

Safer Stronger Communities Select Committee Supplementary Agenda

Tuesday, 16 July 2019
7.00 pm, Committee Room
Civic Suite
Lewisham Town Hall
London SE6 4RU

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Part 1

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4.	Stop and Search and Prevent Strategy In-depth Review - Response to recommendations	3 - 12

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Agenda Item 4

Safer, Stronger Communities Select Committee		
Report Title	Mayoral response to the Referrals made regarding the Impact of Stop and Search and Prevent on community relations review	
Key Decision	No	Item No 4
Ward	All	
Contributors	Executive Director for Resources & Regeneration (Head of Business & Committee)	
Class	Part 1	Date: 16 July 2019

REASON FOR URGENCY: Mayor and Cabinet met to discuss the response after the despatch day for this meeting of Safer Stronger Communities.

1. Summary

This report informs members of the response given at Mayor and Cabinet to a referral in respect of a review which the Committee considered in March 2019.

2. Purpose of the Report

To report to members the response given at Mayor and Cabinet to recommendations made by the Committee regarding the Impact of Stop and Search and Prevent on community relations review

3. Recommendation

The Committee is recommended to receive the Mayor & Cabinet response to the Committee's review of the Impact of Stop and Search and Prevent on community relations.

4. Background

- 4.1 The Mayor and Cabinet considered the attached report entitled "Response to the Referrals made regarding the Impact of Stop and Search and Prevent on community relations review" at the Mayor & Cabinet meeting held on 10 July 2019.

5. Mayor & Cabinet Response

- 5.1 The Mayor and Cabinet received an officer report and a presentation from the Cabinet Member for Democracy, Refugees and Accountability, Councillor Kevin Bonavia.
- 5.2 The Mayor and Cabinet unanimously resolved that the proposed response be approved and reported to the Select Committee.

BACKGROUND PAPERS

Mayor & Cabinet minutes 10 July 2019

If you have any queries on this report, please contact Sarah Assibey, Committee Support Officer, 0208 314 8975

MAYOR AND CABINET		
Report Title	Community Services Response to the Referrals made regarding the Impact of Stop and Search and Prevent on community relations review	
Key Decision		Item No
Ward	All	
Author	Geeta Subramaniam- Mooney - Director Public Protection and Safety	
Date	10 July 2019	

1. Purpose

This report sets out Community Services responses to the recommendations and referrals arising from the Safer Stronger Communities Select Committee's review entitled "The Impact of Stop and Search and Prevent on community relations".

2. Recommendation

It is recommended that Mayor and Cabinet:

- To agree the actions proposed in line with the recommendations made

3. Background

3.1 In March 2019, the Lewisham Safer Stronger Communities Select Committee published their report on a review into the Impact of Stop and Search and Prevent on Community Relations in Lewisham.

3.2 The review focused on two distinct areas where the implementation of national policies have been felt by local communities to disproportionately target particular groups. These are "Stop and Search" and Prevent. The Committee received evidence over the course of the review highlighting many aspects of stop and search policy and of the Government's Prevent Strategy including background information, community views, local and regional organisations, national, regional and local statistics and good practice examples.

3.3 The review outlined a number of recommendations which were presented at Mayor and Cabinet on April 24th 2019.

3.4 Having considered an officer report and a presentation by the Vice-Chair of the Safer Stronger Communities Select Committee, the Mayor and Cabinet agreed that the Committee's comments be noted, and that the Executive Director for Community Services be asked to provide a response.

4. Executive Director Responses to the recommendations made by the Safer Stronger Communities Select Committee

4.1 The Safer Stronger Communities Select Committee made the following recommendations:

4.2 Stop & Search

- **Referral 1:** That the Council should provide additional support to the Lewisham Community Monitoring Network for Stop and Search. This is through the Stop and Search Sub-Committee of the Lewisham Safer Neighbourhood Board. This support could include officer time/ support with publicity and understanding data and/or a co-opted Councillor appointment to the group.

Response: The Council, through the Public Protection and Safety Division, will continue to support the Stop and Search Scrutiny Committee, both through the direct provision of data analysis and also assisting the group in finding this and analysing this data for local scrutiny. The Cabinet Member for Safer Communities provides support to the group and will liaise with them to find out how best the Council can support them further. Once the Safer Neighbourhood Boards Website is functioning, the Council will link any information about the Community Monitoring Network to the website. The Council is clear that supporting this work across the Safer Lewisham Partnership is important.

- **Referral 2:** That the Council should facilitate and support the distribution of “know your rights” cards to young people in the borough. This could be through distributing the MOPAC cards to schools and youth clubs or using the S.E.A.R.C.H cards from the organisation Y. Stop and/or their videos for young people on knowing their rights on stop and search. The importance of young people knowing their rights in respect of stop and searches is crucial.

Response. This is an important recommendation and is something we have done in the past and intend to do in the future as well. The Crime, Enforcement & Regulation Service will work closely with the Police, Lewisham’s Young Mayor and team, Youth First and other key partners to review how best to get these cards circulated and the support needed around the messaging on this topic, out to schools, youth clubs and other youth organisations throughout the borough.

- **Referral 3:** That the Council should work with the Police, schools and youth groups to support increased dialogue between Police and young people. This should include supporting the Lewisham Police Youth Independent Advisory Group and helping to raise its profile. This work should also specifically include working in Primary Schools as starting at a younger age was seen as key by many of those who gave evidence to the Committee’s review. The work should also include increasing preventative work with young people and community groups to avoid section 60’s being enacted. The Committee noted that the young people from whom they had heard were not against stop and search in principle but were concerned about unfair targeting and young people having very negative experiences of stop and search and therefore of the Police. There also appeared to be some inherited generational mistrust of the Police.

Response: The Council will work closely with the Police and other partners to support dialogue between Police officers and young people. A key manifesto commitment made by Lewisham's Young Mayor was to support more dialogue between the Police and Lewisham young people and Council officers will assist him to achieve this. There has been work done to engage secondary age young people on topics such as stop and search, either through direct engagement with schools Police Officers or through involvement in a wide number of personal safety programmes (mainly aimed at secondary age young people), additionally the Council, Police and community partners have more recently been working with primary schools in the borough, listening to young people's individual and collective concerns and working with both students and teachers to map the issues and create safety plans around their concerns.

- **Referral 4:** That the Mayor write to the Chief Superintendent of the South East Borough Command Unit (BCU) stressing the importance of Police training including unconscious bias training and that this should be on-going and delivered to frontline staff. This is an issue of importance for all Londoners. The Committee felt Police training to ensure all officers understand the huge importance of the quality of the interaction for young people in particular was essential. The quality of the interaction had an impact not just on the individual stopped but on the community in general and on good community-Police relations.

Response: The Council agrees that unconscious bias training is incredibly important for police and frontline staff. Senior Police officers in Lewisham (and across the BCU) have undertaken unconscious bias training alongside other senior officers partners on the Safer Lewisham Partnership. Unconscious bias training was delivered as mandatory corporate training for all officers between Oct-Dec 2018 on the Professional Development Days. All officers receive four Professional Development Days training per year, so one day was allocated to this training. In addition, as part of the Leading for London programme (which is leadership training for all officers from the rank of Sergeant and above), everyone received input from the unconscious bias programme. Lewisham Police, along with other partners in the Safer Lewisham Partnership have committed to work towards making Lewisham a "trauma informed borough" and unconscious bias training is a key facet in the training all agencies need to acquire to achieve this. A letter will be sent to the Chief Superintendent of the South East BCU to raise this issue, and will highlight that the importance of the quality of interactions have on community relations.

- **Referral 5:** That the Mayor write to the Chief Superintendent of the South East BCU asking him to ensure that local complaints data is readily available for the public, the community monitoring group, and for Members of the Council, and requesting that alternative complaints mechanism be considered. Complaints statistics are challenging to find and their needs to be more transparency about

the figures and trends. A letter will be sent to the Chief Superintendent of the South East BCU to raise this issue.

Response: Complaint data is available from the Metropolitan Police website, but as highlighted in your referral can be difficult to find. Making information easy to access is important and we will ask that this data is presented in a more user-friendly way.

<https://www.met.police.uk/foi-ai/af/accessing-information/published-items/>

- **Referral 6:** That the Council looks at stop and search complaints procedures with the possibility of alternative ways to consider complaints being identified. This should include investigating a way to facilitate and support young people to make complaints through a third party mechanism.

Response: Council Officers will work with the Lewisham Young Mayor, Youth First and other youth organisations to identify how to develop more supportive routes for young people to make stop and search complaints. Council officers have also asked Fearless.org, the youth focused arm of Crimestoppers to consider options which could support similar reporting.

- **Referral 7:** That the Mayor request to the Chief Superintendent of the South East BCU, that members of Safer Stronger Communities Select Committee be allowed to better understand through the appropriate mechanism, how unconscious bias training is delivered to the Police.

Response: The Council will facilitate for members of the Safer Stronger Communities Select Committee to better understand the whole range of training that police officers receive, in addition to unconscious bias training. This training is delivered both through initial officer training to ongoing support and education officers receive. A letter will be sent to the Chief Superintendent of the South East BCU to raise this issue.

- **Referral 8:** That more information on the intelligence gathering process for implementing section 60s should be shared with the Committee. This is to ensure there is no in-built bias at the pre-decision stage.

Response: Council Officers will work with Senior Police Officers to establish how this is best shared with the Safer Stronger Communities Select Committee. Police regularly receive intelligence from a range of sources. This can often be confidential or anonymous. Many section 60s are implemented as a result of intelligence received following a violent incident or through intelligence received via social media.

4.3 Prevent

- **Referral 9:** That the Mayor write to the Home Secretary regarding the lack of availability of local data on referrals to Prevent and Channel and outcomes. The letter should stress the importance of ensuring there are sufficient built-in

scrutiny mechanism in which local areas can feed into the Prevent programme. A lack of local data limits the ability to scrutinise locally and assess whether the Prevent strategy affects certain communities disproportionately.

Response: Since the completion of the Safer Stronger Communities Select Committee review, it was announced that there will be an independent review of Prevent nationally. Lewisham Council is happy to contribute to this national review, and we will emphasise Lewisham's request to be able to scrutinise Prevent performance at a local level, using local data.

- **Referral 10:** That the Council better communicate the emphasis on the safeguarding aspect of Prevent to the local community.

Response: The Council is working on how to better communicate the emphasis on safeguarding to the local community. Prevent in Lewisham is already fully aligned with local safeguarding policies and procedures including engaging with communities. There is on-going work to improve this communication, including two Home Office funded projects in Lewisham in 2019/20 that will focus on better community engagement. There will also be continued engagement opportunities with Members. A communications plan will be implemented, which will focus better communication on the fact that Prevent is intrinsically linked to safeguarding.

- **Referral 11:** That the Council explore the benefits of a community based referral pathway that allows issues to be dealt with by trusted individuals with the confidence of the community. Increased community dialogue around Prevent was very important.

Response: We will highlight the information on Prevent available on the Council's website - [Lewisham Prevent Programme](#) and [Advice for front line workers on Prevent](#). It is recognised that a connection to the local community can be of great benefit to those working with vulnerable people. To support this, a key component of this year's Prevent Delivery Plan is to try to identify and recruit local people who would be willing to be Prevent "intervention providers", who would be commissioned to work with individuals deemed to be vulnerable to radicalisation. The Lewisham Prevent 2019/20 work programme has a greater focus on community engagement.

- **Referral 12:** Once the terms of reference of the national review into Prevent are agreed; the Committee should consider them at a future meeting to decide whether they wish to look into this further. This would be highlighted in the work programme report for the first meeting of Safer Stronger of the next municipal year specifically requesting an officer update on the national review.

Response: There is support for this along with Lewisham Council contributing to this national review.

5. Financial Implications

5.1 There are no direct financial implications resulting from the referrals to the Council.

6. Legal implications

6.1. The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

6.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 6.2 above.

6.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

6.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but

nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

6.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

6.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

- <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

7. Crime and disorder implications

7.1 Section 17 places a duty on partners to do all they can to reasonably prevent crime and disorder in their area. The level of crime and its impact is influenced by the decisions and activities taken in the day-to-day of local bodies and organisations. The responsible authorities are required to provide a range of services in their community from policing, fire protection, planning, consumer and environmental protection, transport and highways. They each have a key statutory role in providing these services and, in carrying out their core activities, can significantly contribute to reducing crime and improving the quality of life in their area.

The issues of Stop and Search and Prevent have significant impacts and crime and disorder implications which will be considered through the Safer Lewisham Partnership as required.

8. Equalities implications

8.1 The Council's Comprehensive Equality Scheme provides an overarching framework and focus for the Council's work on equalities and help ensure compliance with the Equality Act 2010.

Both Stop and Search and Prevent have equalities impacts with data presented at the Committee outlining the disproportionality aspects specific to Lewisham. Disproportionality is a significant area of focus of the Safer Lewisham Partnership and the referrals under this report will be a focus of further discussions at that Board.

9. Environmental implications

9.1 There are no direct environmental implications but where any occur these will be considered by the relevant departments in the Council.

Background papers:

April 24 th 2019.	Referral to Mayor and Cabinet
March 2019	Safer Stronger Communities Select Committee published their report on a review into the Impact of Stop and Search and Prevent on Community Relations in Lewisham.

For further information please contact Geeta Subramaniam-Mooney, Director of Public Protection and Safety on 020 8314 9569.