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From: THE PRIVATE SECRETARY

CC H/B



HOME OFFICE  
QUEEN ANNE'S GATE  
LONDON SW1H 9AT

13 September 1985

Dear Mark

Prime Minute. (2)  
This note contains the  
Scarman check list you asked for  
at Cabinet. Herby Burt's round-  
up note is also attached. MHA 13/9

HANDSWORTH RIOT

At yesterday's Cabinet it was agreed that Ministers should be provided with background information both on Handsworth and on the implementation of the Scarman Report.

DOE are circulating in the course of this afternoon a brief on urban programme projects in Handsworth and on social conditions more generally. I now attach:

- ... 1. a copy of the Home Secretary's speech to the ACPO  
conference of last night;
- ... 2. a summary of non-police recommendations in Scarman  
and what has happened since;
- ... 3. a summary of the police and law and order recommendations  
in Scarman.

I should stress that in the time available it has proved possible to produce the second document only by using information already available within the Home Office. Officials here are in touch with colleagues in other departments so that a more detailed document can be available in the course of next week. One difficulty, as the attached note makes clear, is that Lord Scarman's recommendations in the social policy field were less than specific.

Ministers might also like to be aware that latest reports from West Midlands police indicate that they are now receiving a considerable amount of information about those involved in the riot. In addition to those arrested for public order offences twenty people have so far been arrested as a result of the criminal investigation.

Copies of this letter and enclosures go to the Private Secretaries of Members of the Cabinet.

Yours ever  
William  
W R FITTALL

Mark Addison, Esq

HOME SECRETARY'S SPEECH AT A DINNER GIVEN BY  
THE ASSOCIATION OF CHIEF POLICE OFFICERS IN  
PRESTON ON THURSDAY, 12 SEPTEMBER 1985

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Inevitably, and rightly, there has been a rush of comment following the disastrous riot in Handsworth on Monday night. I do not intend to go over the whole ground again this evening. But there are one or two points which I think need picking out of the debate and emphasising.

The first one is a principle. Public order has once again been shown to be the most fundamental social good. The right to go about one's lawful occasions in peace is the most basic human right of them all. Without that policies for jobs and policies against deprivation will simply not take root. Such economic and social policies are necessary, particularly in our inner cities, and that is why they are being

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intensively pursued in places like Handsworth,  
using massive public resources. A Government  
which simply ignored these considerations  
would not, of course, have doubled to  
£330 million the resources devoted to the Urban  
programme. Nor would it have contributed  
three-quarters of the £20 million which has  
gone over the last four years into the Urban  
Programme in Handsworth alone.

Handsworth needs more Jobs and better housing.  
But riots only destroy. They create nothing  
except a climate in which necessary  
development is even more difficult. Poor  
housing and other social ills provide no kind  
of reason for riot, arson and killing. One  
lady interviewer asked me whether the riot was  
not a cry for help by the rioters. The sound  
which law-abiding people at Handsworth heard  
on Monday night, the echoes of which I picked

Up on Tuesday .....

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up on Tuesday, was not a cry for help but a cry for loot. That is why the first priority, once public order is secure, must be a thorough and relentless investigation into the crimes which were committed.

It was plain to me that people in Birmingham, and the country as a whole, also needed a clear, factual account of what took place. Rumours and stories circulate and can do harm unless the true facts are established. I do not believe there is any point in holding a further massive judicial enquiry on the lines of that conducted by Lord Scarman. I have, however, asked the Chief Constable of the West Midlands to prepare a factual account of the events of these days in Birmingham and of the tactics and measures adopted by his force. I have further arranged for Her Majesty's Inspectorate of Constabulary to be closely

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associated with the preparation of this report, so as to ensure that any points which are important for policing in this country as a whole are fully covered. The Chief Constable will make this report public, as soon as it is ready. It will provide a clear-cut account of the sequence of events and of the connection between them.

Finally, I hope that you as chief police officers will dismiss as shallow those who argue that what happened at Handsworth means that community policing has failed. On the contrary, I feel sure that as professionals your judgment will continue to be that the closer the police can get to the community which they serve the more likely is their policing to succeed. Of course ways and means are a matter for debate and will need constant adjusting force by force. But community

/policing is really .....

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policing is really a new name for an old idea, an idea which lies at the heart of policing in this country and which we must not allow to fade away.

SCARMAN REPORT - NON-POLICE RECOMMENDATIONS

In Part VI of his Report, Lord Scarman deliberately declined to make specific suggestions or proposals in the fields of Government financial or economic policy; but he did comment on, and make recommendations about, aspects of policy touching on social problems which he thought were inextricably bound up with the matters referred to him.

The following specific recommendations can be identified:

The Inner City

(a) Better co-ordinated and directed attack on inner city problems (8.44).

Merseyside Task Force created 1981, with direct personal involvement of S of S for Environment: Government Departments combining to work with local authorities and private sector. Internal review of urban policy in 1984 followed by setting up of five City Action Teams in major Partnership areas - London, Birmingham, Liverpool, Manchester, Newcastle, with specific object of ensuring better co-ordination between Government Departments, principally DOE, DTI and MSC, which provide Government assistance to those areas. (Those Departments provide Team's members.) Other Departments (DHSS, DES and Home Office) have links with the teams. Massive increase in Urban Programme expenditure since Scarman: £210m in 1981/82, £270m in 1982/83, to £348m in 1983/84. That level has been maintained in two subsequent years. Share going to ethnic minority projects: £8m in 1981/82; £27m in 1983/84.

(b) Involvement of local communities in planning, provision of local services and management and financing of specific projects (para. 8.44).

Principally a matter for local authorities. But DOE Ministers responded to Scarman by writing to leaders of Partnership and Programme authorities emphasising need to consult local communities, specifically mentioning ethnic minority communities before deciding which projects to support themselves or propose for support also from Government.

(c) Private Sector and police to be more effectively involved in attempts to tackle inner city problems.

Government has encouraged private sector involvement by introduction of Urban Development Grant (DOE). Some run down inner city estates are being re-developed by private sector consortia (cf Cantrell Park in Merseyside). Police are now regularly consulted about eg urban programme projects and are often members of Partnership Committees.

Ethnic Minorities

Scarman drew attention to three particular areas of need: housing; education and employment (para. 8.45).

(a) Housing (para. 8.46): value of rehabilitation; involving community in housing management and development; local authorities to review housing policies to guard against discrimination.

Government has encouraged improvement and rehabilitation. Has supported greater tenant involvement in housing management (eg through Housing Act 1980 and Priority Estates Project). Report of CRE investigation into housing in Hackney has provided checklist of action to avoid discrimination.

(b) Education (para. 8.47): need for Government initiative in ethnic minority education: under 5s; teacher training; teaching of English and involvement of parents.

Government wished to be advised by Swann Committee on Education of Ethnic Minority Children (published 1985). Response by S of S for Education and Science has encouraged improvements in training, re-affirmed support for English teaching and parent involvement. Government initiative to stimulate voluntary sector support for children under 5 in disadvantaged families launched by 1983 - £2m a year until 1986/87. 14 major organisations running over 80 projects providing either full-day care, part-day care or family support.

(c) Employment (para. 8.48): need for blacks to have stake in community through business and the professions; long-term need to provide employment, educational, recreation and leisure opportunities.

Training and special programmes reviewed in light of Scarman. Many relevant initiatives taken. Small businesses encouraged: Local Enterprise Agencies; Enterprise Allowance; expansion of Small Firms Service; (Home Secretary's ethnic minority business initiative, modest and not yet publicised). Training reviewed: new 2 year YTS, vast expansion of Community Programme<sup>(£2bn annually on special measures)</sup>. Special consideration is given to schemes/projects in inner cities. Recreation and leisure schemes supported under Urban Programme.

Response to Ethnic Minority Needs

(a) Support for HAC call for improving information about ethnic minority needs (8.49).

White Paper on Racial Disadvantage (Feb. 1982) endorsed ethnic monitoring where there was operational need. Subsequently, Government has given lead by decision to monitor whole Civil Service: exercise will be complete in 1987.



(b) Inclusion of ethnic question in Census (8.49).

Government Reply to HAC report (published Nov. 1984 Cmnd 9238) accepted case in principle for inclusion of ethnic question. Necessary preparatory work in hand, but inclusion in 1991 Census is subject to test on acceptability.

(c) Ethnic monitoring by local authorities of services they provide (8.45).

Principle endorsed by Joint Central/Local Government Working Party on Racial Disadvantage (report July 1983). Commended by HO/DOE Ministers at Conference with local authorities in March 1984. Local Authorities Race Relations Information Exchange (LARRIE) data bank established (1984) jointly by central local government to disseminate good local authority practice.

(d) Need for a well co-ordinated and directed programme to combat racial disadvantage and for positive action (para. 8.50).

Ministers have accepted that more needs to be done. More is being done, cf DOE action on inner city and City Action Teams; but have not agreed need for one Government Department to direct and co-ordinate all action. Government believes racial disadvantage best tackled through main spending programmes, where each Department retains responsibility for its own field. Accepts that special help sometimes needed for disadvantaged groups, including ethnic minorities, to bring them up to the level of rest of population. Section 11 for local authority staff, Urban Programme and MSC schemes all used for this purpose.

(e) Endorsement of HAC report recommendation for reform of section 11 (para.8.51).

New guidelines issued to local authorities in November 1982, setting out changes in administrative arrangements to increase effectiveness of the scheme and make it more relevant to present day needs. Since then a wider range of posts have been approved, including "strategic" ones in central positions. All new posts are now for maximum of 3 years subject to periodic review of effectiveness. Existing posts are being similarly reviewed. Scarman acknowledged that wider reforms, eg extending the categories of persons for whom special provision can be made (at present only Commonwealth immigrants) allowing payments to voluntary bodies, or for non-staff costs) would all need primary legislation. Ministers have said that they have no plans for such legislation.

Community Relations Councils and the CRE

(a) Need for review of the role of CRCs (8.53).

CRCs are funded by CRE and/or local authorities. Difficult and sensitive subject. CRE has introduced new funding policy for CRCs under which their activities are subject to closer monitoring of relevance and effectiveness.

**E.R.**

(b) CRE should consider intervening as mediator where breakdown in relations between police and local community (8.54).

Such action not considered necessary in most cases - in light of development of police/community liaison arrangements, but Chairman and senior officers have sometimes helped on a personal basis in local situations.

SCARMAN REPORT: POLICE AND LAW AND ORDER MATTERS

The attached checklist summarises in detail the implementation of Lord Scarman's recommendations on policing matters. The following paragraphs may be useful as speaking notes:

"It is nonsense to suggest that the Government has failed to implement the recommendations of the Scarman Report. On the police side all the recommendations have been implemented, half of them in full, and the rest in different degrees depending on resources, further consultation and action still being taken.

Thanks to strong recruiting efforts the proportion of black and Asian policemen has been increased by 90%. Police training has been radically changed, with much greater emphasis on community and race relations, specialised public order training for all ranks, longer training for police recruits in a wider range of skills, and new training programmes being developed for the supervisory ranks.

Police patrolling is now very much in line with Scarman recommendations, with problem areas being patrolled on foot by mature officers assigned for longer periods to build up closer relationships with the local community. The law of stop and search has been completely overhauled, with new statutory safeguards, in the Police and Criminal Evidence Act which comes into force next January.

Pilot schemes of lay visitors to police stations has been encouraged, for random checks on the detention of suspects, and the scheme is being extended. The new Police Complaints Authority adds a strong independent element into the supervision of investigating complaints, and must state publicly in each case whether it is satisfied with the conduct of the investigation. And a statutory duty has been imposed on all police forces to set up proper consultative arrangements with representatives of the local community.

This can hardly be described as a programme of inaction. In the light of the Scarman Report the police and Government have examined almost every area of police activity, and enormous changes have taken place. It is only

right to acknowledge that, and the great effort that has gone into making those changes. The police are keenly aware of the need for support from their local communities, and much better organised now to respond to local need. I hope that local communities recognise that, and in turn give their support to the police."

## SCARMAN CHECKLIST: POLICE MATTERS

1. This note summarises the action taken since 1981 in response to Lord Scarman's recommendations on police matters.

### Recruitment

2. Improving ethnic minority recruitment to the police (paragraph 8.28)

Study Group reported in July 1982. Circular sent to police. Subsequent monitoring by HMIC confirms most forces taking active steps. June 1982 386 ethnic minority officers: July 1985 726 (88% increase).

3. Tests should be developed for identifying racial prejudice in police recruits, and incorporated in police selection procedures (paragraph 8.29)

Met concluded difficult to devise objective tests; better to identify prejudiced attitudes during probationer training. Met doing further work on psychological tests (including tests of prejudice) in recruit selection procedures, but still at early stage.

### Training

4. Recruit training should be increased to minimum of six months, and integrated with subsequent probation period (paragraph 8.30)

Following Police Training Council review, from 1984 2 1/2 month initial course increased to total of 4 months (14 week course followed by probationary training in force, and further 2 week course towards end). Reason for not introducing 6-month course: 2-year apprenticeship offers better balance between courses, tutoring and on the job training; and resource constraints.

5. Recruit training should include more training in prevention, as well as handling of disorder; and in greater understanding of cultures and attitudes in multi-racial society (paragraph 8.30)

High priority in new curriculum to both these aspects.

6. Probationary period should include training in situations of potential conflict (eg street stops), tutor or parent constable scheme, and period in ethnic minority city areas; but should not involve solo foot patrols in sensitive areas (paragraph 8.31)

Police Training Council report on community and race relations training commended to all forces in September 1983. Probationary period includes attachment to tutor constable, but not practical for all probationers to spend time in multi-racial city area.

7. Training in public disorder, with common programmes and minimum standards, should be provided for all ranks up to and including Assistant Chief Constable (paragraph 8.32)

Specialised public order training for all ranks since 1984, but disrupted by the miners' strike. Common minimum standards being developed by the Central Planning Unit.

8. Greater attention to management training in supervisory responsibilities of Inspectors and Sergeants (paragraph 8.35)

Police Training Council review of management training for ranks from sergeant to chief superintendent. New training programmes being prepared. Attention of

chief constables being drawn to recent research on supervisory roles of sergeants and inspectors.

### Discipline

9. Racially prejudiced or discriminatory behaviour should be a special offence in the Police Discipline Code, with the normal penalty being dismissal (paragraph 8.37)

1985 Police Discipline Regulations contain new offence of racially discriminatory behaviour. Any of the prescribed penalties (caution; fine; reduction in rank; dismissal) may be imposed.

### Policing methods

10. Chief Constables should re-examine mix of foot and mobile patrols; role of Home Beat Officers; opportunities for police to get to know community; continuity and experience of officers in inner city areas (paragraph 8.38)

Policing methods now very much in line with Scarman recommendations. Problem areas patrolled on foot by mature officers assigned for long periods to build up relationship with local community. Community constable schemes in most forces. Community liaison officers ensure local sensitivities recognised.

### Consultation and accountability

11. Police and police authorities should set up consultative arrangements at once, and Government should introduce statutory duty requiring them to do so (paragraph 8.39)

1982 Circular encouraged establishment of consultative arrangements. Police and Criminal Evidence Act 1984 imposed statutory duty; 1985 Circular on consultative committees.

12. Statutory framework for local consultation in London, and consideration of advisory board for London-wide consultation (paragraph 8.40)

PACE 1984 requires Met police to establish consultative arrangements in 40 boroughs and districts in MPD. Since 1981 regular meetings for local authority representatives to discuss policing of London with Commissioner and Home Secretary.

### Police handling of disorder

13. Water cannon, CS and plastic bullets should not be used except when life is at risk, and only on authority of chief constable (paragraph 8.41)

Water cannon not issued. Guidelines on CS and baton rounds state to be used only when conventional policing methods tried and failed, and necessary to prevent loss of life, serious injury or widespread destruction of property. Or absence of chief constable his deputy can authorise use.

### Stop and search

14. The law needed rationalising and additional safeguards (paragraph 8.58)

Implemented in Part I of the Police and Criminal Evidence Act 1984, which comes into force in January 1986.

## Repeal of "sus"

15. A careful watch should be kept on the Criminal Attempts Act 1981 (paragraph 8.59)

Government undertook to keep close watch on section 9 (interference with motor vehicles). Proportion of non-whites arrested in MPD under section 9 significantly lower than proportion previously arrested for 'sus'.

## Lay visitors to police stations

16. There should be provision for random checks on the interrogation and detention of suspects in police stations (paragraph 8.65)

Pilot schemes in Lambeth, Enfield, Cheshire, Greater Manchester, Humberside, Leicestershire, South Yorkshire and West Midlands. Home Office preparing circular encouraging lay visitor schemes.

## Reform of police complaints procedure

17. Public confidence in the complaints procedure required an independent element in the investigation of complaints, and a conciliation process (paragraph 8.61)

New Police Complaints Authority (April 1985) supervises investigation of complaints, and must state publicly whether satisfied with conduct of investigation. Conciliation process included in new complaints procedure.

## New Riot Act

18. There should not be a new statutory offence of failing to disperse after a public warning (paragraph 8.62)

The Government agrees that the existing law provides the police with adequate powers (Public Order White Paper paragraph 6.15).

## Amendments to Public Order Act 1936

19. There should be a requirement of advance notice of a procession to the police; the requirement of "serious public disorder" for imposing conditions or banning marches was too stringent a test (paragraph 8.63)

Public Order White Paper proposes national requirement of advance notice for marches. Instead of relaxing public order test, it proposes two additional criteria for imposing conditions on demonstrations, to prevent serious disruption to local community, and coercion of individuals.

20. Racist marches in sensitive areas should be capable of being banned under the existing power to prohibit a specified class of procession; if this proved difficult, the Act should be amended to enable one specified march to be banned (paragraph 8.64)

Public Order White Paper proposes new power to ban a single march (paragraph 4.14). New power to impose conditions in order to prevent intimidation or coercion should help to steer racist marches away from sensitive areas.