delivered this project will become an integral part of the current Ring of Steel upgrade CCTV system monitored by the police and accessed by the City Corporation. The on-going revenue maintenance costs will be apportioned between the two organisations in line with the current arrangements. The cameras will act as a deterrent to criminals and assist in</p>		

the reduction of crime not only in the Barbican area but supporting crime reduction across all the City of London and has the support of the City Police.

Comments will be sought/ have been received through the consultation process to assist with the delivery of this project. The relevant committees and groups are listed in the consultation section of this report.

### **Recommendations**

To note:

- The proposed installation of additional CCTV as set out in this report on the basis that it can be funded by a successful POCA bid.
- The project will be delivered through the Corporate Project Gateway process.
- That this project will become part of the Ring of Steel upgrade project to ensure it is integrated into the City of London Police CCTV system and can be accessed by the City Corporation.

## **Main Report**

### **Background**

1. The issue of CCTV installation on/ around the Barbican Estate has been discussed by the Barbican Estate Security Sub-committee previously over recent years. At that time, when previously considered, it was not seen as being required and equally there were concerns aired that there may be increases to the service charges for estate residents to pay for the installations. More recently however, in response to a number of reported incidents, a number of elected Members have asked for a review of CCTV requirements.
2. To assess the business case, a local crime profile report was produced by the City of London Police for an area extending beyond the Barbican Estate which includes the area immediately adjacent to include Golden Lane Estate, (See appendix 1 Map showing area). The report produced shows the number of crimes across all 'crime categories' reported to the police for 2013 calendar year period. The number of crimes recorded was 508 (see appendix 2), it must be noted these records predominantly relate to crimes around the Barbican Estate.
3. The map "Crime by location in the study area" provides information on all the different crimes in the Barbican area. Among these crimes there are some which are categorised as sexual offences. The offences are not of a serious physical nature but are related to victims under the age of 16. This

is partly attributed to the location of the City of London School for Girls being in close proximity.

4. A map has been produced to show where the current locations are of CCTV cameras (see appendix 3), it can be seen that there is 'inadequate provision of CCTV cameras along the public walkway'.

### **Current Position**

5. From the local crime profile data trends are emerging showing that some crime numbers are being repeated on an annual basis in and around this area. It is thought that some perpetrators exit the tube stations close by and are able to get inside the Barbican Estate and exit the area undetected as there is no or very little coverage of CCTV around the entrance and exits of the public walkways making the pursuit of such individuals more difficult.
6. The City of London Police invests heavily in resources in preventing and detecting crime. As current pressures on police numbers and financial resources increase, greater emphasis is being placed on the use of modern technology such as CCTV to assist with the prevention and detection of crime. Additionally, the City is experiencing times of raised threat levels relating to terrorism and extremism, this has been well documented in the media recently. Clearly improvements in the coverage of CCTV across the City will benefit the City's response to these threats.
7. The City is presently looking at all of the security measures currently in place to ensure they are fit to meet the security threats and challenges of today and of the future. The assessment of CCTV across the City shows that there is relatively good coverage, however there is undoubtedly a gap in coverage on and around the Barbican Estate/ Ward area and it would therefore be prudent to extend the coverage across these areas.

### **Proposals**

8. Working closely with the City of London Police, a strategic assessment of camera locations was undertaken to identify additional overt CCTV camera coverage on or around the public walkways within the Barbican and Golden Lane Estates. Appropriate signage will be installed in line with the requirement for the use of overt CCTV.
9. It is intended that the cameras are used to protect the public areas/ walkways in the prevention and detection of crime. The equipment will be integrated into the existing Ring of Steel CCTV system, the monitoring, data management/ controller will be the City Police and accessed by the City Corporation and by involving project officers of the 'Ring of Steel upgrade project' the proposed cameras will be of the same specification and

quality to ensure compatibility. Within this proposal it has been identified that an additional 24 cameras will be installed. The locations of the additional cameras can be seen on the map in appendix 4. This project will follow the established corporate project gateway process to enable delivery.

10. When delivered this project will become an integral part of the current Ring of Steel upgrade CCTV system monitored by the police and accessed by the City Corporation. The on-going revenue maintenance costs will be apportioned between the two organisations in line with the current arrangements, officers are liaising with colleagues in the Chamberlains department to formalise this arrangement.
11. Being conscious of the listed building status of the Barbican, wireless cameras will be considered for use where possible in order to minimise any interference with the fabric design of the building. Approval will need to be obtained from City of London Corporation Planning department regarding the buildings that are listed by British heritage with planning officers already engaged in the project providing advice.

### **Financial and Risk Implications**

12. An estimated cost of £215,000 has been received for the 24 new cameras which includes installation. A breakdown of the costs can be seen in appendix 5
13. This Project is a good fit with the criteria set out to be able to apply for funding via POCA (Proceeds of Crime Act) administered by the City of London Police. Projects wishing to be funded by POCA have to meet one of the three criteria which are; drive up performance on asset recovery, to fund local crime fighting priorities and reduce crime and for the benefit of the community.
14. As a project that aims to prevent crime, assist the detection of crime and would also benefit the community as a whole in making the area feel safe the project meets the criteria required to obtain funding through the Proceeds of Crime Act (POCA). An application for POCA money will be made for the funding of the project at the next board in May 2015.

### **Legal Implications**

15. Advice will be sought to ensure that compliance with the data protection act is maintained and the comptrollers will be consulted throughout the delivery of this project to ensure that any issues relating to privacy are addressed.

### **Property Implications**

16. The project will engage with the Planning Department, Housing and any other bodies relating to the listed status of the Barbican.

### **HR Implications**

17. After an initial assessment there are no HR or equality impacts.

### **Strategic Implications**

18. This project matches the strategic aim of the Corporate plan “to provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes” By making the police more efficient with equipment that is necessary to protect and keep safe the City of London improving the quality of their work and service.
19. It is also a policing priority to reduce crime and to protect the City from terrorism. Better CCTV in the Barbican area could potentially reduce crime not only in that area but in the city as a whole.
20. Improvements in CCTV coverage in the Barbican area would also meet the objectives of the Safer City Partnership plan which are: reducing anti-social behaviour, reducing re-offending, Night-time economy issues, Counter Terrorism

### **Consultees**

21. It is intended that this report will follow the recognised consultation process for Barbican related projects and will be presented for information and comment to:
- Police Committee – 26<sup>th</sup> March 2015
  - Communities and Children Services – 17<sup>th</sup> April 2015
  - Housing Management & Almshouses Sub Committee - 27<sup>th</sup> April 2015
  - Residential Consultative Committee – 18<sup>th</sup> May 2015

- Barbican Residential Committee – 1<sup>st</sup> June 2015
- Safer City Partnership – 8<sup>th</sup> June 2015

## **Conclusion**

22. In order to support the City of London Police in their day to day delivery of policing and to further improve the security of the City the increase in numbers and improved coverage of CCTV in the Barbican area will help to prevent a deter crime in that area.

23. The overall crime prevention and detection in the city could also be affected by this improvement, as criminals would not be able to 'hide' or 'disappear' via the Barbican area. Tracking perpetrators of crimes that are reported as being 'in progress' may also be improved for the reasons outlined above.

24. The use of technology in this way helps the City Police deliver an effective policing service in times of increasing financial challenges.

## **Background Papers:**

Crime and Disorder Barbican Estate 2013  
City of London Corporate Plan  
Safer City Partnership plan  
City of London Policing plan

## **Appendices**

Appendix 1 – Map of Barbican Area  
Appendix 2 – Crime by location Type in the study area  
Appendix 3 – Barbican area CCTV cameras (Police and Corporation)  
Appendix 4 – Map of Proposal of CCTV  
Appendix 5 – Estimated costs

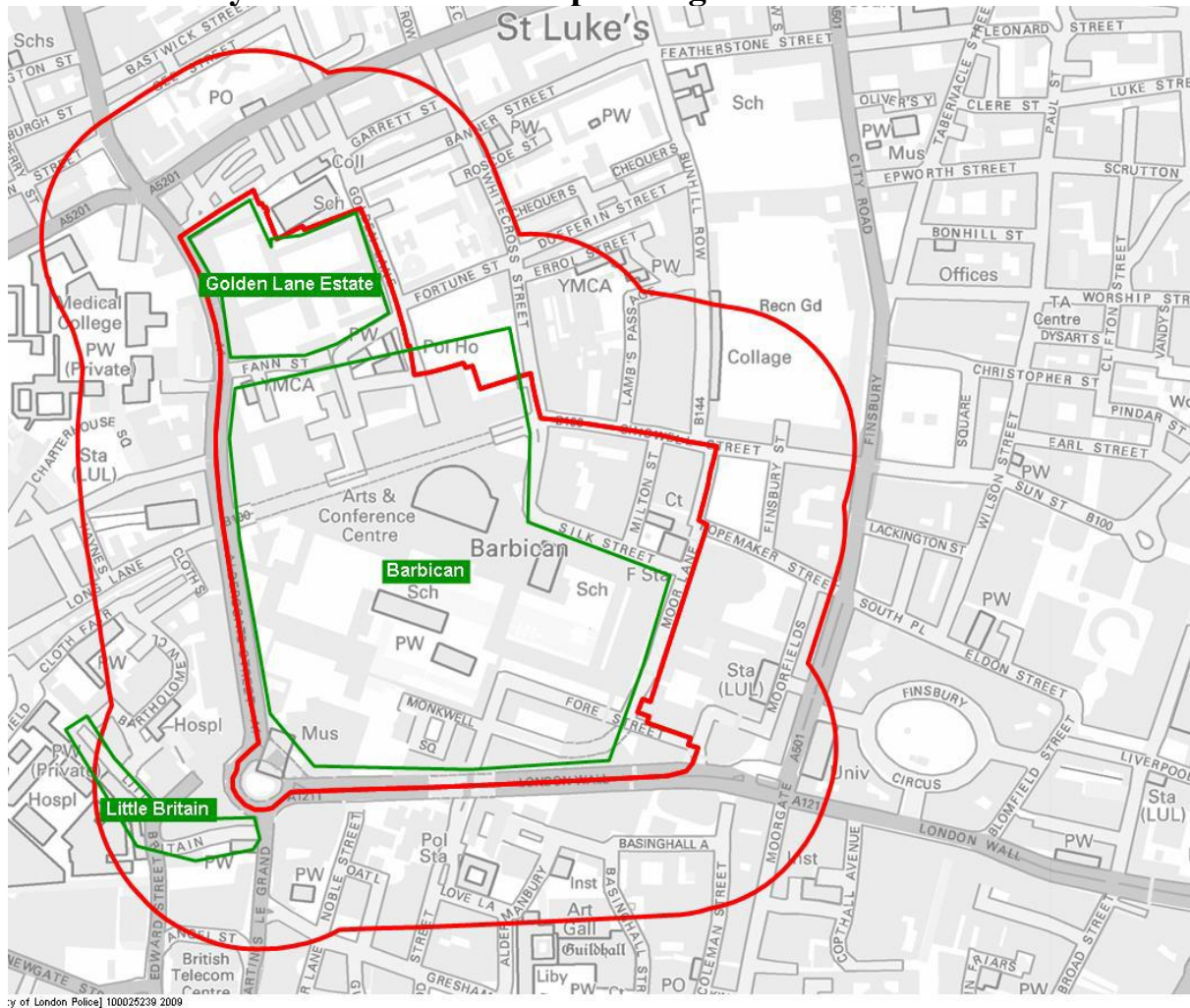
## **Contact:**

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Assistant Director, Street Scene, Strategy & Safer City Partnership  
E Mail: [doug.wilkinson@cityoflondon.gov.uk](mailto:doug.wilkinson@cityoflondon.gov.uk)  
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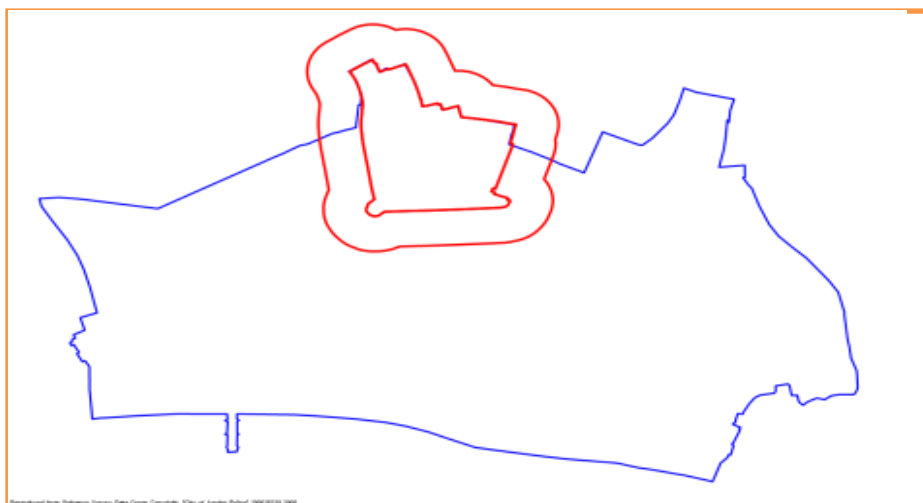


## Appendix 1

### Barbican study area used for crime profiling



### City of London – Barbican area



## Appendix 2

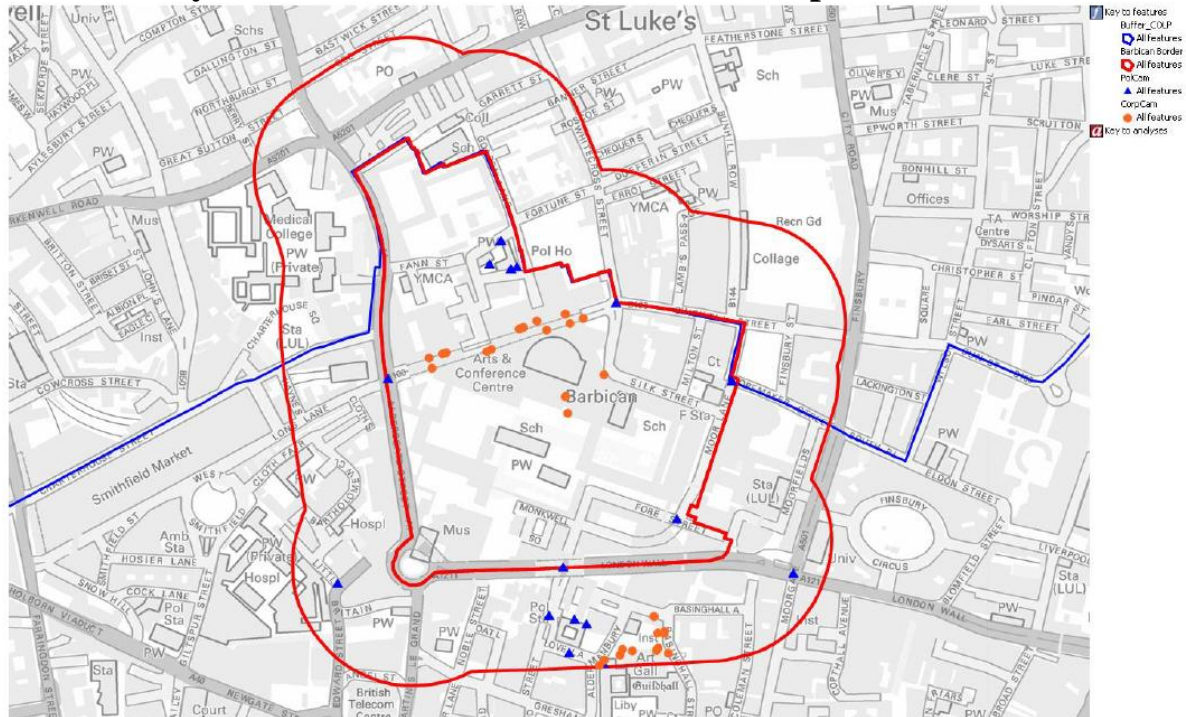
## Crime by location type in study area

Location Descriptor	Burglary - (i) in a dwelling	Burglary - (ii) in other building	Criminal damage	Drug offences	Fraud and forgery	Miscellaneous Offences	Other offences	Robbery	Sexual offences	Theft and handling stolen goods	Violence against the person	Grand Total
Street			4	21		9	7	3	2	84	31	161
Licensed Premises		2			1			1		64	14	82
Business		9	4			3	2		1	35	3	57
Barbican			1			1				28	7	37
Fitness Club			1	1	1	2			1	25	3	34
Residential Block		4	6							11	7	28
Residential Address	10		2						1	6	9	28
Retail		1			2	1				16	2	22
Education		2								12	1	15
Car Park			1							12		13
Food					1				1	7	2	11
Cycle bay										5		5
Building Development										5		5
POLICE			1							2		3
Telecoms										1	1	2
Gaming			1								1	2
Hospital						1						1
Transport										1		1
Church										1		1
Grand Total	10	18	21	22	5	17	9	4	6	315	81	508

84.1% of offences



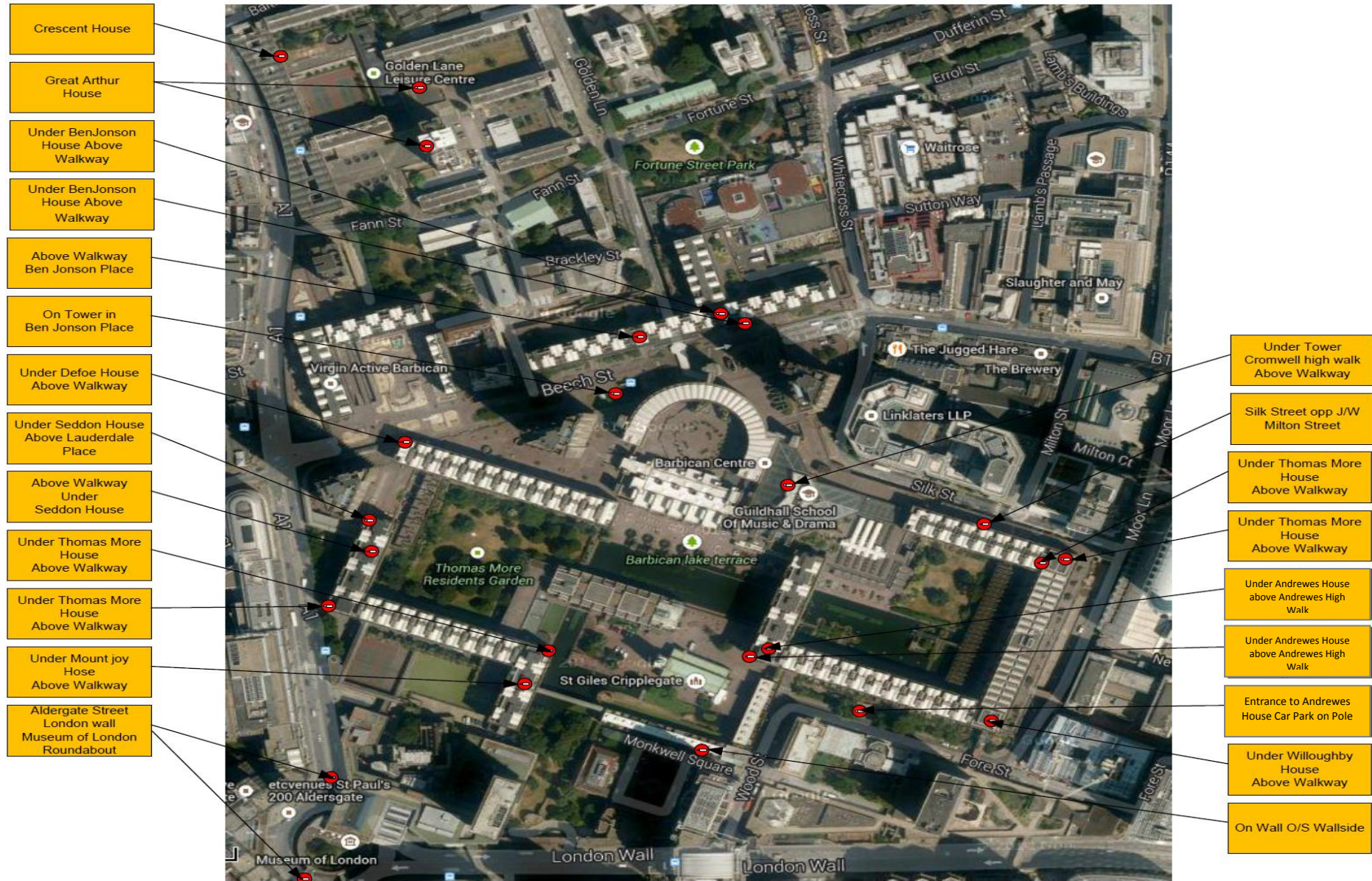
# Current City Base CCTV cameras (Police and Corporation)



# BARBICAN CCTV PROPOSED LOCATIONS

## Appendix 4

Page 76



**NOT PROTECTIVELY MARKED**



## Estimated costs

Schedule No. 1	Barbican Centre New CCTV - Budgetary Proposal			
Item No.	Description	Qty	Unit Price (£)	Total (£)
1-1	<b>IP PTZ Camera - Budgetary</b>	24.00	8,287.00	198,888.00
	<p>Supply Installation and Commissioning of:</p> <p>1 x Indigovision Ultra 2k IP PTZ Cameras</p> <p>1 x Indigovision Licenses SUP</p> <p>1 x Enclosure and PSU</p> <p>1 x Bracketery Allowance</p> <p>1 x IP Wireless Link (Pair) 5Ghz upto 8km</p> <p>1 x Cabling Allowance</p> <p>1 x Containment Allowance</p> <p>1 x IP Switch Equipment</p> <p>1 x Lot Project Services</p> <p>NOTE:</p> <p>1 - The site will require a thorough site survey prior to providing a detailed design. Mainly as the site has numerous restrictions and technical dependencies on other projects which could cause major changes to the design.</p> <p>2 - A 230V fused super will be required and to be provided by the client within 10m of camera location.</p> <p>3 - An allowance has been made for access lift equipment.</p> <p>4 - Any permissions required prior to installation to be in place by the client.</p> <p>5 - Recording equipment has not be considered for this project as it may be done via a separate project. However we would suggest to create an allowance for these aspects.</p>			
1-2	<b>Recording Equipment</b>	1.00	15,291.00	15,291.00
	Estimated Cost For recording Equipment assuming a central recording location recording at 31 days real time at 1080P			
Total for this schedule net, excluding VAT				214,179.00

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# Agenda Item 6a

## **POLICE COMMITTEE** **Thursday, 26 March 2015**

Minutes of the meeting of the Police Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Thursday, 26 March 2015 at 11.00 am

### **Present**

#### **Members:**

Henry Pollard (Chairman)  
Deputy Douglas Barrow (Deputy Chairman)  
Mark Boleat  
Lucy Frew  
Alderman Alison Gowman  
Vivienne Littlechild  
Helen Marshall  
Deputy Joyce Nash

#### **Officers:**

James Goodsell  
Katie Odling  
Richard Jeffrey  
  
Suzanne Jones  
Doug Wilkinson

Policy Officer  
Town Clerk's Department  
Comptrollers and City Solicitor's  
Department  
Chamberlain's Department  
Department of the Built Environment

#### **City of London Police:**

Ian Dyson  
Hayley Williams  
Stephen Head  
Eric Nisbett

Assistant Commissioner  
Chief of Staff  
Commander, Economic Crime  
Director of Corporate Services

#### **1. APOLOGIES**

Apologies for absence were received from Simon Duckworth, Alderman Ian Luder. Deputy Regan, the Commissioner of Police and Commander Wayne Chance.

#### **2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

Alderman Alison Gowman and Vivienne Littlechild declared a non-pecuniary interest in respect of item 6 as residents of the Barbican.

#### **3. MINUTES**

RESOLVED – That the minutes of the meeting held on 26 February 2015 be approved.

#### **4. OUTSTANDING REFERENCES**

The Committee noted the list of Outstanding References.

5. **STANDARD ITEM ON THE SPECIAL INTEREST AREA SCHEME**

The Deputy Chairman commended the successful arrangements for the service of commemoration to mark the end of military combat operations in Afghanistan which took place at St Paul's Cathedral on Friday 13 March 2015

6. **TERMS OF REFERENCE**

The Committee considered a report of the Town Clerk which sought approval of the Terms of Reference.

The Committee noted the issue of inquorate Sub Committee meetings and agreed to amend the Membership of the Professional Standards and Integrity Sub Committee, the Performance and Resources Management Sub Committee and the Economic Crime Board to include the Chairman and Deputy Chairman as ex-officio Members.

The Chairman emphasised the expectation that Members attend those meetings they were appointed to serve on.

RESOLVED – That,

- a) the Terms of Reference of the Committee be approved and submitted to the Court of Common Council;
- b) the Membership of the Professional Standards and Integrity Sub Committee, the Performance and Resources Management Sub Committee and the Economic Crime Board be amendment to include the following –
  - *Chairman and Deputy Chairman (ex-officio Members)*
- c) a report be submitted to the meeting on 20 May 2015 regarding attendance at Sub Committee meetings.

7. **BARBICAN AREA CCTV**

The Committee considered a report of the Town Clerk (Assistant Director, Safer City Partnership) which set out the proposals to install an additional 24 cameras to improve the CCTV coverage of the public walkways and the area around the Barbican Estate including Golden Lane.

Members noted that any bid for POCA funding would be given consideration at the next Police POCA Board. The Assistant Director, Street Scene, Strategy & Safer City Partnership agreed to amend the wording in the Recommendations of the report to reflect this prior to its submission to the other Committees listed.

The Committee discussed the ongoing maintenance costs of the any system and it was confirmed that this would be given consideration as part of the implementation of both this project and Ring of Steel.

With regard to the technical challenges, consideration would be given to these as the project developed, taking into account the make-up and fabrication of the Barbican estate.

RESOLVED – That the following be noted,



- a) the proposed installation of additional CCTV as set out in the report subject to decision on a POCA bid;
- b) the project will be delivered through the Corporate Project Gateway process; and
- c) the project would become part of the Ring of Steel upgrade project to ensure it was integrated into the City of London Police CCTV system and could be accessed by the City of London Corporation.

**8. BUDGET MONITORING REPORT**

The Committee received a report of the Commissioner of Police regarding the 2014/2015 Budget Monitoring for the period ending January 2015.

RESOLVED – That the report be noted.

**9. POLICING PLAN MEASURES - 2015/2016**

The Committee considered a report of the Commissioner of Police which presented the amended Policing measures for 2015/2016, together with an indication of how they would be reported against.

Measure 4 – Priority: Safer Roads – The number of disposals from manned enforcement activities

The Assistant Commissioner circulated a proposed replacement measure. The new measure, which has been considered and approved by the Force's Performance Management Group, supported the City of London's casualty reduction target much more directly than the ANPR measure it replaced.

RESOLVED – That the measures for use of 2015-2016 be approved.

**10. NATIONAL POLICE CO-ORDINATION CENTRE S22A COLLABORATION AGREEMENT**

The Committee considered a report of the Commissioner of Police in relation to the National Police Co-ordination Centre S22A Collaboration Agreement.

RESOLVED – That authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman of Police Committee, to endorse the final version Section 22A Collaboration Agreement with the NoPCC, subject to the negotiation of suitable terms and final signoff by the Comptroller and City Solicitor.

**11. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

In response to a question, the Assistant Commissioner provided assurance that the Force would be active in responding to the recommendations within the report of the IPCC concerning the death of Mark Duggan when it was published.

**12. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

On behalf of the Committee and the Force, the Chairman expressed thanks to Keith Knowles who had recently retired from the Court. Mr Knowles served 21

years on the Police Committee and had been instrumental in the success of the accommodation project.

Further thanks and gratitude were expressed to Don Randall. Mr Randall joined as an external Member in 2009 and has served six years on the Police Committee. The Chairman expressed thanks to Mr Randall for his invaluable contributions to the work of the Police Committee.

13. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Local Government Act.

14. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the meeting held on 26 February 2015 be approved.

15. **BERNARD MORGAN HOUSE - REIMBURSEMENT OF CHARGES**

The Committee considered a report of the Commissioner of Police concerning the reimbursement of charges to Guests at Bernard Morgan House.

16. **CITY OF LONDON POLICE (COLP) COMPUTER REFRESH PROJECT**

The Committee considered a report of the Commissioner of Police regarding the Computer Refresh Project.

17. **REPORT ON ACTION TAKEN**

The Town Clerk reported on decisions taken under Urgency procedures in relation to -

- Police Ring of Steel - Compliance and Stabilisation Project – Gateway 5 – Authority to Start work
- NPCC Collaboration Agreement

RESOLVED – That the report be noted.

18. **COMMISSIONER'S UPDATES**

The Commissioner of Police was heard concerning on-going and successful operations undertaken by the City of London Police.

19. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no items of urgent business.



**The meeting ended at 12.30 pm**

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**Chairman**

**Contact Officer: Katie Odling**  
**tel. no.: 020 7332 3414**  
**[katie.odling@cityoflondon.gov.uk](mailto:katie.odling@cityoflondon.gov.uk)**



**Residents Consultation Committee Discussion Document**  
**Results of the Estate-wide Consultation on the Police**  
**Committee proposals for CCTV on the Estate**  
**For discussion at committee, 18 May 2015**

A report of the chairman of the RCC and the Chair of the Barbican Association, 5, May 2015.

## **1 Summary**

A consultation with residents was carried out by the chairs of the RCC and BA in April in order to determine the views and concerns of residents in relation to the City of London Police Committee's proposal to install CCTV cameras in the public areas of the Barbican Residential Estate for the first time.

57% residents stated that they welcomed the proposal. However, 51% expressed concerns or objections, including some of those saying they welcomed the proposals, who also recorded some concerns.

A substantial minority (38%) said they either had reservations about the proposal (17%) or they objected to it (20%).

Several suggestions were made by those responding with regard to improvements that could be made to the proposal, described in section 6.1. If residents' concerns could be addressed, the proportion of residents who would find a modified proposal for CCTV acceptable rises to 68%.

The consultation also shows that the vast majority of residents either feel safe or very safe living on the Barbican Estate.

While the consultation does not reveal any reason for RCC to oppose the proposals in principle, it does identify problems with the scheme as it is proposed, in the view of residents. This highlights the need for modifications to be sought to the proposals, or additional reassurances to be given, in order for any CCTV installation to satisfy a majority of residents.

## **2 The consultation**

### **2.1 Consultation method used**

Residents were informed of the consultation by means of posters in the lobbies or lift areas of each block and also by the BEO's email broadcast (which reaches around 1,400 residents). These provided a link to information about the scheme prepared by the chairs of the BA and RCC based on the information provided in the Police Committee CCTV report, in consultation with the CoLC Officer who prepared the report.

Residents were given the option to complete the survey online or on paper. Due to limited time, residents were given 12 days to respond to the consultation online and 10 days to respond on paper. An email reminder was sent the day before the consultation closed.

### 3 Consultation questions asked

- Q1 What are your views on this proposal, overall?
1. I welcome this proposal
  2. I have reservations about this proposal
  3. I object to this proposal
  4. I don't have enough information to tell
- Q2 (Asked only of those entering 1 at Q1)  
What aspects of this proposal do you welcome or consider would be helpful?
- Q3 (Asked only of those entering 1 or 2 at Q1)  
What reservations or objections do you have to this proposal?
- Q4 (Asked only of those entering 3 at Q1) Are there any changes that could be made which would make the
- Q5 (Asked only of those entering 2 or 3 at Q1) Would you be able to accept a modified proposal for CCTV at the Barbican, which included the changes necessary to meet your reservations?
1. Yes, probably
  2. No, probably not
  3. I don't know
- Q6 (Asked only of those entering 4 at Q1)  
We provided you with some background information to this proposal. What additional information would you have liked?
- Q7 On a scale of 1 to 10, how safe do you feel within the Barbican Estate in relation to crime, where 1 is totally unsafe and 10 is totally safe?
- Totally unsafe   1   2   3   4   5   6   7   8   9   10   Totally safe
- Q8 Finally for verification purposes, please provide your name, flat number and block.

### 4 Responses

#### 4.1 Level of response achieved

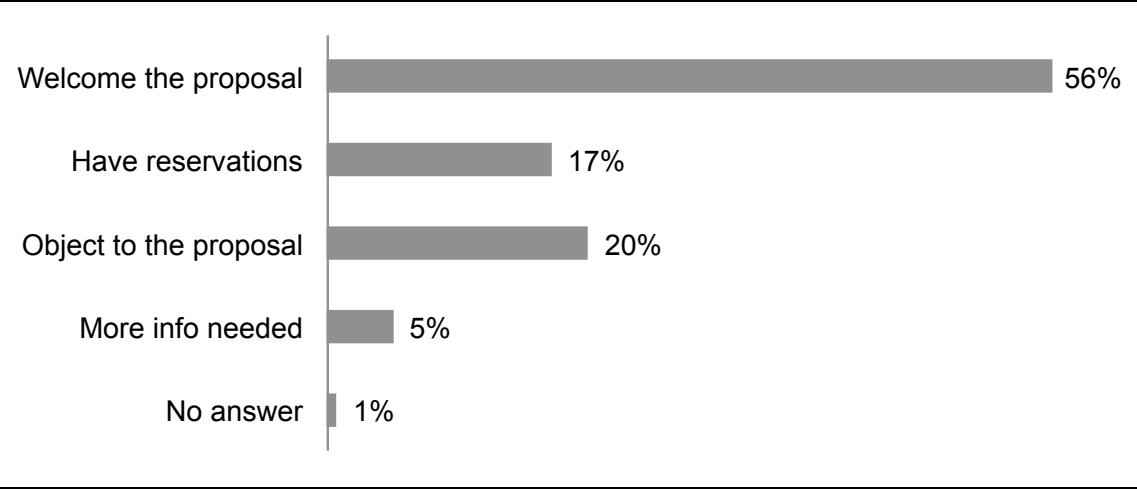
453 residents responded, 450 online and 3 on paper. This is one of the largest responses to any Estate-wide survey or consultation. There are 2041 flats at the Barbican and the residential population is considered to be in the region of 4000. On that basis, the response rate can be considered to be 22% of

households or around 11% of individuals. As some individuals will have replied on behalf of the household, the response rate should be considered to be between these two values.

A response rate of 11% of a *population* is likely to be highly indicative of the views also of those not represented, provided there is no inherent bias in the ability or propensity to respond. We do not believe either to be a factor in this consultation.

**4.2 Overall acceptability of the proposals (Q1 and Q6)**

At Q1, slightly more than half of residents who responded (56%) welcomed the proposal while a substantial minority expressed concerns: 17% stating they had ‘reservations’ and 20% stating the objected to it (see Figure 1).



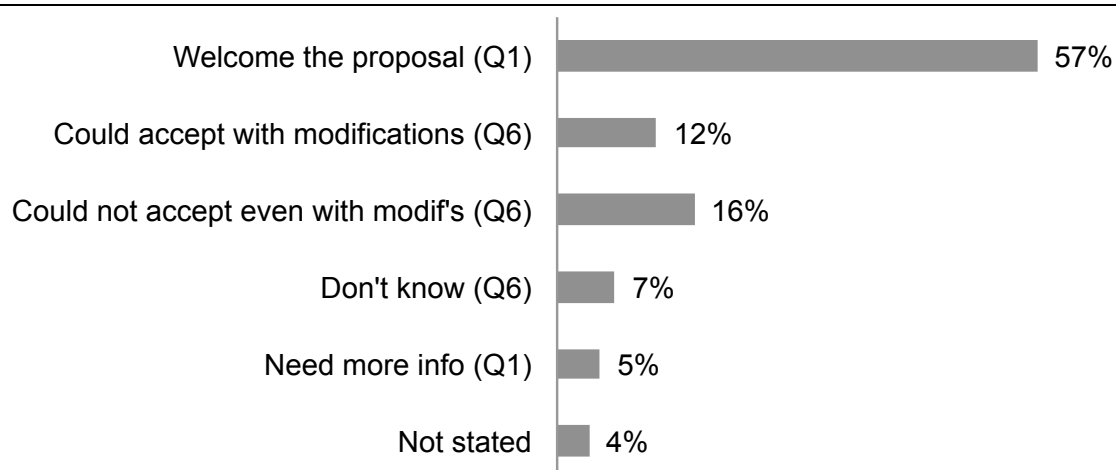
*Figure 1 Q1. What are your views on this proposal, overall?*

Those with concerns or objections were asked to express their concerns or objections. They were then asked if a modified CCTV proposal that took into account those concerns would be acceptable. 115 respondents answered this question as follows:

Yes, probably	53	34%
No, probably not	73	46%
I don't know	31	20%
Total	157	100%

*Figure 2 Q2. What are your views on this proposal, overall?*

A composite view of Q1 and Q7, in which the responses on reservations and objecting are replaced with the answers to Q7 gives a revised indication of how a proposal might be accepted, if the concerns residents have expressed were met by revisions to the proposal.

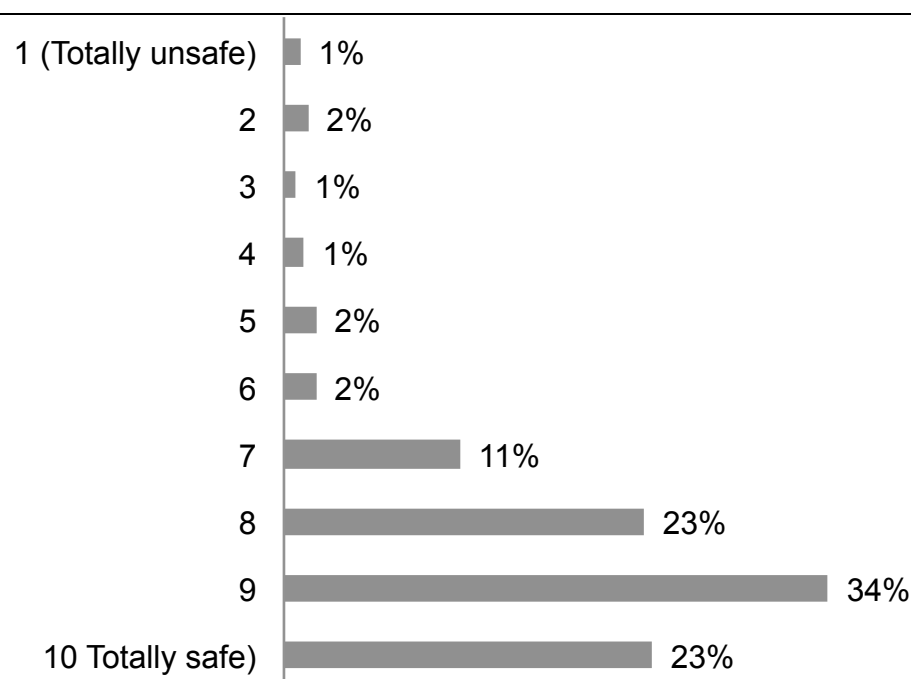


*Figure 3 Composite of Q1 and Q6 showing how a modified CCTV proposal might be more acceptable to residents*

This shows that another 12%, or 68% of residents responding are either in favour of the proposals or could accept CCTV if concerns were met – slightly more than two in three. On the other hand, this also shows that one in three can be considered to have significant reservations or objections to the proposal, which is a substantial minority.

### 4.3 How safe do Barbican Residents feel (Q7)

The final question (see Figure 4) asked was to establish how safe residents felt in the Barbican, which has an unusually low crime rate for an inner-urban area. A 10-point scale was used, with 1 signifying 'totally unsafe' and 10 'totally safe'.



*Figure 4 Q7. On a scale of 1 to 10, how safe do you feel within the Barbican Estate in relation to crime, where 1 is totally unsafe and 10 is totally safe?*

Overall, most residents report they feel safe. The mean average score was 8.35. Only 34 (9%) recorded a score below 7. Most scores are tightly clustered at the top end of the scale. 318 (80%) scored 8, 9 or 10.

The Barbican Estate is neither an area that attracts much crime (as stated in the Police Committee report) nor is it one where people feel unsafe.

## 5 Reasons why the proposals are welcome (Q2)

Those welcoming the proposals cited better security or personal safety most often, followed by its perceived role in deterring crime and antisocial behaviour, and its possible value in detecting crime when it occurs. Completing the 'Ring of Steel' and filling a coverage blind spot were also aspects cited in the report, and the BA/RCC summary of it which residents also mentioned.

Better security/ personal safety	131	60%
Deter or prevent crime	42	19%
Crime detection	19	9%
Reduce antisocial behaviour	28	13%
Terrorism/ Ring of steel	7	3%
Reduces existing blind spot / increases coverage	30	14%
Helpful to the Police	6	3%
Addresses privacy concerns	2	1%
General non-specific benefits	10	5%
Other (miscellaneous)	9	4%
Total	219	100%

*Figure 5 Summary of responses to Q2, 'What aspects of this proposal do you welcome or consider would be helpful?'*

## 6 Concerns and objections expressed (Q3)

Most concerns/objections were about different aspects of loss of privacy or dislike of surveillance and 'being watched'. However, there was also concern that CCTV was not necessary or would be ineffective in meeting its espoused objectives of controlling crime and improving security.

Another important concern was the effect of the cameras on the architecture of the Grade II Listed Barbican Estate, and that careless installation could permanently harm the environment. A related concern was also expressed as the presence of cameras could also change the perception of the Estate being a safe place, and make the place seem more hostile than it is.

Cost was also cited as a concern – either that this was not an effective use of money, or that there was a risk that, in time, the cost for the operation would fall to residents (e.g. through the resident service charge). Some said they would wish for the money to be spent on increasing a physical police presence on the Estate, and a related concern was that CCTV could eventually lead to reduction or withdrawal of on-the-ground policing.

Some residents expressed concerns (despite reassurances provided) that the scheme could be subject to misuse, and that privacy locks could be overcome or overridden in the future.

Privacy (any)	106	45%
Privacy in general	43	18%
Privacy at home	29	12%
Dislike of surveillance	41	18%
Not necessary or not justified (any)	94	40%
Not necessary/ ineffective as a remedy	40	17%
Level of crime on the estate doesn't warrant cameras	50	21%
There is no clear justification for the proposal	16	7%
Negative impact on the visual appearance of the Estate/Visual impact on a Listed Building	45	19%
Cost/resources (any)	34	15%
High cost/ use of public resources for little benefit	20	9%
Risk of future cost to residents on service charge	11	5%
Prefer the money spent on policemen on the estate	6	3%
Effectiveness of safeguards against misuse	27	12%
More cameras or cameras in specific locations needed	13	6%
May have a negative impact on actual policing in future	12	5%
There are already enough cameras in area	8	3%
CCTV creates a negative perception of poor safety/high crime/hostile environment	9	4%
Total	234	100%

*Figure 6 Summary of responses to Q3, 'What reservations or objections do you have to this proposal?'*

## 6.1 How can concerns be addressed? (Q4)

Those expressing concerns were asked to state how these concerns could be addressed. 31% of those who had concerns or objections (16% of all the survey's respondents) provided suggestions as to how their concerns could be addressed. The suggestions are summarised below:

- Have fewer cameras or set a low limit on the number of cameras now or in the future
- Concentrate cameras around the entrances to the estate only
- Concentrate cameras around the school only, where the specific incidents of crime cited in the report were targeted
- Change the locations of the cameras, and only install cameras in locations where there is a specific problem to address
- Install the cameras carefully so they are discreet, unobtrusive and there are no wires showing to preserve the ambience/architecture
- Use better-designed cameras than those currently installed which are considered unsightly
- Don't erect notices that say CCTV
- Focus resources elsewhere, e.g. on police visits



- Provide more evidence that there is a problem with crime or a threat that justifies installing CCTV before proceeding
- Provide more evidence for the effectiveness of CCTV in preventing crime before proceeding.
- Provide guarantees or legally binding assurances that images will only be used for crime prevention;
- Provide stronger oversight/independent scrutiny to ensure there will be no misuse of the images recorded
- Provide guarantees that costs will not subsequently be transferred to residents of the Barbican Estate

## 7 Conclusions

While a majority (57%) of residents responding stated that they welcomed the proposal, a substantial minority either expressed concerns or stated that they objected to the proposals. Around 20% are opposed to the scheme, and the rest either expressed concerns or said they felt they did not have enough information to tell.

Some of those in favour of the proposal also expressed concerns or reservations. Overall, 51% of those who responded to the survey expressed concerns or reservations about the proposals.

Almost a third of those with concerns gave specific suggestions on modifications that could be made to the proposals to make them more acceptable. Around 12% stated that they probably would be able to accept CCTV within the Barbican Estate if their concerns were addressed, which means that 68% (including the 57% who are in favour) would not be opposed to CCTV, provided concerns were addressed.

The consultation therefore shows around two-thirds of residents to be either in favour of CCTV, or not against it in principle, if modifications could be made to the scheme. It also shows that slightly over half of residents expressing concerns (or objections) to the proposals as they stand.

While this does not give provide grounds for the RCC to oppose the proposals, it does highlight the need for modifications to be sought to the proposal or additional reassurances to be given in order to satisfy a majority of residents.

The consultation also shows that the vast majority of residents either feel safe or very safe living on the Barbican Estate. The mean average score on a 1 to 10 scale, with 10 being the safest, was 8.35. It therefore seems unlikely that the proposals will have a major impact on most residents' feelings of safety and security, though it may have an impact on more vulnerable residents, and possibly the 9% who gave a score of less than 7 out of 10 for their feeling of safety.

It is not the place of this report to the RCC to make recommendations, as these should come from the RCC. Those recommendations will be included in an updated version of this report which will be presented to the BRC and the Police Committee.

The version of the report to the Police Committee will also include all of the specific comments raised in this consultation, which have been omitted from this report for reasons of brevity. Any RCC member may request a transcript of all of these comments from the Chairman.

Tim Macer, Chairman, Residents Consultation Committee  
Jane Smith, Chair, Barbican Association

<b>Committee(s):</b>	<b>Date:</b>
Police Committee- For information	22 <sup>nd</sup> September 2016
Safeguarding Sub Committee – For information	26 <sup>th</sup> September 2016
<b>Subject:</b>	<b>Public</b>
Annual update on Custody (Young Persons, Children and Mental Health) And Use of Force Pol 40-16	
<b>Report of:</b>	<b>For Information</b>
Town Clerk and Commissioner of Police	
<b>Report authors:</b>	
Craig Spencer, Town Clerk's Department Supt Helen Isaac, Uniformed Policing Directorate	

## Summary

This report provides an overview and update on three key areas of policing; young persons and children in custody, mental health crisis in custody and use of force. The City of London Police (CoLP) collects and analyses information across these areas, in response to national recommendations from Her Majesty's Inspectorate of Constabulary (HMIC) amongst others and in recognition of the importance of understanding and responding to any potential issues or trends.

The force will provide an annual update on these areas to continue its commitment to accountability and transparency, informing on developments in best practise, any improvements which may be required and issues of note, in addition to data reported against that for 2015/16 within this report.

Young persons and children who are held in custody may be vulnerable for a number of reasons and the CoLP and City of London Corporation (CoL) have established processes in place for when this occurs; this report presents annual statistics for those brought into CoLP custody between April 2015 and March 2016.

The report presents the national developments taking place to safeguard those suffering a mental health crisis and explains the procedure for when a crisis develops once someone is within the custody suite against when police are called to assist someone on the street. Data is presented from between April 2015 and March 2016 for those experiencing mental health issues under 136 Mental Health Act 1983 where police assistance was required.

Confidence and trust in the police service is essential, but a recent study by the Independent Police Complaints Commission (IPCC) into police use of force showed that there is some work to do to increase confidence in this area. This section of the report highlights the work taking place to address recommendations arising from the IPCC study and presents the good practise already taking place around training and scrutiny. Use of force data from August 2015 to August 2016 is provided for consideration.

## Recommendations

Members are asked to:

- Note the report.
- Endorse report format and data for future annual update and comparison against baseline statistics for 2015/16

## Main Report

### Young Persons and Children in Custody

#### Background

1. England, Wales, Northern Ireland and Scotland each have their own guidance for organisations to keep children safe. They all agree that a child is anyone who is under the age of 18. The Police and Criminal Evidence Act 1984 (PACE) define a young person or child to be between the ages of criminal responsibility 10yrs and have not reached the age of 18. We use the term 'child' to refer to younger children who do not have the maturity and understanding to make important decisions. We use the term 'young person' to refer to older or more experienced children.
2. Custody officers are required to make a decision about whether they should treat the individual as a juvenile or as an adult. *PACE Code C paragraph 1.5 - states that where someone appears to be under 17, or to have reached the age of 17 but be under 18, officers and staff are to treat them as a child/young person.*
3. The law already recognises that police cells are not a suitable place for young persons and children. The Police and Criminal Evidence Act 1984 requires the transfer of children who have been charged and denied bail to be moved to more appropriate local authority accommodation.
4. The related duty to local authorities set out by the Children Act 1989 is to accept these requested transfers. The detention of a child in the custody of a police cell is only allowed where exceptional circumstances prevent movement or where such children are at risk to the public and themselves, or no local authority accommodation is available.
5. Young persons and children in custody legally require an appropriate adult (AA) to be appointed as soon as possible and to be present during specific stages whilst in custody. These include the booking in procedure, interview, charge and other custody processes such as custody staff taking DNA, photographs and fingerprints to the provisions of the Police and Criminal Evidence Act 1984.

6. The release of the 'Concordat on Children in Custody' by the Home Office in March 2016 aims to set out the role of each organisation in the process of detaining a child into custody and where responsibility lies. This clarifies the legal requirements and offers guidance on how these are put into place; particularly around the transfer of children from custody to local authority accommodation.
7. The Concordat is there for the Police and Local Authorities in aiding compliance with their statutory responsibilities and to bring about a decrease in the number of children held overnight in police custody. The concordat sets out seven principles to achieve these aims:
  - Whenever possible, charged children will be released on bail.
  - Children denied bail will be transferred whenever practical.
  - Secure accommodation will be requested only when necessary.
  - Local authorities will always accept request for non-secure accommodation.
  - The power to detain will be transferred to the local authority.
  - Where a local authority fails to provide accommodation it will reimburse the police.
  - Police forces will collect data on transfers.
8. On behalf of the City of London Police the Commissioner has signed the Concordat. The Corporation of London is yet to sign the Concordat and is discussing the guidelines with the Home Office.
9. The HMIC published a report '*In Harm's Way*' in July 2015 which outlined the role of the police in keeping children safe. As a result of the recommendations within the report, the Custody Manager developed a process of capturing information on juveniles who have been in CoLP police custody, which is circulated to senior managers on a monthly basis and has informed the data within this report.

## **Current Position**

### **Process in custody**

10. The first point of contact for young persons and children when they enter custody is an assessment interview with a liaison and diversion nurse to ensure CoLP are not missing any incidents of Child Sexual Exploitation or criminal factors of adult cohesion. The liaison and diversion staff is currently available for assessments in custody during 8am-9pm Monday to Friday, which has been extended from previous arrangements. Specially trained police officers will undertake the assessment interview at all other times
11. The CoLP has two custody suites based at Snow Hill and Bishopsgate. The principle custody suite is Bishopsgate which has a secure Perspex room, commonly known as 'the bubble' within the reception area of custody. It is designed for use by children and vulnerable persons who have been detained for a criminal matter. This is believed a more suitable place than a cell, as

both police and the detained person continue to be visible to each other and there is less chance of the detainee being further alienated or stressed by their predicament. A custody cell is used only as a last resort, dependant on the circumstances at the time and this would be with other control measures in place to reduce stress and risk as much as possible.

12. Meetings have taken place to confirm arrangements for young people and children between the CoL, CoLP and Committee Members. This has resulted in the creation of a '*Children and Young People Held in Police Stations Protocol*' for the City of London Corporation and the City of London Police. This is attached in Appendix 1 and will instruct future actions by staff from both organisations.
13. The City of London Police has a clearly articulated police process for children in custody which is in the form of a flowchart responding to a young person being charged with an offence. The Corporation have also produced a similar flowchart to reflect process from a local authority and this is attached as Appendix 2.
14. The Appropriate Adult service is currently commissioned by the Community and Children's Services Department (CCS) but is managed by CoLP. The service meets with CCS quarterly and statistics are provided on how often the service is used.
15. When a person under the age of 18 years enters custody, every effort is made by the Custody Sergeant and Designated Detention Officer to keep the young person from being placed within a custody cell. The booking in procedure is initiated on arrival to establish many important facts, such as name, age, address, mental wellbeing and health. During the interaction with the detained young person/child, concerted attempts are made to establish the parents or family member details to act as an Appropriate Adult (AA). In some cases there is no alternative but to use the Appropriate Adult service.
16. Once the AA has attended the police station, the Custody Sergeant will explain the full circumstances why the young person is detained, what the AA role is and custody procedure. The initial booking in process is repeated, this time with the AA present. The Police National Computer is searched on details the young person has given which will establish if they are known to police for previous offences or wanted for outstanding matters. Police officers will submit an intelligence document, a form 377, which is comprehensive information to assist the Public Protection Unit (PPU) and social services and allow appropriate follow up processes to be initiated.

### **Local Authority Transfer Arrangements**

17. The CCS department within the City are called initially. If out of hours this is then referred to the relevant authority (this can depend on where the child lives). There is a separate out of hour's service which is referred to Hackney, who request accommodation from Tower Hamlets. Historically this has been rarely available. The requirement for children to be transferred to overnight

accommodation is only for those who have been charged and remanded, where bail has not been granted. Where the pre-charge investigation is ongoing, the child remains in the custody suite, although every effort is made to reduce the length of time they are there, with bail used where appropriate to allow the investigation to proceed without their continued presence.

18. All Custody Sergeants are fully aware of the current process both inside and outside of working hours and this has been shared with Corporation staff to ensure wider knowledge of the process. Police are mindful that juveniles should not be detained for longer than needed in accordance with paragraph 1.1 of Code C of PACE and should avoid holding young persons and children overnight in police custody cells unless absolutely necessary.
19. If there are no available spaces within the social services' remit 'to house the young person or child at an appropriate site' then current arrangements to provide a cell in extremis could potentially lead to extended periods of time for children in custody. The minimum stay for a detainee for the period recorded as shown in Appendix 3, figure 2 was around 14.2 hours, with the maximum being towards 19 hours in total which included two separate periods of detention, with the young person returning to police custody on bail.

#### **Detention data for 2015/16**

20. For this first report it has been agreed to use data which has been collated from custody records over the period of April 2015 to March 2016 of Young Persons and Children being detained in custody. The ages are shown at Appendix 3 in figure 6 with ethnicity in figure 7. This report will provide a baseline and enable a comparison to be made over future years. All figures referred to in this section are at Appendix 3.
21. The data provided within figure 1, 'Number of children and young people including 18 year olds in custody 2015/16' shows 77 ( Including 18 year olds, 121) young persons and children entered City of London Police custody that year; this equates to an average of just over 6 a month (including 18 year olds, 10 a month). January saw the highest number with 9 (Including 18 year olds, 14) whilst October had the lowest number of 1 (Including two 18 year olds).
22. The length of time young persons and children were detained following arrest/caution is shown at figures 2 and 3, clearly displaying maximum and minimum times with the average times shown.
23. Documentation shows, of the 77 young persons and children detained in custody, 63 were male and 14 female. The youngest person detained in police custody was recorded as a 13 year old white British male for an offence of 'theft – pedal cycle' in April 2015. He had been detained at 17:55hrs and the procedure of booking in and obtaining the required appropriate adult took 2.5 hours; the child was interviewed with a solicitor within 3.5 hours and left custody with no further action within 5 hours.

24. The length of time a young person or child was detained following arrest/caution awaiting an appropriate adult is shown in figure 4 and figure 5 displaying the average time waiting for an appropriate adult.
25. A breakdown of offences for which young persons and children were brought into custody during 2015/16 is at figure 8. There were 19 different offences documented, along with one classed as 'other.' The most common offence is theft – shoplifting with 16 offences with five others having just one instance. During the recorded period from April 2015 to March 2016 the City of London Police did not require accommodation for any young person or child. None were refused bail.
26. Statistics show that a use of force or restraint was used for those under 18 in 38 out of the total 121 occasions. Handcuffs were used in 35 instances, 1 person was restrained for the purpose of a search and 2 were restrained upon arrest.
27. The annual figures show that of the 121 young persons and children brought into custody for the first time, of those under 18, all but 6 had been detained previously in custody.
28. Referrals and pathways to external agencies are currently not implemented but Community Policing and PPU are considering better pathways with Social Services. The documentation of the 377 form for young person and children and vulnerable persons is passed to the Social Services of the area in which the person resides. To date there is no administration for Social Services to keep the arresting force up to date with any of its findings or progress.

## **Mental Health Crisis in Custody**

### **Background**

29. The issue of mental health is now a prominent factor within today's community and policing across the capital and country. The police service acknowledges that police custody is not the most appropriate environment for treating and housing those suffering mental health issues. Guidelines implemented will ensure vulnerable people, including those with a mental health issue, should not use a police station as a place of safety but instead use the more suitable facility of a hospital or other agreed organisation or approved venue.
30. Whilst the use of Section 136 Mental Health Act 1983 and Section 5-6 mental Capacity Act 2005 has decreased within police stations, mental health has remained a crucial issue within custody. 8 of the 17 people who died in police custody nationally in 2014/15 had mental health concerns. A higher proportion (24%) of detained people with mental health concerns experienced force in the custody environment than (13%) detained people with no mental illness identified.



31. The policy covering guidance within custody on mental health is the Police and Criminal Evidence Act 1984 (PACE) which states below:

*'It is imperative that a mentally disordered or otherwise mentally vulnerable person, detained under the Mental Health Act 1983, section 136, be assessed as soon as possible. A police station should only be used as a place of safety as a last resort but if that assessment is to take place at the police station, an approved mental health professional and a registered medical practitioner shall be called to the station as soon as possible to carry it out.'*

32. New legislation intended under the Policing and Crime Bill will greatly restrict the circumstances when a custody cell can be used in this situation. Previously, a 2014 review found people were being detained in police cells because of the lack of available NHS Trust health-based places of care and safety due to capacity, staffing or opening hours.
33. In May 2015, the Government announced up to £15m of funding to provide health-based alternatives to police cells, with 15 NHS Trusts and partnership organisations covering 11 police force areas receiving a total of £6.1m. This amount will however only deal with the tip of an ever increasing populace. The funding is part of the mental health crisis care agreement to support people in a mental health crisis.
34. Whilst the use of police cells as a place of safety has declined by almost a third in England and Wales between 2013/14 and 2014/15, both the Home Secretary and Secretary of State for Health have said they want to see an end to people with mental health issues being locked up in police cells because appropriate health services are not available.
35. The Department of Health is now inviting bids from Crisis Care Concordat groups in 10 police force areas for funding to provide alternative places of safety, to allow people experiencing mental health issues to receive compassionate care and support in the right setting.
36. Police cells can be a daunting environment for anyone who may be experiencing a mental health crisis, as they can make one feel criminalised and inevitably exacerbate the levels of distress the person may be already suffering. This is especially true for those under 18 years of age. Although the picture is improving (see table 1.1<sup>1</sup> below), the government are keen for this engagement and trend to continue.

<b>Section 136 Detentions to a Place of Safety</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>
Police Custody	8,667	7,881	6,028
Hospital	14,902	14,053	17,008
<b>Total</b>	<b>23,569</b>	<b>21,934</b>	<b>23,036</b>

Table 1.1 England and Wales figures

37. Therefore, the government intends to make the following changes to the Mental Health Act under the upcoming Policing and Crime Bill:

- Police cells will no longer be considered a place of safety for under-18s and will only be used in very limited situations for adults.
- The maximum duration of detention will decrease from 72 hours to 24 hours for the purposes of an assessment.
- The extension of police powers to act quickly to detain and remove people experiencing a mental health crisis.
- The requirement for police officers to consult health professionals prior to detaining someone under the Act's provisions.

38. Recently, there has also been the introduction of the Mental Health Crisis Care Concordat which aims to set out an agreement between health, criminal justice and social care agencies for expected responses to people in need of emergency mental health care. The Concordat reiterates government policy and sets out how to achieve a crisis service where 'no-one in crisis will be turned away', which is 'available 24 hours a day, 7 days a week' and is 'community-based, closest to home and is the least restrictive option available.

39. Nine police force areas have been piloting the system of 'street triage'. This is where a police officer and mental health worker act in partnership to assess people on the street and where necessary, take them directly to a health care facility.

40. Within these schemes, mental health professionals provide on the spot advice to police officers who are dealing with people with possible mental health issues. This advice can include an opinion on a person's condition, or appropriate information sharing about a person's health history. The aim is, where possible, to help police officers make prompt and appropriate decisions, based on a clear understanding of the background to these situations.

41. The announcement last December from the Home Office over the NHS commissioning of custody healthcare means a decision on the national way forward has been delayed until December 2017. The City of London Police is

about to go out for tender for a new healthcare contract after this was agreed at Police Committee in February 2016.

## **Current Position**

### **Mental Health Process**

42. The City of London Police has two standard operating procedures (SOP's) that relate to mental health, these being: Dealing with Mental Health Incidents and Medical and Mental Health Issues in Custody.
43. These policies provide a framework for dealing with aspects of managing and dealing with persons in police detention to the required standard, as set out in Code C of the Police and Criminal Evidence Act 1984, the Code of Ethics and the College of Policing Authorised Professional Practice (APP) for detention and custody.
44. Both of these procedures are regularly reviewed and updated and are readily accessible for members of staff on the Force's intranet.
45. When a person has been arrested and it becomes apparent whilst the person is in custody they are suffering from a mental health issue, the custody officer must implement the procedure for a mental health assessment. The custody officer will request the Health Care Practitioner (HCP) for an initial assessment of the detained person and if found the detained person is displaying symptoms of a mental health crisis the HCP will initiate a full assessment. The detained person will be assessed in one sitting within custody as soon as practicable by doctors and social services. On their decision only and not the police, it will result in the detained person being transferred to a designated Mental Health Trust Hospital for further evaluation or to remain in custody for continuation of the criminal process.
46. However, if mental health illness has been exhibited and diagnosed whilst in a public place, then the City of London Police will not use custody or the police station as a place of safety. Community Engagement has employed every effort to establish a better working environment between the London Ambulance Service (LAS) and the Mental Health Trust at the Homerton Hospital. All parties have agreed to a working guide 1) LAS will attend S.136 MHA 1983 calls within half an hour. If LAS are unable to provide a priority ambulance and if there are exceptional circumstances, CoLP will convey a person to Homerton Hospital. 2) Homerton will accept the S.136 within one hour of police attendance.
47. The Force has taken the initiative by using a specific point of contact within the community and partnerships team to take the lead in S.136 MHA 1983 issues, developing a liaison with the London Mental Health Trust, recording encounters, increasing links with external organisations and continuing communications with our nominated place of safety, the Homerton Hospital.

48. In the rare circumstances when the Homerton Hospital is unavailable officers are aware through policy and procedure to use the command and control structure to establish an alternative space at another authorised mental health hospital near to the City, such as St Thomas', The Royal London or UCH.

## **Mental Health Data**

49. Throughout the period of April 2015 and March 2016 there have been an ever increasing number of reported incidents involving mental health. Police are often first to attend a report to provide reassurance, ensure public in the vicinity are safe and to provide an initial response to any person requiring assistance.
50. Incidents are recorded on a Force form, documenting whether action was taken under section 136 Mental Health Act 1983 or Section S.5- S.6 Mental Capacity Act 2005, providing a detailed account of police action and hospital interaction.
51. During the period of April 2015 - March 2016, 129 people were sectioned under S.136 MHA 1983, 2 of these were under the age of 18 and 1 was recorded as not known. Of the 129 people, 89 were male and 40 female. All were conveyed to a place of safety, 75 by Ambulance, 52 by a police vehicle, and 2 not known.
52. The places of safety are documented as Hospital 121, and the front reception area of a police station 2 and a private home care 2, not known as 1 and other 1. The two under 18 years of age, both attended hospital. These figures are highlighted within Appendix 4 within figures 9, 10 and 11.

## **Use of Force**

### **Background**

53. Police use of force follows the College of Policing Authorised Professional Practise (APP) which states that any officer considering the use of force must consider three core questions:
- Would the use of force have a lawful objective (for example, the prevention of injury to others or damage to property, or the effecting of a lawful arrest) and, if so, how immediate and grave is the threat posed?
  - Are there any means, short of the use of force, capable of attaining the lawful objective identified?
  - Having regard to the nature and gravity of the threat, and the potential for adverse consequences to arise from the use of force (including the risk of escalation and the exposure of others to harm) what is the minimum level of force required to attain the objective identified, and would the use of that level of force be proportionate or excessive?

54. The National Decision Making model (NDM) is central to each decision an officer makes, with decisions on use of force being made in fast moving, high risk and stressful situations, often in a split second.
55. The Criminal Law Act 1967, the Police and Criminal Evidence Act 1984, Common Law and the rights and freedoms contained within the European Court of Human Rights (ECHR) govern the police use of force. The requirement that domestic law and ECHR impose is that, if possible, non-violent means should be used to resolve an incident before force is used.
56. The Criminal Law Act 1967, the Police and Criminal Evidence Act 1984 and common law apply to all uses of force by the police and require that any use of force should be 'reasonable' in the circumstances. Reasonable in these circumstances means:
- Absolutely necessary for a purpose permitted by law
  - The amount of force used must also be reasonable and proportionate (ie, the degree of force used must be the minimum required in the circumstances to achieve the lawful objective) otherwise, it is likely that the use of force will be excessive and unlawful.
57. Earlier this year, the Independent Police Crime Commission (IPCC) published their report 'Police use of force; evidence from complaints, investigations and public perception,' as a result of a comprehensive study of many aspects of this subject. This report made a number of recommendations, most for police forces, but some also for the National Police Chiefs Council (NPCC), College of Policing, Her Majesty's Inspectorate of Constabulary (HMIC) and Police and Crime Commissioners (PCCs).
58. It was recommended that where forces record data about the use of force, PCCs should ensure data is collected and analysed and that action is taken to follow up on trends or issues of concern. It was also recommended that PCCs ensure that forces develop an action plan to take forward the recommendations from the study.
59. A recommendation for the NPCC is to develop national recording standards and provide guidance on the use of the data collected, recognising that forces currently record force differently, some comprehensively and some not at all.

## **Current Position**

60. In addition to the Use of Force APP, the Force also has a standard operating procedure covering local practises. This states that a record is to be created when one of the following techniques or tactics is used:
- Handcuffing (compliant and non-compliant)
  - Unarmed skills (including pressure points, strikes, restraints and take downs)
  - Use of dogs
  - Drawing or use of baton
  - Drawing or use of irritant spray

- Limb / Body restraints
  - Spit guard
  - Shield
  - Conductive Energy Device (C.E.D. currently TASER) (in any of the 7 categories of use)
  - Attenuating Energy Projectile (AEP): drawn or discharged
  - Firearms: drawn or discharged
  - Other / improvised
61. At present the Force uses the Human Resources system for capturing use of force information from officers and although this system has fulfilled the purpose for a number of years, it has been challenging to extract and scrutinise data and it does not capture all of the elements required by the forthcoming new standard.
62. Following on from their recommendation to develop a national recording standard, this was circulated to forces by the relevant NPCC lead in July, with an expectation that forces will have the new standard in place for recording from the 1<sup>st</sup> October 2016. In line with the new standard, the Force's SOP will be reviewed and updated to reflect the changes.
63. Options have been explored and the Force plans to progress with an app developed and trialled by West Yorkshire Police, who use the 'Pronto' mobile working solution, which has also been adopted by CoLP this year. The app is fully compliant with the required standard, provides a number of business benefits and will allow us to monitor and extract data with ease, whilst allowing officers to access and record a use of force report easily on their mobile device.
64. The Force has set up a new working group earlier this year, the Stop and Search and Use of Force working group, recognising the additional work that was required in both of these areas for progression of action plans and to increase scrutiny of and transparency of data. An action plan has been developed to progress the recommendations made by the IPCC and progress is monitored and updated monthly by the working group.
65. The Force has also set up a new Community Scrutiny Group, focused on not just stop and search as was previously the case, but also use of force and deployment of Taser. This group has community membership including Nick Bensted-Smith, a Member of Police Committee and a member of the Independent Advisory Group and new members are actively being sought.

### **Professional Standard Department monitoring of use of force**

66. The Professional Standard Department (PSD) who govern the discipline, complaints and conduct matters are categorised in accordance with Home Office categories. Use of Force is not one of those categories. There are, however categories which fall into the overarching theme 'Use of Force';
- Serious non-sexual assault (A)

- Sexual assault (B)
- Other assault (C)
- Oppressive conduct or harassment (D)
- Unlawful/unnecessary arrest or detention (E)
- Other (W)

67. All complaints and conduct matters are reported to the Professional Standards and Integrity Sub-Committee quarterly. This Sub Committee reports to the Police Committee, which acts on behalf of the Court of Common Council as our 'police authority'. The quarterly report is an analytical document which, amongst other things reports on any identified themes. Summaries of all concluded PSD investigations are presented to the Members.

Internally there are a number of other ways in which emerging trends are identified and dealt with;

- Tactical Coordination and Tasking – this is held fortnightly and any identified emerging trends can be brought to the attention of our Senior Management Team (SMT) for action plans to be developed where appropriate.
- Subject Intervention Matrix – (SIM). The conduct records of Officers and Police Staff who have been subject of complaint and/or conduct allegations are examined using a matrix system. The outcome of this process ('score') determines whether or not any proactive intervention is required to reduce the risk of further allegations or loss of public confidence.
- PSD Working Group – This meeting is held quarterly and chaired by the Director of PSD. Each of the Force Directorates is represented. Trends or other areas of risk are identified to the Directorate representatives for them to address with their respective SMT's.
- Organisational Learning Forum – Held quarterly and chaired by the Assistant Commissioner. PSD matters are discussed at this forum so that the organisation is able to benefit from learning resulting from both local and national investigations and themes.

## **Training in use of force**

68. COLP ensures its officers undertake the mandatory Personal Safety Training (PST). Human Resources and the Duty Planning departments keep an auditable process to record and monitor police officers, Police Community Support Officers (PCSO) and Dedicated Detention Officers (DDO) training status. A record is made of the content of training sessions, details of the staff trained, details of the assessment process, level of staff competence following assessment, occurrences, injuries sustained and near misses.

69. Within every six monthly period the Officer will undergo a single day training session of physical techniques which incorporate the guidance in Oome Office approved techniques and demonstration of use of the National Decision Model (NDM) in scenarios allowing Officers to quickly make applied decisions of spontaneous incidents or planned operation.

70. The Personal Safety Training contains five separate modules

- Module 1 – Managing Conflict
- Module 2 – Personal Safety
- Module 3 – Equipment and Restraints – Baton Incapacity/Irritant Spray, Handcuffs
- Module 4 – Role Specific Skills
- Module 5 – Refresher/Development

71. Staff must demonstrate both initial and ongoing competence for each of the techniques taught and be assessed as competent against the requirements of the National Occupation Standard. COLP ensures that personal safety training is delivered with such frequency as to maintain competence and development of skills and knowledge.

72. Officers are trained and fully aware they should use force only when other methods have proved ineffective, or when it is honestly and reasonably judged that there is no realistic prospect of achieving the lawful objective identified without force. The National Decision Model puts the Code of Ethics at the heart of all police decision making.

#### **Use of force data for 2015/16\*\*2**

73. CoLP has collated data of its Use of Force statistics for 12<sup>th</sup> August 2015 and 12<sup>th</sup> August 2016 (See footnote 2). This shows during this period officers have documented 737 incidents where Use of Force has been used. It displays that 155 women, 564 men and 18 not classified came into contact by way of Use of Force with CoLP police officers.

74. The figures express that 236 incidents were to affect an arrest with 1 being recorded as accidental.

75. Officers attend many differing incidents during their working duty and some are inevitably violent which is reflected by figures showing protecting oneself or other officers at 355 and concealment of items on person at 11.

76. More so than ever, police are called to members of the community who suffer mental health crisis as already highlighted within the report. Officers had to use force on 70 people to prevent self harm to the subject and 59 reports to protect secure property and evidence. The use to remove handcuffs is 3 and other not defined is 2

77. These figures clearly interpret how officers engaged with its community when called upon to initiate positive action and use of force.

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<sup>2</sup> Please note, this data set runs from 12<sup>th</sup> August 2015 to 12<sup>th</sup> August 2016- this is because the data was collated locally rather than from the Duty Management System which was undergoing an upgrade. Future reports to your Committee will give the financial year data.



## Conclusion

78. This report presents information to Members and the Force's current position on three key areas. This is the first report in this format, initially prompted by a number of HMIC and IPCC recommendations, but also recognising that these are important areas on which Members would wish to be informed. The data presented in this report will provide a baseline against which future annual reports can be considered, allowing a comparison to be made and potential issues or trends highlighted.
79. The City of London Police and City Corporation have processes in place to consider the welfare of children entering the custody environment and the force has further demonstrated its commitment by signing up to the 'Welfare of Children in Custody' Concordat. Data shows that on average around 10 children or young people enter City of London Police custody each month and over the period considered, none of these were charged and remanded overnight in police cells, with no requests made for overnight local authority secure accommodation. Data is captured by the Custody Manager on all children and young people entering police custody and shared with senior management, allowing on-going scrutiny and the identification of any potential issues.
80. The Force has standard operating procedures in place to manage mental health crises both in custody and outside on the street. CoLP does not use police cells as a place of safety for those identified as needing assistance on the street, with tried and tested processes in place under the agreement with the Homerton Hospital. Sadly, 129 people required assistance under section S.136 of the Mental Health Act in 2015/16, only 2 of these were under 18 and both were transported from the street direct to hospital. If someone is detained and a mental health issue is identified once in custody, a mental health assessment procedure is instigated. With the expected changes to the Mental Health Act under the upcoming Policing and Crime Bill, the Force is well placed to deal with these and will continue to monitor the situation to ensure our processes are updated in accordance.
81. There has been increased focus on police use of force as a result of the IPCC's comprehensive report considering all aspects of this area. A number of recommendations have come out of their study and the force has put together an action plan to assess compliance and monitor improvements in a number of areas. CoLP has recognised the importance of increased scrutiny in this area, setting up the Stop and Search and Use of Force working group to progress action plans and improve the recording, monitoring and transparency of data. A revised Community Scrutiny Group, considering use of force amongst other key areas, provides external scrutiny and will consider data quarterly, with this also being available on the force's website.

### Contacts

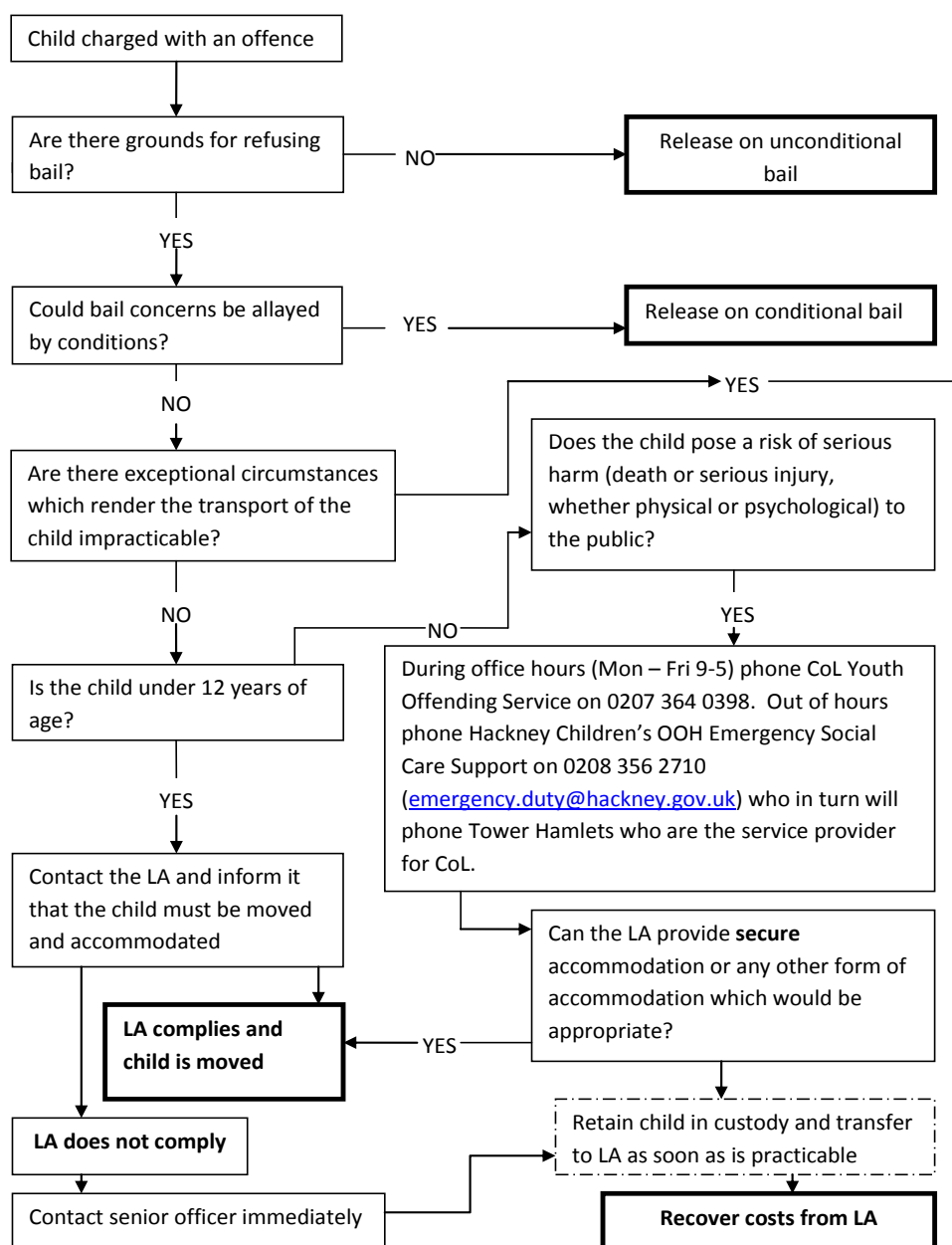
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## Appendix 1 – flow chart of custody procedure for detained Young Person and Children



### Police process for children in custody PACE s.38(6)



## **Appendix 2 – City of London process for finding accommodation for children**

### **1. Purpose and scope of protocol**

Children and young people can find being held in police custody distressing for a variety of reasons, and are recognised as being particularly vulnerable. Deprivation of liberty is to be likely the most invasive of state intervention in a child's life. The overriding principle of this protocol is that children should be bailed rather than remaining in police custody.

The purpose of this protocol is to reduce the time that children spend in police custody, by making pathways clear to suitable alternative accommodation where needed.

The protocol applies to children and young people who are aged between 10-16 years.

Reducing the time that children are in police custody requires clear communication and referral pathways. The City of London Corporation, due to unique composition, commissions its Youth Offending Service (YOS) from the London Borough of Tower Hamlets, and commissions its Emergency Duty Team (EDT) from the London Borough of Hackney. The City Corporation has its own police force. Therefore City of London children and young people may come to the attention of either the City of London Police or other police forces, most likely the Metropolitan Police.

This protocol aims to ensure that the City of London Police, Tower Hamlets and City of London YOS, Hackney EDT and City of London Children's Social Care Service work together to safeguard the welfare of young people held in police custody. The protocol covers:

- Interagency communication
- Alternatives to custody
- Welfare checks when children remain in custody
- Record keeping
- Monitoring the implementation of the protocol

The scope of the protocol covers those children who are denied police bail; it does not cover those children who are released on police bail who may need support and protection. In this case a referral to Children's Social Care would be required.

This protocol applies to young people who are subject to a PACE transfer (Police and Criminal Evidence Act 1984). The protocol does not cover those who are arrested for breach of bail or those held under warrant. These young people will be held in a police cell prior to their court appearance.

This protocol does not apply to secure accommodation being sought by the Local Authority on welfare grounds under s25 Children Act 1989.

## **2. Legal Framework**

Section 38(6) of the Police and Criminal Evidence Act 1984 (PACE) requires that a young person who is denied bail and detained overnight be transferred to local authority accommodation unless the custody officer decides it is impracticable to do so (s38(6)(a)), impracticable meaning that no secure accommodation is available and alternative local authority accommodation would not be adequate to protect the public from serious harm (s38(6)(b)).

Section 21(2)(b) Children Act 1989 says that every local authority shall receive and provide accommodation for children whom they are requested to receive under the above section of PACE .

## **3. Communication between the City of London police and City of London Children's Social Care**

The City of London Police will alert Children's Social Care of all children or young people coming to the attention of the police, including those denied bail and detained in custody. The alert will be via a 377 report (known as Merlin Reports outside of the City of London), and the alert will be raised regardless of where the child ordinarily resides.

To note: outside a situation needing an immediate response, with lower risk of harm, the City of London Children's Social Care will review the alert and respond to the situation and to the police within 24 hours.

## **4. Procedures for seeking local authority accommodation**

The underlying principle of this protocol is that wherever possible and safe, children should be bailed rather than remaining for long periods or overnight in a police cell.

Children under 12 years of age, and children between 10-16 with additional needs are likely to be particularly vulnerable in detention, and should not remain in custody overnight. Alternative accommodation should be arranged. In the rare incidence where bail cannot be given and alternative accommodation is not suitable, a decision to hold in the cell overnight should be made jointly by the Senior Inspector on Duty in conjunction with the Emergency Duty Team worker. Any such detention must be reported to the Assistant Director of the People Department the next working day.

High threshold for detention in police custody

In making any decision to deny bail, and consider local authority accommodation, the custody officer and EDT/YOS worker must show evidence of one the following:

- Failure to appear in court likely

- Further offences likely
- The child would suffer harm and needs incarceration for short term protection
- Others need protecting
- To protect police investigation
- Doubt as to identity/name/address
- The custody officer believes it is in the child's best interests

The social worker should advocate for the child to be bailed. The final decision rests with the custody officer. If bail is declined, then local authority accommodation should be considered. The social worker should seek suitable available accommodation and provide detail to the custody officer for consideration as to whether this would be an alternative to police detention or custody. Factors that might render local authority accommodation unsuitable would be risk to staff or other residents, including on transfer to, from and at placement. A child centred position will need to be taken on timing and placement.

All children in custody will have a telephone welfare check via EDT or YOS, dependant on the time of day.

Who to speak outside of ordinary working hours – 5pm to 9am, weekends and bank holidays

Whenever a child or young person is detained overnight in police custody in the City of London, the custody officer's first point of contact will be the Emergency Duty Team provided via Hackney Children's Services. This is regardless of where the child is ordinarily resident.

If the child or young person detained is ordinarily resident in the City of London, then the Emergency Duty Team worker will discuss alternative accommodation and suitability.

If the child or young person is resident outside of the City of London, then the custody sergeant needs to also call the Emergency Duty Team in the local authority in which they reside, to discuss alternative accommodation.

No child should be moved to a local authority placement after midnight, when a court appearance would be due in the morning, on account of the level of disruption resulting from the time taken to reach the placement, settling in to placement, and the need to allow for a period of sleep and then travel to court.

Who to speak to in the daytime – 9am to 5pm

If a resident child or young person is detained during the daytime in the City of London, then the custody officer's first point of contact is the duty worker at Tower Hamlets and City of London Youth Offending Service (YOS) (See communications manual).

If the child or young person detained is not ordinarily resident in the City of London, then the custody officer will call the Youth Offending Service responsible for that area.

## **5. Recording and monitoring**

CoL Children's Social Care uses Frameworki (FWi), The London Borough of Hackney records on Frameworki for all our EDT work, and the Tower Hamlets and City of London YOS uses YOIS. A protocol between City of London Children's Social Care and the Emergency Duty Team at the London Borough of Hackney agrees that EDT workers use Frameworki to record all work for the City of London. Email and telephone provide back up as needed.

Each child in custody must have a police record, and a social care record (at least a contact note). All contacts and conversations will be recorded in writing, YOS on YOIS, EDT and Children's Social Care on Frameworki, and the police on their system. This will include decision and rationale to deny bail, and decision and rationale to agree local authority accommodation.

The City of London commissions an Appropriate Adult service, and the City of London police will contact this service for all children in custody (see communication manual).

City and Tower Hamlets YOS, and City and Hackney EDT will provide quarterly reports on the young people detained in custody as part of their quarterly monitoring returns. This will be collated for the City of London Children's Social care, by the commissioning service.

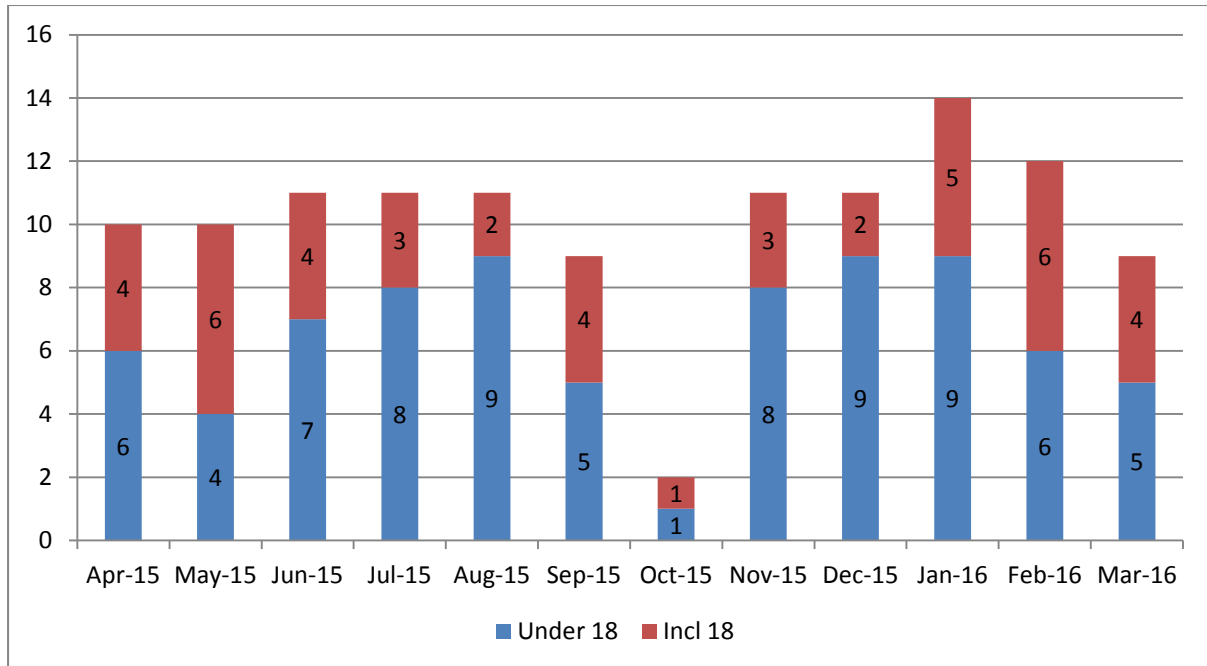
## **6. Summary**

- a. As per current agreement, City of London Children's Social Care will be informed of all children coming to notice of City of London police via 377 (Merlin) notification.
- b. The custody officer must always inform the home Local Authority of any young person denied bail, and who they intend to keep in custody.
- c. If the home authority is the City of London Corporation, between 9am-5pm, the custody officer will inform City and Tower Hamlet's YOS. Out of hours, the custody officer will call City and Hackney's Emergency Duty Team.
- d. The custody officer can contact City of London Children's Social Care between 9am-5pm for advice and guidance as needed.
- e. The presumption will be that bail will be given.
- f. Where bail is not allowed, the custody officer will call EDT/YOS and discuss local authority accommodation. The young person should then be transferred to this accommodation.
- g. Where such accommodation is unsuitable, decisions must be made jointly by the custody officer and the local authority officer and recorded.

- h. The Assistant Director of the People Department will be informed of any child with additional needs who is detained in police custody on the next working day.

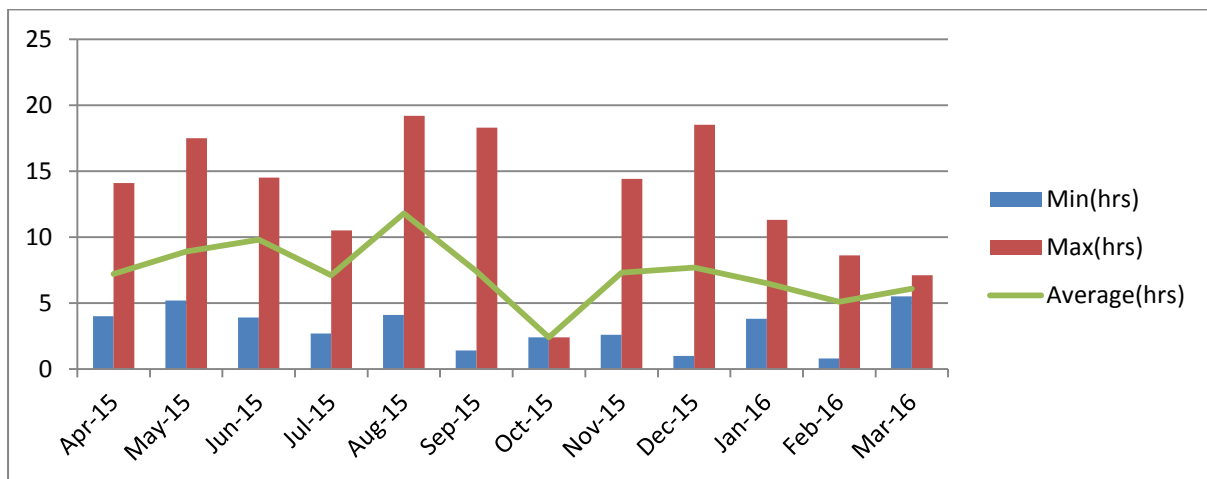
## Appendix 3 – Custody Data: Children and Young Persons

Figure 1: Number of children and young people including 18 year olds in custody 2015/16



Source: NSPIS Custody System

Figure 2: Length of time detained [under 18]



Source: NSPIS Custody System

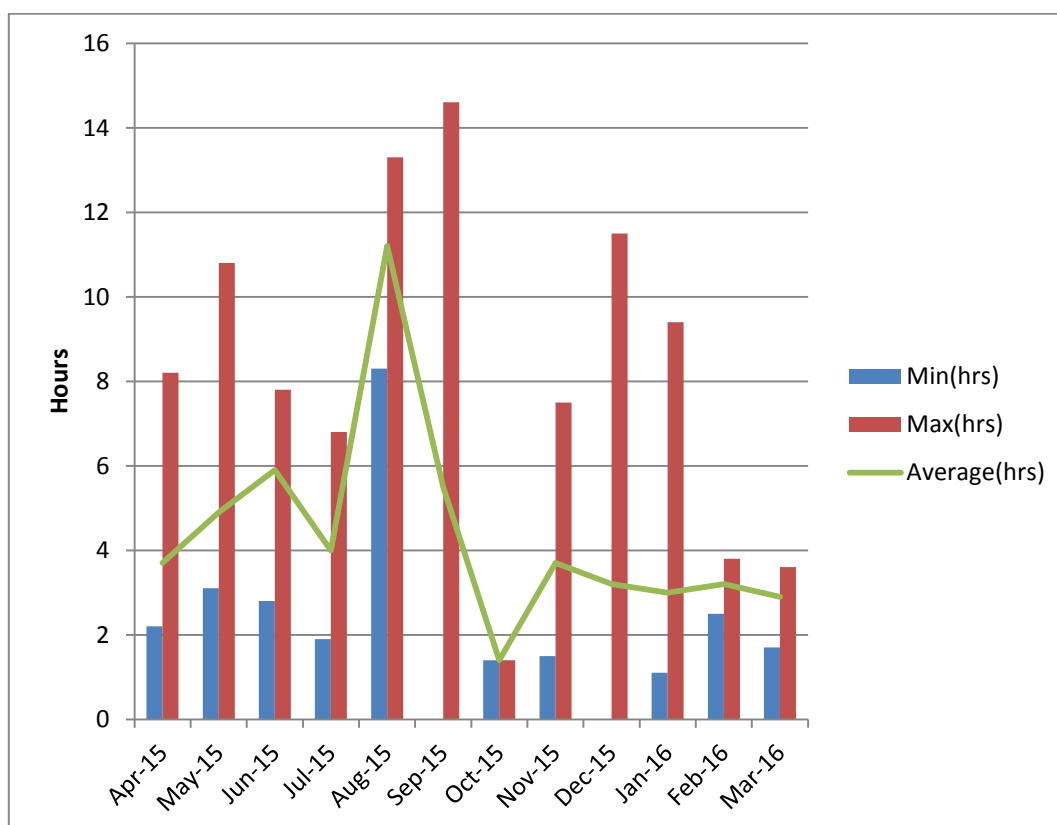


**Figure 3: Average time spent in police custody by children and young people 2015/16**

Year	Month	Time
2015	April	7.2hrs
2015	May	8.9hrs
2015	June	9.8hrs
2015	July	7.1hrs
2015	August	11.8hrs
2015	September	7.4hrs
2015	October	2.4hrs
2015	November	7.3hrs
2015	December	7.7hrs
2016	January	6.5hrs
2016	February	5.1hrs
2016	March	6.1hrs

Source: NSPIS Custody System

**Figure 4: Minimum and maximum length of time spent whilst waiting for an appropriate adult**



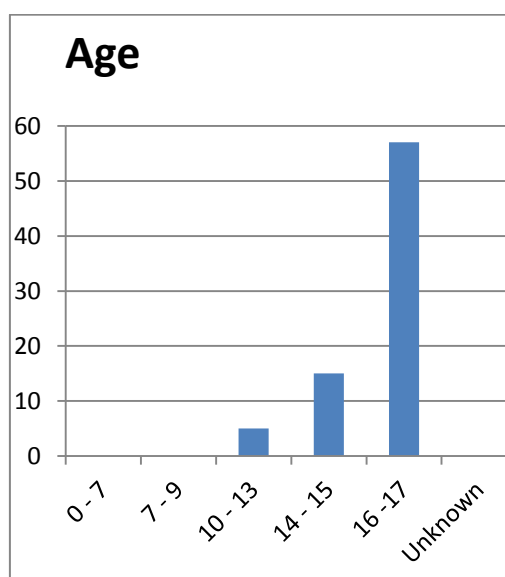
Source: NSPIS Custody System

**Figure 5: Average length of time spent awaiting an appropriate adult 2015/16**

<b>Year</b>	<b>Month</b>	<b>Time</b>
2015	April	3.7hrs
2015	May	4.9hrs
2015	June	5.9hrs
2015	July	4hrs
2015	August	11.2hrs
2015	September	5.5hrs
2015	October	1.4hrs
2015	November	3.7hrs
2015	December	3.2hrs
2016	January	3hrs
2016	February	3.2hrs
2016	March	2.9hrs

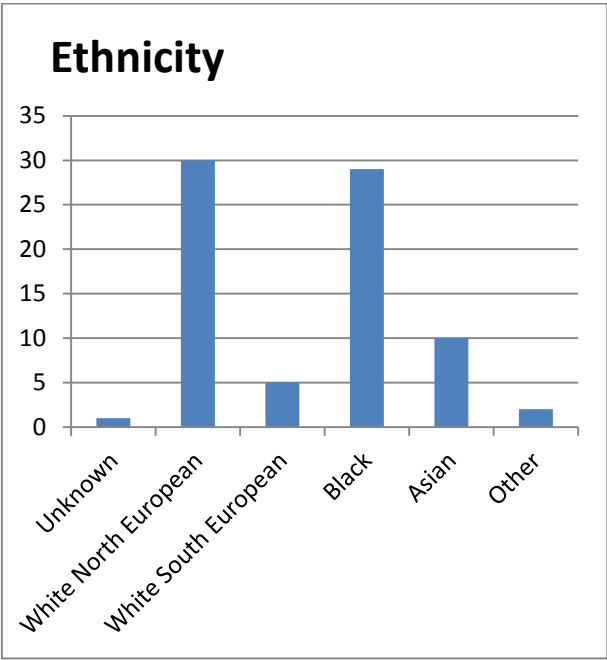
Source: NSPIS Custody System

**Figure 6: Children and young people in police custody by age 2015/16**



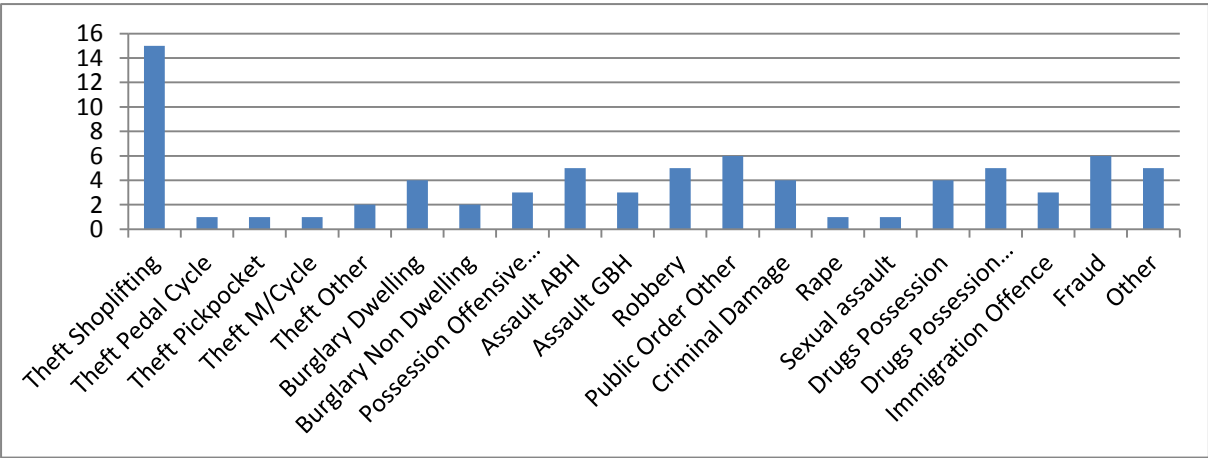
Source: NSPIS Custody System

Figure 7: Children and young people in police custody by ethnicity 2015/16



Source: NSPIS Custody System

Figure 8: Offences for which children and young people held in police custody 2015/16



Source: NSPIS Custody System

## Appendix 4 - Section 136 Mental Health Act 1983

**Figure 9 Age of people suffering Mental Health Crisis**

136 MHA 1983 during Apr 2015- Mar 2016	136 MHA
18 and over	126
Under 18	2
Unknown	1
	Total 129

Source: CoLP Community Engagement

**Figure 10 Method of transportation from scene of Mental Health Crisis**

136 MHA 1983 during Apr 2015- Mar 2016	Number
Ambulance	75
Police Vehicle	52
Unknown	2
	Total 129

Source: CoLP Community Engagement

**Figure 11 Place of safety attended following Mental Health Crisis**

136 MHA 1983 during Apr 2015- Mar 2016	
Hospital	126
Reception at police station	2
Private Home	2
	Total 129

Source: CoLP Community Engagement

### Background Documents

- 1) Use of Force Data (Showing Suspect Gender, Ethnicity and Age with Use of Force reason (between August 2015 - July 2016)
- 2) IPCC Report: Use of Force
- 3) NPCC Use of Force Monitoring Form: Guidance
- 4) NPCC Use of Force Monitoring Form

<b>Committee(s):</b> Police Committee- For information	<b>Date:</b> 22 <sup>nd</sup> September 2016
<b>Subject:</b> Annual Report on Professional Standards Activity – 2015/16	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 42-16	<b>For Information</b>
<b>Report author:</b> D/ Supt Dermont Robinson & PC Ann Roberts, PSD	

## Summary

This report provides a comprehensive overview of activities relating to Police Professional Standards during the period April 2015 to March 2016, giving an account of both the work of your Professional Standards and Integrity Sub-Committee and of the Force's Professional Standards Department (PSD) during this period. It will also refer to some activity outside the reporting period and will highlight where this is the case.

Your Sub Committee discharges an essential role of oversight and scrutiny of the Force's handling of complaint and conduct matters. It also provides invaluable support to the work of the Organisational Learning Forum (OLF) and the Force's Integrity Standards Board (ISB) incorporating The Code of Ethics.

This report also provides a summary of performance statistics which are submitted annually to the Independent Police Complaints Commission (IPCC). Overall the recorded number of complaint cases has increased very slightly in this period. This is attributable to additional complaints relating to Action Fraud, the fraud reporting authority run by the Force which has a national remit. Figures are low relative to the number of interactions with the public and to the complaint figures for other Forces.

The City of London Police's PSD performs well in terms of recording complaint cases within the target of 10 days (94% against a national average of 88%). The time the Force takes to complete an investigation is also lower than the national average (53 days compared to the national average of 107 days).

Following the success of improved internal communication and PSD training inputs across the Force, PSD has seen an increase in internally referred conduct matters, intelligence and whistle-blowing. This has seen a growth in internal investigations often of a complex nature.

The Organisation Learning Forum (OLF) monitors trends identified as potential concerns and identifies where action such as changes to operational procedures or specific training might drive service improvements. During 2015/16 examples of action taken following OLF include a number of changes to procedures, such as Gifts & Hospitality, management of property, Sexual Predatory behaviour and Integrity issues surrounding the use of the corporate credit card.

*NB: For the benefit of Members, a glossary of technical terms has been included as an Appendix.*

## Recommendations

That the report is received and its contents noted.

## **Main Report**

### **The Professional Standards and Integrity Sub-Committee**

1. The Professional Standards and Integrity Sub-Committee chaired by Alderman Alison Gowman, has responsibility for providing detailed oversight of professional standards in the City of London Police. During 2015/16, it received statistical updates on complaint cases and trends relating to (a) the nature of allegations in complaints, and (b) the means by which those allegations are resolved. The Sub-Committee continues to perform a highly detailed scrutiny function to examine the casework of every complaint recorded by the Force – this is unique among all Offices of Policing and Crime Commissioners and local policing bodies.
2. The Sub Committee has worked with the Director of the Professional Standards Department to examine the statistics and papers provided and to ensure the robustness of the documents supplied. There is a cognisance of and understanding that, following efficiency savings, a proper level of scrutiny must be maintained.
3. In 2015/16 the Sub-Committee continued to look at matters of conduct; it received updates on all misconduct meetings and hearings which had been dealt with by the Force. The Sub-Committee also receives updates on Unsatisfactory Performance Procedures (UPP), which concern performance or attendance issues (as opposed to misconduct). It continues to receive six-monthly updates by the Comptroller & City Solicitor on Employment Tribunal cases concerning police officers and police staff. These outline the nature of claims and the outcome of cases. A report from the Integrity Standards Board with the integrity dashboard is also scrutinised. This includes matters such as the gifts & hospitality received by NPCC leadership team.
4. The Sub-Committee continues to support the Force in ensuring themes identified in complaint or conduct cases are progressed as issues of Organisational Learning. The Force's Organisational Learning Forum (OLF), chaired by the Assistant Commissioner, includes representation from all Force Directorates and has a series of working groups focusing on specific areas of organisational learning, including PSD, Custody and Public Order. The Sub-Committee is represented by Oliver Bolton, from the Town Clerk's Department, who attended meetings of the OLF in 2015/16, and the Sub-Committee received a digest of highlighted areas/themes of learning at every meeting.

### **The Work on Police Integrity & Code of Ethics**

5. The Assistant Commissioner is the Force strategic lead for the City of London Police Integrity Plan, and as such informs the Sub Committee with an executive summary and dashboard of Integrity monitoring across the Force. This includes reports from the Hospitality/Gifts Register, Business Interests of officers and police staff, corporate credit card use, and contacts with the media. During 2015/16, the Chairman of the Sub Committee attended the Integrity Standards Board (ISB), to provide independent oversight. The ISB delivers the activities within the Integrity Action Plan and proactively monitors areas highlighted for further enquiry in the Integrity dashboard. The dashboard has been reviewed by the Chairman to ensure that the areas within are relevant.

6. During the course of 2015/16 the Professional Standards Department promoted the Code of Ethics as essential in providing the most professional service to our communities. PSD has continued to work with the Corporate Communications team during 2016 to assist in delivering this message Force wide.
7. PSD has undertaken a review of force SOPs / Policies to ensure compliance with the College of Policing's Approved Professional Practice. This work has continued into 2016 with emphasis on the integrity of financial claims.
8. During 2015/16 the HM Inspectorate of Constabulary (HMIC) visited the City of London police as part of its efficiency inspection programme. There were no specific PSD or Integrity thematic inspections conducted during the period covered by this report.
9. The Office of Surveillance Commissioners (OSC) completed an inspection which included the Professional Standards Department (PSD). There were no recommendations provided by the OSC to PSD.
10. PSD Counter Corruption Unit (CCU) reviewed the Gifts and Hospitality policies to capture meaningful data for integrity monitoring. They have also worked in partnership with the Corporation to improve the procurement processes and associated integrity monitoring. During 2015 the CCU procured integrity data monitoring software, however this still awaits IT installation. No timeframe has yet been provided.
11. PSD delivered training for new student recruits, special constables and uniformed groups, highlighting integrity issues that are the highest risk areas for staff during the previous year. Further bespoke workshops are planned during 2016/17 to provide a PSD update on current threats or trends.

### **The Independent Police Complaints Commission (IPCC)**

12. The IPCC collects complaint data from all 43 Forces in England and Wales and produces a quarterly statistical bulletin. Each Force is provided an individual Bulletin containing complaint data, data compared to the "most similar force" (which the CoLP does not actually have given its unique size and remit) and national data. The IPCC also reports on its own performance. It produces an Annual Report on complaint statistics which allows Forces to see all national Force data together and outlines any national trends on the reporting, investigation and appeals to the IPCC. This year the IPCC has upgraded the technology to produce these statistics bulletins. They have therefore only been able to publish limited bulletins this year. We await the full annual report for all Forces for the previous year's data 2015/16. The IPCC acknowledged the complaints generated from Action Fraud are distinct from those relating to CoLP and reflect its national remit; however these are not shown separately from the statistics for CoLP.
13. Of the matters CoLP PSD referred to the IPCC during 2015-16<sup>1</sup>, the method of investigation decisions by the IPCC were for 13 to be locally investigated by

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<sup>1</sup> Rolling year – some matters recorded during the previous quarter or year

CoLP, 2 to be independently investigated by the IPCC and 1 to be supervised by the IPCC. 4 were returned to CoLP for the Force to deal with locally, not necessarily by means of an investigation. Currently the IPCC is conducting 4 independent investigations into CoLP officers. This increase in independent investigation reflects the government's ambition to increase the span and scope of the IPCC involvement, rather than an increase in more serious cases in CoLP. During 2015/16, the IPCC aimed to take on between 400 and 700 new investigations rising to over 1,000 in 2016/17,

14. According to IPCC data, the City of London Police's PSD performs well in terms of recording complaint cases within the target of 10 days (94% against a national average of 88%). The time the Force takes to complete an investigation is also lower than the national average (53 days compared to the national average of 107 days).

## Complaints

### Recorded Complaints

	Complaints	Allegations	Complainants
<b>2015/16 Number (excl Action Fraud)</b>	106	152	114
<b>Action Fraud</b>	155	159	159
<b>Total</b>	<b>261</b>	<b>311</b>	<b>273</b>
<b>2014/15 Number (excl Action Fraud)</b>	124	179	137

15. The City of London Police is the national Lead Force within the UK for Economic Crime investigation and since April 2013 receives all reports of fraud reported across England and Wales through the 'Action Fraud' reporting process. Complainants who previously would have directed their complaints to their local force are now directing them to the City of London Police. The IPCC has acknowledged the complaints generated from Action Fraud reflect its national function, but the figures are included with the City of London data due to falling within the remit of the City of London Police Appropriate Authority.
16. Eleven cases contained a total of thirteen allegations of "discriminatory behaviour" (10 Race, 2 Disability, 1 other). Eight of these allegations were "not upheld"<sup>2</sup>, following a PSD investigation. One was disappplied by force and at the close of the period, the remainder are ongoing investigations.

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<sup>2</sup> See Appendix A Glossary of Technical Terms



## Allegations Recorded

17. A total of 311 allegations were recorded in 2015/2016. In terms of nature of allegations, the *highest* categories were:

Type:	Number allegations:	Overall percentage
Operational management decisions	86	28%
General Policing Standards	59	19%
Other neglect or failure in duty	24	8%
Incivility, impoliteness and intolerance	24	8%
Discriminatory behaviour	13	4%
Other Assault	13	4%
Other irregularity in procedure	11	3%

18. Operational management decisions and General Policing Standards allegation types are almost all relating to Action Fraud.

19. Comparison with the highest national allegation categories shows that the CoLP mirror these trends, accounting for 27% of the total allegations recorded<sup>3</sup>. These are (a) Other neglect or failure in duty (24) (b) Incivility (24), (c) Other Assault (13), (d) Oppressive Conduct (7), (e) Lack of fairness & impartiality (7), (f) Unlawful/unnecessary arrest (10).

20. Compared to 2014/15 figures, the highest recorded allegation categories are all similar percentages in this reporting period. The exception are the allegations recorded for the Direction and Control matters relating to Action Fraud where "Organisation Decisions" has changed from 51% to Operational Management Decisions (28%) and General Policing Standards (19%). This reflects a change in recording methodology and a combined percentage of 47%.

## Finalised Allegations

21. In the last year, the PSD finalised a total of 265 allegations, 92 of which were investigated by PSD. A total of 6 (7%) were upheld - (national average 2014/15 was 14%). National data for upheld complaints for 2015/16 is not currently available but current figures are believed to be lower than average.

22. There has been an increase in Local Resolution as a means to finalise allegations. A total of 163 allegations were finalised by means of Local Resolution, equating to 69%. (The national average for 2015/16 is 38%). Action Fraud figures have a positive impact upon Local Resolution data.

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<sup>3</sup> IPCC National Statistics 2013/14 published via IPCC website Feb 2015

## **Complainant Ethnicity**

23. PSD does record data relating to the ethnicity of the complainant. However, meaningful data is difficult to collect as complainants are often reluctant to self-identify. 188 out of the 273 complainants (69%) did not state their ethnicity. The highest category recorded is White British, 47 complainants have self-defined their ethnicity within this group (17%).
24. Of the total 273 complainants, 170 stated they were male, 75 female and in 28 cases gender is unknown. Most complainants do not state age, but from what the Force has recorded, the highest category is 30-39 years of age. This is the same as the previous year.
25. PSD complaint diversity data is published on the City of London Police website. The above statistics reflect the national profile of complainant.

## **Organisational Learning Forum and PSD Working Group**

26. Learning issues are central to the work of PSD. Complainants often express that they want the officer/organisation to acknowledge what went wrong, and understand how the Force will ensure that similar issues will not happen again. The Organisational Learning Forum (OLF) has been operating for eight years and meets on a quarterly basis.
27. The work of the OLF cuts across the organisation; it is a decision making forum and if necessary issues are escalated to the Force's Strategic Management Board (SMB). The OLF has the responsibility for the strategic overview of learning across all Directorates. It is supported by tactical groups focusing on Custody, Public Order and Stop and Search to tackle learning on a local level.
28. In addition there is a Professional Standards Department Working Group (PSDWG) which is attended by a member of the Town Clerk's Department, representing the Sub-Committee. This working group includes representation from across the CoLP and shares learning identified as a result of complaints and misconduct investigations. It will direct any immediate actions required and any identified PSD learning issues that need to be addressed at a more strategic level are elevated to the OLF. The PSDWG also reviews the 'Learning the Lessons' bulletins issued regularly by the IPCC and ensures that lessons contained within them are addressed and disseminated across the Force.
29. During 2015-16, the PSDWG took the lead on a number of topics identified as areas for organisational learning, for example:-

### **Sexual Predatory Behaviour**

- To identify risk within the organisation and promote 'Safecall' an independent means for members of staff to report such behaviour.

### **Gifts & Hospitality**

- Updated and improved Force policy and Standard Operating Procedures.
- Improved management through the Leadership programme and recording of Gifts and Hospitality.
- "Triple A" and broadcast messages to reinforce messages across CoLP.

### Integrity

- Corporate credit card usage surrounding welfare gifts to staff and the requirement to produce of original receipts.

### Property

- Issues identified regarding the way CS incapacitant stored in locker rooms. Safer storage introduced.
- Examination of property exhibit system following the seizure of property lost prior to court.

## **Criminal Investigations**

30. During 2015/16, an officer was arrested by the Metropolitan Police Service (MPS) in connection with an assault. No criminal prosecution ensued and no further action has been taken by the CoLP.
31. One member of police staff was arrested by the CoLP in connection with an allegation of theft of police equipment. The member of staff subsequently accepted a criminal caution and was dismissed from the Force.

## **Misconduct**

32. Misconduct can be categorised as being either 'misconduct' or 'gross misconduct', the latter being the more serious. Where it is determined that an officer has a case to answer, misconduct matters are heard at a misconduct meeting and, as a result of legislative changes introduced during 2015, gross misconduct is now dealt with by means of a public hearing with a legally qualified chair. These changes will generate an increased demand on PSD personnel in respect of both the planning and delivery of public hearings

33. During the reporting period 2015/16, 19 misconduct cases were recorded within PSD. A total of 17 misconduct cases were finalised during the reporting period (some of these cases had been carried over from 2014/15). 2 misconduct cases originated from a public complaint. Currently 8 misconduct cases remain live investigations. Of the misconduct cases finalised during the reporting period the outcomes<sup>4</sup> were as follows:-

a) Misconduct Hearings

There were two Misconduct Hearings held. One officer was dismissed without notice. One was given formal management words of advice.

b) Misconduct Meetings

There were three Misconduct Meetings held. One officer received a written warning. One officer received formal management advice. The third resulted in no further action being taken<sup>5</sup>.

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<sup>4</sup> Some cases involve more than one officer & those involved may receive different disciplinary outcomes

<sup>5</sup> This meeting was the outcome from the misconduct identified within the public complaint so remains recorded under the complaint not conduct matter.

c) Management Action

In two cases there was a Case to Answer and the officers were given formal management action.

d) No Action

In eight cases there was No Case to answer and no further action was taken against the officers. In three cases there was No Case to answer but the officers received words of advice.

e) UPP

In one case, the investigation found no case to answer but recommended UPP.

## **Unsatisfactory Performance Procedures**

34. During the reporting period two instances of UPP were recorded. Both related to sickness levels.

## **Staffing**

35. 2015/16 has seen a new Assistant Commissioner appointed in the City of London, Alistair Sutherland, who oversees the work of the Professional Standards Department within Business Support Directorate. The position of Director of Professional Standards has been filled by D/Supt Dermont Robinson following the retirement of D/Supt Martin Kapp. Two newly appointed investigators joined PSD in April 2016, succeeding staff moving to new departments. Looking ahead into 2016/17, PSD is looking for a phase of stability following a period of temporary Appropriate Authority cover for maternity leave and the appointment of the new Director.

36. At the 2016 Force Awards, a celebration of staff achievements and voted by colleagues across the Force, two members of PSD staff were recognised. One received Special Constable of the Year, and another officer received Trainee Investigator of the year. This is an incredible achievement for not only these individuals but a reflection on the whole department. Whilst falling outside the period covered by this report it worth highlighting that the three special constables who work within PSD have been short listed for the Lord Ferrers award, a National annual award for Special Constables with a ceremony taking place on the 15<sup>th</sup> Sept 2016.

## **Conclusion**

37. The City of London continues to host a range of significant events and to experience a thriving night time economy. It has one of the highest daily population densities anywhere in the country, yet the number of complaints against police officers remains relatively low<sup>6</sup>. However the number of complex and multiple complaints and conduct matters has increased. There are also more investigations which have IPCC involvement with an increase in referrals made from 21 in 2014/15 to 24 in 2015/16.

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<sup>6</sup> CoLP recorded 128 allegations per 1000 employees, National Average 293 allegations per 1000 employees Q4 2014/15 – *Police Workforce, England and Wales, 31<sup>st</sup> March 2014 (National Statistics)*

38. The increased emphasis on learning has led to some significant changes within the Force, both in terms of improved operational procedures and in positive changes in officer behaviour. There is now a greater emphasis on the Code of Ethics and the National Decision Model.
39. Following the success of internal communication and PSD training inputs across the Force, PSD has seen an increase in internally referred conduct matters, intelligence and whistle-blowing. This resulted in a growth in internal investigations often of a complex nature reflected by the increase in referrals to the IPCC.
40. Whilst the number of complaints against City of London officers is relatively low compared to the National statistics there is a year on year increase (as reflected in the National statistics). However, due to the austerity measures and budget constraints of all police departments there has been no increase of police personnel to deal with the increase of complaints or complex conduct cases. PSD has been the forerunner of the Force to employ Special Constables in a specialist role and have three special constables who have been vetted and are committed to working in the area of PSD on a regular basis. PSD continues to look for areas where volunteers and smarter working practices can be employed to assist in dealing with complaints and conduct matters concisely, impartially and ensuring that the City of London continues to deliver an exceptional policing service.

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## Annex A: glossary of terms

**Complaint case:** A single complaint case may have one or more allegations attached to it, made by one or more complainants, against one or more persons serving with the police.

**Allegation:** An allegation may concern the conduct of a person or persons serving with the police or the direction and control of a police force. It is made by someone defined as a complainant under the Police Reform Act 2002 (see '*complainant*' below). An allegation may be made by one or more complainants. A complaint case may contain one or many allegations. For example, a person may allege that they were pushed by an officer and that the officer was rude to them. This would be recorded as two separate allegations forming one complaint case. An allegation is recorded against an allegation category.

**Direction and control:** The IPCC considers the term 'direction and control' to mean general decisions about how a force is run, as opposed to the day-to-day decisions or actions of persons serving with the police, which affect individual members of the public including those that affect more than one individual.

**Local resolution:** For less serious complaints, such as rudeness or incivility, the complaint may be dealt with by local resolution. Local resolution is a flexible process that can be adapted to the needs of the complainant. A local police supervisor deals with the complaint, which might involve providing an explanation or information; an apology on behalf of the force; providing a written explanation of the circumstances and any action taken; or resolving the complaint over the counter or by telephone.

**Investigation:** If a complaint is not suitable for local resolution, it must be investigated. This involves the appointment of an investigating officer who will investigate the complaint and

produce a report detailing the findings about each allegation and any action to be taken as a result of the investigation.

There are different types of investigation:

- **Local investigations** are carried out entirely by the police. Complainants have a right of appeal to the relevant appeal body following a local investigation.

- **Supervised investigations** are carried out by the police under their own direction and control. The IPCC sets out what the investigation should look at (which is referred to as the investigation's 'terms of reference') and will receive the investigation report when it is complete. Complainants have a right of appeal to the IPCC following a supervised investigation.

**Disapplication:** Disapplication only applies to allegations linked to complaint cases received on or after 22 November 2012.

A full list of the allegation categories available and their definitions can be found in the IPCC's Guidance on the recording of complaints. There are certain circumstances in which a complaint that has been recorded by a police force does not have to be dealt with under the Police Reform Act 2002 (PRA 2002). For allegations linked to complaint cases received on or after 22 November 2012, this is called disapplication. It can only happen if certain circumstances apply:

- If more than 12 months have passed between the incident, or the latest incident, giving rise to the complaint and the making of the complaint and either no good reason for the delay has been shown or injustice would be likely to be caused by the delay.

- If the matter is already subject of a complaint made by or on behalf of the same complainant.

- If the complainant discloses neither their name and address nor that of any other

interested person and it is not reasonably practicable to ascertain these.

- If the complaint is repetitious.
- If the complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.
- If it is not reasonably practicable to complete the investigation or any other procedures under the PRA 2002.

If the complaint was not required to be referred to the IPCC, the police force can carry out a disapplication. If the complaint was referred to the IPCC and the IPCC has either referred the complaint back to the force or determined the form of investigation, the force must apply to the IPCC for permission to carry out the disapplication.

**Dispensation:** Dispensation only applies to allegations linked to complaint cases received before 22 November 2012.

There are certain circumstances in which a complaint that has been recorded by a police force does not have to be dealt under the Police Reform Act 2002 (PRA 2002). For allegations linked to complaint cases received before 22 November 2012, this is called dispensation. It can only happen if certain circumstances apply:

- If more than 12 months have passed between the incident, or the latest incident, giving rise to the complaint and the making of the complaint and either no good reason for the delay has been shown or injustice would be likely to be caused by the delay.
- If the matter is already subject of a complaint made by the same complainant.
- If the complainant discloses neither their name and address nor that of any other interested person and it is not reasonably practicable to ascertain these.
- If the complaint is repetitious.

- If the complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.

- If it is not reasonably practicable to investigate the complaint.

**Discontinuance:** A discontinuance ends an ongoing investigation into a complaint. It can only occur if certain circumstances apply:

- If a complainant refuses to co-operate to the extent it is not reasonably practicable to continue with the investigation.
- If the force decides the complaint is suitable for local resolution.
- If the complaint is repetitious.
- If the complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.
- If it is not reasonably practicable to proceed with the investigation.

If the complaint was not required to be referred to the IPCC, the police force can discontinue a local investigation; otherwise, they must apply to the IPCC for permission to discontinue the investigation. In the case of a supervised investigation, the police force has to apply to the IPCC for permission to discontinue the investigation.

**Withdrawn:** A complainant may decide to withdraw one or more allegations in their complaint or that they wish no further action to be taken in relation to their allegation/complaint. In this case, no further action may be taken with regard to the allegation/complaint.

**Investigation outcomes:**

- Unsubstantiated / Substantiated: These are the outcomes of allegations that have been judged solely in terms of whether evidence of misconduct was found. This outcome will only apply to allegations linked to complaint cases



recorded before 1 April 2010. As time progresses there will be fewer allegations with these outcomes.

- **Not upheld / Upheld:** As of 1 April 2010, police forces are expected to also record whether a complaint is upheld or not upheld. A complaint will be upheld if the service or conduct complained about does not reach the standard a reasonable person could expect. This means that the outcome is not solely linked to proving misconduct.

**Sub judice:** After recording a complaint, the investigation or other procedure for dealing with the complaint may be suspended because the matter is considered to be sub judice. This is when continuing the investigation / other procedure would prejudice a criminal investigation or criminal proceedings. There are a number of factors police forces should consider when deciding whether a suspension is appropriate. The complainant must be notified in writing when the investigation / other procedure into their complaint is suspended and provided with an explanation for the decision. A complainant has the right to ask the IPCC to review that decision.

**Chief officer:** ‘Chief officer’ is a collective term that refers to the heads of police forces (chief constables for all forces except the Metropolitan Police and City of London Police, which are each headed by a commissioner).

**Non-recording appeal:** Under the Police Reform Act 2002, the police have a duty to record all complaints about the conduct of a serving member of the police or the direction and control of a police force.

Complainants have the right to appeal to the IPCC in relation to the non-recording of their complaint on a number of grounds. These are set out in the ‘findings’ section of the report. The appeal right in relation to direction and control complaints is limited; full details can be found in the IPCC’s Statutory Guidance.

**Investigation appeal:** This applies to all complaints investigated by the police force itself or where the investigation has been supervised by the IPCC. The complainant may appeal to the relevant appeal body on a number of grounds in relation to the investigation, which are set out in the ‘findings’ section of the report. There is no right of appeal in relation to the investigation of a direction and control complaint.

**Local resolution appeal:** Complainants are entitled to appeal to the relevant appeal body against the outcome of a local resolution. There is no right of appeal where the complaint locally resolved relates to direction and control.

**Disapplication appeal:** An appeal may be made to the relevant appeal body against the decision to disapply the requirements of the Police Reform Act 2002. There is no right of appeal where the complaint subject to the disapplication relates to direction and control or where the IPCC has given permission for the disapplication.

**Discontinuance appeal:** An appeal may be made to the relevant appeal body against the decision by a police force to discontinue the investigation into a complaint. There is no right of appeal where the complaint subject of the investigation discontinued relates to direction and control, where the IPCC has given permission for the discontinuance or if the discontinuance is carried out by the IPCC in relation to a supervised investigation. Invalid appeals: There are a number of reasons why an appeal may be judged to be invalid. These are:

- If the appeal is not complete. An appeal must be in writing and contain certain information such as the details of the complaint, the name of the police force whose decision is subject of the appeal and the grounds of appeal, although the relevant appeal body may still consider an appeal even if it does not consider the appeal complete.

- If there is no right of appeal. Only a complainant or someone acting on his or her behalf can make an appeal. If anyone else tries to, the appeal is invalid. An appeal must also follow a final decision in relation to a complaint from the force (or, in the case of non-recording where no decision has been made, at least 15 working days must have passed between the complainant making their complaint and submitting an appeal against the non-recording of that complaint).

- If the appeal is made more than 28 days after the date of the letter from the police force giving notification of the decision (which is capable of appeal) to the complainant and there are no special circumstances to justify the delay. The right of appeal in relation to direction and control complaints is limited, as noted in the definition for each appeal type above; full details can be found in the IPCC's Statutory guidance.

**Complainants:** Under the Police Reform Act 2002, a complaint may be made by:

- a member of the public who claims that the conduct took place in relation to them
  - a member of the public who claims they have been 'adversely affected' by the conduct, even though it did not take place in relation to them
  - a member of the public who claims to have witnessed the conduct
  - a person acting on behalf of someone who falls within any of the three categories above. This person would be classed as an 'agent' or 'representative' and must have the written permission of the complainant to act on their behalf.
- A person is 'adversely affected' if they suffer distress or inconvenience, loss or damage, or are put in danger or at risk by the conduct complained of. This might apply, for example, to other people present at the incident, or to the parent of a child or young person, or a friend of the person directly affected. It does

not include someone distressed by watching an incident on television.

A 'witness' is defined as someone who gained their knowledge of that conduct in a way that would make them a competent witness capable of giving admissible evidence of that conduct in criminal proceedings or has anything in their possession or control that would be admissible evidence in criminal proceedings.

One complaint case can have multiple complainants attached to it and one individual can make more than one complaint within the reporting year.

**Subjects:** Under the Police Reform Act 2002 (PRA 2002), complaints can be made about persons serving with the police as follows:

- police officers of any rank
- police staff, including community support officers and traffic wardens
- special constables

Complaints can also be made about contracted staff who are designated under section 39 of the PRA 2002 as a detention officer or escort officer by a chief officer.

**Misconduct:** A breach of the Standards of Professional Behaviour

**Gross Misconduct:** A breach of the Standards of Professional Behaviour so serious that dismissal would be justified

**Management Action:** A way to deal with issues of misconduct other than by formal action. They can include improvement plans agreed with officers involved.

**Misconduct Meeting:** A type of formal misconduct proceeding for cases where there is a case to answer in respect of misconduct,

and where the maximum outcome would be a final written warning.

**Misconduct Hearing:** A type of formal misconduct proceeding for cases where there is a case to answer in respect of gross misconduct or where the police officer has a live final written warning and there is a case to answer in the case of a further act of misconduct. The maximum outcome at a Misconduct Hearing would be dismissal from the Police Service.

**Unsatisfactory Performance Procedures (UPP):** Procedures which are available to deal with performance and attendance issues. They are not, as such, dealt with by Professional Standards, but by the Force's Human Resources Department.

**Police Terminology**

**DSI:** Death or Serious Injury

**SIO:** Senior Investigating Officer

**MPS:** Metropolitan Police Service

**DPS:** Directorate Professional Standards  
(Metropolitan Police Service)

**TFG:** Tactical Firearms Group

**MIT:** Major Investigation Team

**NFA:** No Further Action

**UPD:** Unformed Policing Directorate

**ECD:** Economic Crime Directorate

**I&I:** Intelligence and Information Directorate

**PNC:** Police National Computer

**ANPR:** Automatic Number Plate Recognition

**UNIFI:** City of London Crime and Intelligence Database

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<b>Committee(s):</b>	<b>Date(s):</b>	
Planning and Transportation Committee (for decision) Police Committee (for information) Policy and Resources Committee (for decision)	13 September 2016 22 September 2016 6 October 2016	
<b>Subject:</b> City of London ATTRO – Public consultation report		<b>Public</b>
<b>Report of:</b> Director of the Built Environment		<b>For Decision</b>
<b><u>Summary</u></b>		
<p>The City of London Corporation (“the City Corporation”) received a formal request from the Commissioner of the City of London Police in July 2015 to introduce an Anti-Terrorism Traffic Order (ATTRO) in the City Corporation area.</p> <p>At the relevant Committees in December 2015/January 2016 Members approved the making of the ATTRO in principle subject to agreeing the draft protocol between the City Corporation, the City of London Police and Transport for London ( TfL) and three other conditions, namely:</p> <ul style="list-style-type: none"><li>• Members to determine whether or not to proceed with the ATTRO following the statutory consultation on the ATTRO;</li><li>• An annual review of the ATTRO be presented to Members; and</li><li>• Confirmation that the ATTRO is to be used in a proportionate manner.</li></ul> <p>In April 2016 Members agreed the protocol referred to above and agreed that the ATTRO could be put forward for statutory consultation. Members further agreed that the final decision as to proceed with the ATTRO would be taken once the responses to this consultation were known. This report sets out that there were only two formal responses and that any concerns raised by these respondents have now been addressed.</p> <p>Members also resolved in April that the City Corporation could enter into an agreement under Section 101 of the Local Government Act 1972 with Transport for London to carry out the statutory steps associated with the making of an ATTRO that would include the TLRN roads that lie within the City of London. As part of the Section 101 agreement that was made, TfL required the City Corporation to indemnify it against any claims or liabilities incurred in its function as a traffic authority as a result of the City Corporation applying the ATTRO.</p> <p>The results of the public consultation are contained in this report.</p>		
<b>Recommendations</b>		
<p>It is recommended that Planning and Transportation Committee and Policy and Resources Committee :</p> <p>(1) <b>Authorise the making of the ATTRO; and</b></p> <p>(2) <b>Authorise the Indemnity provided to Transport for London in the Section 101 Agreement.</b></p>		

## **Main Report**

### **Background**

1. In July 2015, the Commissioner of the City of London Police requested formally that an Anti-Terrorism Traffic Order (ATTRO) be made by the City Corporation for the roads in the City of London where the City Corporation is the Traffic Authority.
2. A report on the ATTRO proposal was approved by the Planning and Transportation Committee in December 2015 and by the Police Committee and the Policy and Resources Committee in January 2016. Members approved the making of the ATTRO in principle subject to certain conditions being met. These conditions related to :
  - Members to approve the draft Protocol between the City Corporation, the City of London Police and Transport for London (TfL);
  - Members to determine whether or not to proceed with the ATTRO following the statutory consultation on the ATTRO;
  - An annual review of the ATTRO be presented to Members; and
  - Confirmation that the ATTRO is to be used in a proportionate manner.
3. Following this decision, the City Corporation held meetings and workshops with the City of London Police and TfL that resulted in TfL agreeing to the inclusion of the roads within the City of London that form part of the Transport for London Route Network (TLRN) for which TfL is the Traffic Authority.
4. A Protocol has been drafted jointly by the City Corporation, the City of London Police and TfL that sits alongside the ATTRO and sets out the arrangements for its operation. An agreement has been signed under Section 101 of the Local Government Act 1972 with TfL to allow the City Corporation to carry out the statutory process for the proposal, notification and making of the ATTRO on the TLRN roads within the City of London.
5. A further report on the ATTRO was presented on 14 April 2016 to the Police Committee for information and for decision by the Policy and Resources Committee, and on 26 April 2016 to the Planning and Transportation Committee for decision.
6. This report addressed the concerns of Members arising from the earlier report and the Planning and Transportation Committee and Policy and Resources Committee approved the draft Protocol and resolved that the statutory process to propose the making of the ATTRO could be commenced. The resolution requires the results of the statutory consultation to be reported to the Planning and Transportation Committee and the Policy and Resources Committee for those committees to determine the next step.

7. The public consultation ran from 7 June to 30 June 2016. The consultation documents were sent to all neighbouring authorities, emergency services, transport organisations and all bodies on the consultation list for traffic orders. The notice of proposal was published in the Evening Standard and London Gazette, and notices were put on the ward noticeboards throughout the City.

## **Consultation Responses**

8. During the public consultation two responses were received. One was received from the London Borough of Islington enquiring about the effect of the ATTRO on boundary roads. In response it was made clear that boundary roads were excluded from the proposed Order.
9. A response was received from the City of Westminster. Officers met with their counterparts at the City of Westminster to discuss their comments. Following discussions with the Cabinet Member and Director, Westminster confirmed that they were content for the proposal to proceed.
10. TfL have reviewed the results of the consultation and provided authorisation to proceed to make the Order. (see Appendix 1)

## **Section 101 Agreement**

11. A Section 101 Agreement was entered into between the City Corporation and TfL on 6 June 2016 authorising the City Corporation to exercise TfL's traffic authority functions on its roads in the City for the purposes of consulting on and making the ATTRO. TfL required the City Corporation to provide it with an Indemnity against any claims against or liabilities incurred in its function as a traffic authority as a result of the City Corporation discharging those functions negligently. The Section 101 Agreement was authorised by the April Committee resolutions but the Indemnity was not specifically approved. It was included in the Section 101 Agreement on the basis that (i) without the Section 101 Agreement being in place the City Corporation could not proceed with the ATTRO consultation in respect of the TfL roads; (ii) the Indemnity provisions would not be engaged unless it was resolved to make the ATRO; (iii) therefore authority for the Indemnity would be sought in conjunction with any recommendation to make the ATTRO.
12. The terms of the Indemnity reflect the usual requirements where one authority delegates statutory functions to another and is in the same terms to the Indemnities required by the City Corporation from TfL where TfL has been authorised to exercise the City Corporation's functions (such as in relation to the Olympics and the Cycle Superhighways). The measures put in place to ensure the proper and proportionate use of the ATTRO are considered to mitigate risks arising in respect of the Indemnity.

## **Legal implications**

13. The legal implications arising from the consultation and the Section 101 agreement are contained in the body of the report. The other legal implications

in respect of the ATTRO remain as previously reported and are reproduced in Appendix 2.

## **Outline Programme**

14. The key milestones are:-
- September/October 2016: Consultation report submitted to City Committees
  - End of October 2016: If approved by Committees, ATTRO to be made operational to the City of London Police
  - October 2017: 1<sup>st</sup> year review of the ATTRO report to be submitted to City Committees

## **Evaluation**

15. Following consideration of the consultation responses the evaluation remains as set out in the reports of January and April 2016. The permanent ATTRO covering the whole of the City (but contingent in nature to be implemented as described in the previous reports) is recommended on the basis that due to its exceptional characteristics (i.e. its highly dense nature and the concentration of high profile historic, prestigious and financial targets throughout its area) the City Corporation's area is particularly vulnerable to terrorism. The safeguards provided for in the ATTRO, Schedule and Protocol aim to ensure it is a proportionate measure used to the minimum extent. In addition, as required by previous Committees, reports reviewing the operation of the ATTRO will be presented to relevant Committees to ensure ongoing scrutiny and oversight of its operation.

## **Conclusion**

16. There were no objections received as a result of the consultation and the concerns that two of the neighbouring authorities expressed have been addressed.
17. It is recommended that the request of the Commissioner of the City of London Police made in July 2015 is agreed. The ATTRO is recommended on the basis that due to its exceptional characteristics the City Corporation's area is particularly vulnerable to terrorism. With the proposed safeguards for managing impacts, and with the measures aimed at ensuring restrictions are imposed to the minimum extent necessary, the ATTRO is considered an appropriate measure which will help the Commissioner of Police better protect the City community.



## **Appendices**

Appendix 1: TfL Approval to proceed

Appendix 2: Legal implications

## **Background Papers**

- “Anti-Terrorism Traffic Regulation Order (ATTRO)” report presented at Planning and Transportation Committee on 15th December 2015 and Police and Policy and Resources Committees on 21st January 2016.
- “Update Report – City ATTRO” presented at Planning and Transportation Committee on 26 April 2016 and Police and Policy and Resources Committees on 14<sup>th</sup> April 2016.

### **Carolyn Dwyer**

Director of the Built Environment

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E: [Carolyn.dwyer@cityoflondon.gov.uk](mailto:Carolyn.dwyer@cityoflondon.gov.uk)

## Appendix 1

### TfL approval to proceed

File Ref : **ATTRO City of London**

To: Leon Daniels  
Managing Director – Surface Transport for London

Area: City of London

Title of advertised Order: **City-wide Anti-terrorism Traffic Order  
The City of London (Protective Measures) (No.1) Order 201\***

Objection Period **from** : 07 June 2016 **to** : 30 June 2016

1. The above draft Traffic Order has been subject to consultation and advertisement in line with the requirements of Regulation 6 and 7 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (SI 1996 No.2489).
2. **No objections** have been received. Copies of any responses are attached, together with a summary table (TRO/form.30) for your information.
3. If you are content, please give your approval to the making and bringing into effect of this Traffic Order.

Signed



Derek Theobald  
Head of TfL Events Team

Date 22/7/2016

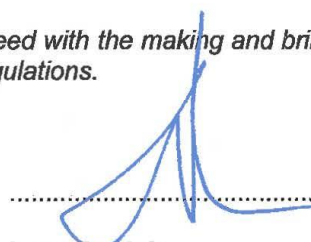
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#### **PART B**

To: Derek Theobald  
Head of TfL Events Team

*Please proceed with the making and bringing into effect of the Order in line with Part III of the Regulations.*

Signed



Leon Daniels  
Managing Director – Surface Transport for London  
Transport for London

Date 22/7/16

## **Appendix 2**

### **Legal implications**

- 1 Statutory power to make the ATTRO – Sections 6, 22C and 22D of the Road Traffic Regulation Act 1984 (as amended by the Civil Contingencies Act 2004) enables traffic orders to be put in place by the traffic authority for the purposes of avoiding or reducing the likelihood of danger connected with terrorism, or preventing or reducing damage connected with terrorism.
- 2 Statutory duties of traffic authority - As traffic and highway authority, the City Corporation has the duty to secure the expeditious, convenient and safe movement of traffic (having regard to the effect on amenities) (S122 Road Traffic Regulation Act 1984) and the duty to secure the efficient use of the road network avoiding congestion and disruption (S16 Traffic Management Act 2004). The Schedule to the ATTRO sets out requirements aimed at meeting these duties by ensuring that any restrictions will be the minimum necessary to remove or reduce the danger and are consistent with the statutory requirements for making such Orders. In implementing the ATTRO the traffic impacts of restricting or prohibiting traffic to roads within the City, including, potentially, pedestrian traffic, should be considered. In the event of a threat, the disruption to traffic flow would also have to be weighed against the threat of more severe disruption and greater risk being caused due to failure to prevent an incident.
- 3 By way of further controls, the Schedule to the draft ATTRO requires that in most cases at least seven days' notice of any restrictions must be given to persons likely to be affected (unless this is not possible due to urgency or where the giving of notice might itself undermine the reason for activating the ATTRO), and notice must also in any event be given to the City, TfL and other affected traffic authorities. The arrangements are further explained in the Protocol.
- 4 Human Rights and Proportionality - In considering the request for the ATTRO, there is a duty to act in accordance with the European Convention on Human Rights. In relation to possible restriction of access to property, any interference with Article 1 rights to enjoyment of property must be justified. Interference may be regarded as justified where it is lawful, pursues a legitimate purpose, is not discriminatory, and is necessary. It must also strike a fair balance between the public interest and private rights affected (i.e. be proportionate). It is considered that the public interest in being protected by the existence and operation of the ATTRO can outweigh interference with private rights which is likely to occur when restrictions are in operation. The scope of restrictions must be proportionate and should only last until the likelihood of danger or damage is removed or reduced sufficiently in the judgment of a senior police officer. The Schedule to the ATTRO sets out arrangements (further expanded in the Protocol) for ensuring that any interference is proportionate. Given the risks to life and property which could arise if an incident occurred, and the opportunity provided by the ATTRO to remove or reduce the threat of and/or impacts of incidents, it is considered that the ATTRO can be justified and any resulting interference legitimate.

- 5 Leading Counsel has reviewed the proposed arrangements and has advised that, with some modifications (which have been adopted in the proposals before you), the recommendations are ones which the City may properly and reasonably agree. It should be noted that an external legal counsel has been consulted on three separate occasions regarding the use of the above legislation and the proposal for a City ATTRO.

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of the Local Government Act 1972.

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