



Part 2

Chapter 8



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Chapter 8

LOOKING FORWARD – JUSTICE FROM THE LAW

WHY DID IT HAPPEN?

8.1 In this Chapter and the next we turn to the future. Before doing so we pause to review the evidence which has been related so far and to see what it tells us about the causes of the disturbances of 6th October. In Chapter 2 we described the growth of community organisations on the Broadwater Farm Estate, and their success in turning back what appeared to be a dreadful failure of municipal housing policy. That success is worth reporting on and learning from, irrespective of the events of October 1985; and in Chapter 9 we make proposals designed to recognise and build on that success, and to encourage the development of other self-reliant and forward looking communities. As we explain in the Chapter, the need to invest resources in developing such communities is based on social justice and on the general community interest. Investing resources in a community such as Broadwater Farm, whose members are ready to complement the investment with their own dedication and hard work, will generate more jobs, better living conditions, and a happier life for many people. Such an investment will not in itself avert conflicts with the police; nor has the absence of resources been in any meaningful sense a cause of those conflicts.

8.2 The reason for the fighting which erupted on 6th October with such appalling consequences for the police and the community, is to be found rather in the history which we have traced in Chapter 3 of failed initiatives in police/community relations; and in the dreadful sequence of events which started with the arrest of Floyd Jarrett and which continued until the clash at Willan Road. That clash as we have seen was between a group of youths who, along with many others, were full of sorrow and anger because a mother had died and because

nothing effective was being done about her death; and a unit of police officers who were, with many others in reserve, heavily equipped, hostile to the people on the estate, expecting trouble to start, and ready at a moment's notice to quell it with force. Thus the disturbances came about because of an appalling state of distrust and hostility which existed on 6th October between the police and the people who lived in and frequented Broadwater Farm. To explain why that had come about had been the purpose of our analysis of events in Chapters 3 and 4.

8.3 Reviewing the salient findings of those Chapters, we can conclude that there would have been far less likelihood of serious disturbances if all, or even a few, of the following had taken place:—

- (1) If the top leadership of the police in Y District had recognised, encouraged and responded wholeheartedly to the community organisations on Broadwater Farm.
- (2) If serious efforts had been made both by the home beat officers on the estate and their superiors, to ensure that those officers knew, understood and respected the members of the Broadwater Farm Youth Association.
- (3) If the contradiction between co-operative community policing and the incursion of intimidatory mobile units had been resolved by the local police command.
- (4) If there had been goodwill on the part of both the police leadership and the council, to work together in setting up a consultative forum in which all interests in the borough were represented.
- (5) If the police had come forward and discussed their concerns about policing on the estate at the Broadwater Farm Panel.
- (6) If the drug pushers who began to appear on the estate had been arrested or otherwise prevented from committing their crimes on the estate.
- (7) If the other community leaders who were available during the absence of Dolly Kiffin had been recognised and trusted by the police during August and September in order to resolve the problems which were developing.
- (8) If there had been adequate procedures at Tottenham Police Station to prevent officers going off on a speculative and unjustified search of Mrs Jarrett's home, which in the event led to her tragic and untimely death.
- (9) If — that tragedy having happened — the police authorities

had immediately acted to suspend the officers involved and to demonstrate their desire for the full truth about the tragedy to be uncovered.

(10) If during the evening of 6th October the police had maintained the restrained response which they had shown during the afternoon demonstration.

8.4 Examining these questions provides a much truer account of the ingredients of the disturbances than does a simplistic, and in our view misguided explanation that the disturbances were caused by wickedness or criminality. In saying that, we recognise that in the history we have outlined, things were done against the police which were reprehensible. In Chapter 3 we gave a similar description to the striking of a police officer with a bottle; to the striking of a police officer with a billiard cue; and to the stabbing of an officer with a knife — all criminal acts which happened on the estate in 1982 and 1983. We recognise also that police work is difficult and dangerous and that injury to (and even more the death of) a police officer generates a reaction among colleagues of both anger for what has happened and fear of what may happen to them. Relations can be poisoned between the police and the whole community of people which they see as being ready to do similar acts. We have shown that on Broadwater Farm the reprehensible things which were done were the isolated acts of particular individuals, and were not the acts of a criminal community.

8.5 Nor do we accept the explanation put forward by many newspapers, that the estate was seething with tensions which would have sparked a riot in any event, and that it only needed a "trigger" to set it off. On that view, the death of Mrs Jarrett is seen as the "trigger", but any other event might equally have served. Such an analysis seriously underestimates the magnitude of that tragedy. It was, so far as we know, unprecedented for an innocent Black woman to have died as a direct consequence of a police operation. When one adds together:

- (1) — the shock and sorrow of that event;
- (2) — the natural association of it with the shooting of Mrs Cherry Groce;
- (3) — the distrust, justified in the event, of the mechanisms for investigating the tragedy;

(4) – the pre-existing bad relations between rank and file police officers and people on the estate;

(5) – the accumulated bitterness of years of experienced malpractice, as confirmed strikingly for the Broadwater Farm residents by our survey;

then the ingredients of an uncontrollable confrontation were present. Without the first three factors, all stemming from the death of Mrs Jarrett, we do not believe that the disturbances would have occurred, as we explained at the end of Chapter 3.

8.6 But even then, that confrontation might have been averted, and was for a time averted, by a strategy of controlled policing. What finally happened was the worst possible provocation – the blocking of the free movement of people leaving the estate to go to the police station, as their practice had been at other such times. Many Black people have spoken to us powerfully about how they have been constricted all their lives – by inequalities of education, by discrimination in employment, by the abuse of stop-and-search and other police powers. On the estate in particular the fear had taken a physical shape. One witness told us that in discussions among the youth about the police on the estate “there was always this dread that the police could hem them in”. With the deployment of riot police at every entrance, spreading out and blocking the roads, that dread became reality. For even though some people were allowed in and out during the evening of 6th October, the evidence is that the vast majority of young Black people were not allowed to leave by the roads off the estate from about 7.00pm onwards.

8.7 As we described in Chapter 6, the consequences of the disturbances have been horrendous. The intensity of the fighting and above all the death of a police officer, have for many police officers been a confirmation of everything bad which they believed about Broadwater Farm. The immense scale of the arrest and search operation has put the community in fear and has caused people to believe, with reason, that they are the targets of exceptional surveillance and oppressive action. Criminal trials will continue for many months, causing hardship and anxiety for those on trial and their families. Many people are involved in the Broadwater Farm Defence Campaign, which aims to give support and assistance to those on trial and their families. While the trials continue, it is difficult for either the community or the police to do anything other

than relive the conflicts of the past. If abnormally heavy sentences are imposed, the bitterness will endure still further, and the task of reconstruction and reconciliation will become even more difficult.

8.8 Even so we must look forward. As we showed in Chapter 7, people on the Broadwater Farm Estate remain very anxious about crime; but they have limited confidence in the capacity of the police either to solve crime or to act fairly and lawfully towards them. One witness, Mrs Scott summed up the sentiments of many other witnesses, when she articulated in a sentence the problem which must somehow be resolved: –

“I would really like to be able to respect the police.”

8.9 We therefore approached the question “What can be done?” with some anxiety. We have made it clear that we are not equipped to draw up a comprehensive blueprint for the resolution of police/community relations in Haringey. Many who have read the preceding Chapters will have more experience of policing than any of us and may have better proposals to make. We have been limited by time and the amount of expert research which we can assimilate. We propose therefore in this Chapter and the next to reflect some of the proposals which have been put forward in evidence, and to add proposals which seem sensible to us after all we have heard. We do not express them as recommendations, but rather as proposals which can be discussed, improved, and acted on by people who in many different ways have responsibility for the welfare of the community.

POLICING IN TOTTENHAM

8.10 From April 1986, Chief Superintendent Alan Stainsby was appointed Chief Officer of the Tottenham Division. The only role which he played in the events which we have narrated was that on the evening of 5th October he came over from Enfield, where he was then Chief Officer, to take charge temporarily at Tottenham after the death of Mrs Jarrett. He behaved with complete correctness in going at once to 25 Thorpe Road to express his sympathies to the Jarrett family and to tell them of the decision to set up an investigation under the supervision of the P.C.A. On 6th October Chief Superintendent Couch had returned, and so far as we are aware Chief Superintendent Stainsby was not involved in any of the policing decisions which took place on that day. We have also noted that he attended a meeting of the Broadwater Farm Panel soon after being appointed, and

presented a written report. He has met with Dolly Kiffin and other representatives of organisations on the estate. He has expressed his desire, in principle, to see a substantial reduction of the level of policing on the estate. Coming in at this time he has a heavy burden of responsibility to bear, and we wish him well.

8.11 The task can be summarised as the task of introducing genuine community policing into Tottenham. Both police officers and members of the public talk often of the need for "policing by consent" – but what does that mean? The term "community policing" has become so hackneyed that it may be useful to use another term to describe what we have in mind – "co-operative policing", by which we mean a policing strategy by which the police at all levels co-operate (on the basis of mutual respect and equality) with those various agencies which represent the community, in order to deter and detect those crimes which the community believe to be priority evils.

8.12 There are several elements in that definition. First there must be genuine co-operation – which means a real exchange of information about the problems which are troubling either police or community, and about the operations which may have to be mounted to deal with them. The experience of the drug pushers on Broadwater Farm must never be repeated. There, both police and community wanted action, but there was no dialogue about how it should be taken. There is much which can be discussed about the tactics of dealing with particular kinds of crime, without jeopardising the effectiveness of the operations themselves. Chief Executive Roy Limb, who has had close experience of dialogue both with the police and community organisations, gave this view about what was needed:–

"There is no doubt that we have to get into much closer consultation with the police. I have great hopes that the new Chief Superintendent of Tottenham is of a similar mind, and that there will be many three-cornered meetings between the various bodies – the Tenants' Association, the Youth Association and so on – on Broadwater Farm and the council and the police to discuss operational matters. I put it as crudely as that. What I mean is the way in which policing is carried out, because that's the thing that is of concern to the people down there."

8.13 Secondly, the co-operation must be on a basis of mutual respect. The people of the community must be prepared to see police officers as individuals – citizens in uniform with a difficult job to do. Equally the police must be prepared to listen to and learn from local people talking about the problems of their community, and to act on what they have learnt. Co-operative policing does not mean a public relations front.

This key factor of respect was emphasised by George Martin of the West Indian Leadership Council:–

"I have no confidence that they will change, but if they do listen to people like myself who have been telling them this for years, then the first thing they have to do for us to change this thing round is to demonstrate absolutely clearly, both in the street and in the police stations and wherever they speak, that they regard Black parents – adults, as human beings. My feeling is that there is no respect in the police station or on the streets."

8.14 Thirdly, the co-operation has to be at all levels of the police force. One of the most startling revelations in our inquiry was the statement of Woman Police Sergeant Gillian Meynell to Tricia Zipfel, consultant to the Department of Environment, that she had rarely been on the estate, had never met with Dolly Kiffin or any other key people, and was not allowed to meet with community groups. Tricia Zipfel herself compared the change in strategy which is needed to the changes pioneered by her own project:–

"To get the people at the front end of management on the ground where it matters, so that they can actually deal face to face with the people that they are serving there and then."

While there are differences between housing management and policing there is the same important principle involved in both. All the people who take day to day decisions affecting people's welfare must have a close co-operative relationship with all of them, for if not, the decisions will be taken in ignorance. Liaison with the community must not be shunted off to the community liaison officer.

8.15 Fourthly, the co-operation must be with the organisations which represent the community. It is not for the police to choose who represents the community. This means, for example, that the organisations on Broadwater Farm must be accepted as having a legitimate status in the local liaison process. It means also that the council's police sub-committee should be listened to and responded

to when it takes some initiative on behalf of the council about the policing of the area. As we observed in Chapter 3, it does not infringe any sacred principle for the police to work with a council police committee. Unlike any other organisation, the council has a known representative status as the body chosen by the majority of the electorate. We saw in Chapter 7 that 71% of the people in Broadwater Farm believed that the council ought to be involved in policing decisions. Without conceding any constitutional ground, the police should be able to give expression to that wish. We note with interest that Chief Superintendent Stainsby, in his first address to the Community and Police Consultative Group on 15th May, said that he recognised the importance of the local election results and had already had a meeting with Councillor Grant.

8.16 **Finally**, co-operative policing means discussions designed to **deter and detect those crimes which are the priority concerns for the community**. We have heard during the Inquiry of two different concepts of policing which are said to be in opposition: "hard" policing or "soft" — a police force or a police service. But we do not believe that there is a contradiction between co-operative policing and law enforcement. As our survey has shown, the Broadwater Farm community wants positive and effective police action against crimes which they deplore. A high priority is put by Black people and White, young and old, on the need to prevent heroin dealing, sexual assaults, mugging and burglary. They also consider that the police are unsuccessful in dealing with these crimes. While the police have an overall duty to enforce the law, they have in practice a huge area of discretion in the way resources are used. If the police are seen to neglect these priority areas and to spend time on, for example, shoplifting or road tax offences, resentment in the community will continue. Co-operation therefore means discussing what are the priorities and how they should be tackled. It should also include local C.I.D officers and district support unit officers, as well as the home beat team. Any good understanding which might be built up by the home beat officers could be destroyed if, when serious crimes occur, a separate and alien team of officers become involved.

8.17 We are acutely aware that it is one thing to state principles and quite another to implement them. We have seen how ideas which were held by Chief Superintendent Couch were sometimes unacceptable to his colleagues and some of his subordinates. We see

three principal ingredients in the programme which is needed to make co-operative policing a reality in Tottenham:—

- (1) A programme of education and training of officers of all ranks in the skills which are needed for co-operative policing in a multi-ethnic community.
- (2) A commitment demonstrated by the top ranks of the police leadership through the ranks downwards to eradicate oppressive and racist policing.
- (3) A system of consultation and accountability which is effective to secure changes in policing strategy when the community is seriously dissatisfied with the service which it is receiving.

A COMPREHENSIVE TRAINING PROGRAMME

8.18 The need for training was voiced by witnesses, including Mrs Scott:—

"It's up to the government to do these things, but they have got to give their police more training and they have got to put them in the right way, give them the proper training as to handle Black people in general."

And Arthur Lawrence:—

"Better training in their understanding of other ethnic groups would go some way to resolve some of the problems. At one time they used to be some visits by police to youth clubs and all that; somewhere along the line that broke down."

And a Black woman:—

"The training for the police is vital. Talking to certain policeman, men who are well meaning in many respects, they don't know what racism is at all. They just have it and they do not realise how much it's affecting other people."

And Tricia Zipfel, drawing on her experience of housing management, described how when people are the "old guard type", then "they damned well have to be trained into new attitudes, new approaches, and new styles of management that are appropriate."

8.19 **This need for training** is underlined by the fact that Metropolitan police officers are not recruited out of the communities which they are to serve. According to a report by Andrew Tyler in *Time Out* magazine on 14th May 1986, around 70% of officers are recruited from outside the greater London area. In their training period, they are based in a police section house. Another aspect of the problem is expressed by a Black officer in the article described the

effects of this total non-contact with the real community:—

“With eight hours a day in the section house, three or four drinking and the rest on duty, it gets to the stage where it’s embarrassing for them to meet people who aren’t policemen. It gets so they can’t cope with ordinary people and that they come to actually detest any group apart from themselves. Hard drinking and hard bragging about sexual conquests are prerequisites for being accepted as ‘one of the boys’. If they do have to mingle, like go to an Asian community on house inquiries, they’ll come back and slag and slag about how much they stink. And it isn’t a small minority, it’s the core of the group, I’d say, aged from 18 to 25.”

8.20 Senior officers, who should be playing a key role in cracking down on racist and sexist attitudes appear often to condone and encourage them. The pages of the *Police Studies Institute report Police and People in London*, which was commissioned by the Metropolitan Police and involved actual observation by researchers who were attached to the Metropolitan Police over two years, reveal case after case of such behaviour by high ranking officers. These are some examples:—

“When (a researcher) worked with one crime squad, one of the first things the uniform sergeant told him was that he thought he would have to get rid of the WPC in the squad, since none of the men wanted to work with her.”

“It was a Detective Chief Inspector who said in an interview that ‘Asians are incapable of telling the truth.’”

“One of the officers giving the briefing for a large public order event managed to indicate that he sympathised with PCs who found Black people ridiculous even while he was saying that the PCs should not call them ‘monkeys’ as this might cause trouble.”

“It was a Chief Inspector who (in the aftermath of the Black People’s Day of Action) worked himself up into a frenzy of hatred against Black people and orchestrated a session of absurd racist talks with a large group of PCs in the canteen.”

“A Commander in a sensitive area spontaneously spoke at length (to a researcher) about the alien, unintelligible and threatening nature of the West Indian way of life: while some of the points he made were individually valid, what he had to say was, taken as a whole, an expression of hostility towards West Indians, especially since he had nothing to say in their favour. It was quite clear that this Commander had little sense of common humanity with the

West Indians who form an important part of the local population.”

8.21 In only one of the ten divisions which the researchers studied did they find senior officers who were prepared to exercise their leadership in combatting racism. Their description of this division is worth quoting:—

“In one of the divisions that we studied, the senior management team (chief superintendent and superintendent) were clearly very anxious to establish and maintain good relations with members of ethnic minority groups locally. They showed this by giving their own attention to any events or incidents that might act as a focus for racial tensions. They also spent a considerable amount of their time getting to know prominent people belonging to the ethnic minority groups locally. They were well aware that there was a great deal of racist talk among PCs on the reliefs; they certainly did not appear to condone it and they made a (partly successful) attempt to stop it while the researcher was there. Although the racist talk continued the PCs were well aware of the policy of the senior management, especially their insistence on giving support to the Asians when under threat from skinheads and supporters of extreme right-wing organisations. This policy was often commented on, was resented by some, but was put into action. It was significant that the researcher saw a potentially explosive incident involving West Indians successfully defused in this division.”

8.22 These quotations, from a study made as recently as 1981 to 1983 indicate the magnitude of the task. From the evidence which we have summarised earlier, we have no doubt that these attitudes are as prolific in Tottenham now as they were in 1981 – 83 in the areas studied by the researchers. To change them requires first, an absolute commitment from the senior officers in Tottenham, supported by the deputy assistant commissioner at area level. For example, since it will be necessary to use substantial police time in the training and retraining of officers, it may be necessary to have support from outside Tottenham to cover essential policing duties. We have seen how vast numbers of officers were brought into Tottenham from outside in October to December 1985 to deal with what we have seen to be a crisis. The crisis of racism and alienation from the community amongst police officers is at least as desperate.

8.23 In 1983 the Working Party on Community and Race Relations

Training for the Police, published its report. It had been set up by the Police Training Council, and its recommendations were accepted by the Home Office. Among its findings about the attitudes of police officers was the following, with which we fully agree:—

“Many officers, of course, appreciate the need for the police to offer a full range of services and take pride in discharging all their functions in a thoughtful and professional manner. There is, however, a tendency for some, particularly in inner-city areas, to regard their task as more or less exclusively one of law enforcement. Such a narrow conception of their role can lead officers to exercise their discretion without regard to the effect of their actions on long-term relations with the public, and to regard themselves as representing an authority apart from the community. Officers who focus exclusively on law enforcement may, in addition, assume that all individuals with whom they come into contact are criminally inclined, and take a disparaging and moralistic view towards high crime areas (and the local populations) where the generally accepted means of social control may be relatively difficult to apply.”

The Working Party's general conclusions about existing police training methods were strongly critical:—

“There are a number of serious weaknesses in present ‘in-force’ training. Not all forces give training in community and race relations and few give training to ranks above sergeant. The aims of such training as is given are generally unclear and unrelated to the practical requirements of the police service. The most serious defect in the content of present training is that it consists, for the most part, simply of information. A narrow range of methods is used and neither the training nor individual officers are assessed. Training is not organised to maximum effect. Expertise and materials available, while adequate for present training, will not be so in future.”

The Working Party made a series of recommendations both for in-service training and for the training of probationers, designed to rectify this serious situation.

8.24 In some areas of the Metropolitan police at least, this need for intensive training at all levels is beginning to be recognized. In a paper presented in September 1984 to the Cranfield-Wolfson Colloquium on models of police/public consultation in Europe, Commander Alexander Marnoch, who was in charge of the Lambeth district from

1981 to 1985, described the introduction of new training programmes. He said it was impossible to exempt police from some of the blame for the alienation of the Black community, in that wrongful attitudes had all too often been seen as confirmation of prejudice and the catalyst of public disorder. He continued:—

“We must ensure that the men who come (to Lambeth) are well trained and carefully selected. For this reason, the training programme for our officers has been enhanced and the element that we call “policing skills” has been increased, with a view to ensuring that officers project the right attitude to elicit the right response. A recent addition to the programme for Lambeth has been the development of a district training unit which, in addition to providing normal “on the job” training, would be used for specialist “policing skills” development, with the accent very much on the needs of the community. We anticipate that in the next three years this emphasis on training will increase even more and that the unit will come into its own, providing training for probationers, senior constables and detectives. We have established a coherent and logical strategy for introducing new recruits to the district. The street duty course takes up the first ten weeks of a probationer's career and aims to teach not only local geography and characteristics but to involve the probationer in operational policing in a guided situation. We have effectively attained the six months' training period Scarman suggested — indeed it is 30 weeks — while community relations training for senior officers and experienced constables is greatly featured.”

8.25 We welcome this approach in Lambeth, but we question to what extent the recommendations of the Working Party have been taken seriously in Tottenham. We certainly believe that a training unit similar to that in Lambeth is needed in Tottenham, and that — for a start — all the home beat officers to be attached to Broadwater Farm should attend, however “experienced” they are. We believe that such service training programmes must involve both local community representatives and non-police experts in a teaching role. We believe that the training of probation officers must be completely reviewed and greatly extended in length. The present 20 weeks at the training college at Hendon is a very short period, in which it is impossible for a trainee to understand, let alone master, the difficult skills needed to serve the public well, such as an understanding of civil liberties, an understanding of human relations, and an understanding of community organisation.

8.26 After the initial period the 'training' of probationers seems too much to involve the use of probationary officers as extra police numbers, without any real learning programme. Many other professions require a period of placement for trainees in places where they can gain necessary experience. Specifically we note that Chief Superintendent Stainsby in his address to the Community and Police Consultative Group said that he was approaching the local authority regarding the placing of probationers after their initial training. He said:—

"I would like to attach them to bodies in the local authorities sphere for them to study the social impact of policing."

We can think of no better place for such attachments to be started, than at the Neighbourhood Office and the Youth Association on Broadwater Farm Estate, and we believe that, if the plan was seriously discussed with community representatives, they would work with it.

8.27 A comparison between the schemes described in Commander Marnoch's paper and the divisional reports issued by the Tottenham police shows how inadequate has been the attention given to training in Tottenham. In 1984 a divisional strategic plan for Tottenham was published. The foreward stated that:—

"The strategy includes an element of quality of service to the public, which is hoped to provide for a better quality of life for Tottenham and a closer police/community understanding."

The plan contained not one reference to training. The divisional report for 1985 contained one reference to in-service training:—

"Our fifth objective was to improve the overall skill and effectiveness of police officers from Tottenham divisions. To achieve this aim a series of one day training courses was organised for community beat officers where lectures and talks were given by speakers with relevant knowledge."

It is our belief that courses lasting one day for a limited number of officers only scratched the surface of the problem that we have described. The 1986 report states generally that the force's goal for 1986 is to improve the service to the public by a number of methods, of which the very last in the list is training. There is however no further reference to training in the report, and nothing to indicate that any further attention has been given to the training of officers in the necessary skills which they lack.

A COMMITMENT TO ERADICATE OPPRESSIVE AND RACIST POLICING

8.28 Training is only part of the answer. An equally important part is

supervision and discipline. The need for the most senior officers to know what abuses are going on and then stamp on them was stressed by Norton MacLean, Principal Youth Officer for Haringey:—

"If the senior management in the police were really committed to changing things, then I feel lots of people in the community will go more than half way in meeting them. Now they can demonstrate this commitment by actually prosecuting to the fullest hilt of the law the officers who break the rules."

Mr Jarrett made the same point:—

"We won't trust the police until we get a written statement going across the whole world saying that any policeman caught telling lies should have been sacked or been dismissed or been disciplined."

8.29 The problem however is that police officers have so much individual discretion to enforce the law as they think fit, that senior officers can evade responsibility by pleading ignorance. Stopping people in the street, calling in district support units, obtaining search warrants — to take three areas where we have evidence of abuse — are all done by junior officers with minimal supervision. We have seen how DC Randall was able to carry through the search of Mrs Jarrett's home with little or no questioning from the duty officer Inspector Clark. The Chief Executive Roy Limb spoke of this lack of awareness on the part of the senior officers of what was going on:—

"One thing was clear to me, though I cannot say it was ever admitted by the police, and that was that sometimes the right hand did not know what the left was doing. There were a number of different police forces at work."

Mr Limb said that was a familiar experience to him as a senior manager, and often he does not know that certain things are happening "until some councillor kicks me up the backside". For police officers who have the potential to do more harm to the individual than almost any local authority officer, to be out of control in this way is unacceptable. We have seen how, on the findings of the P.S.I. researchers, racist behaviour was condoned and instigated at the level of very senior ranks. We believe therefore that tackling racism and the abuses which flow from it, is a priority which requires clear and strong leadership from the Chief Superintendent of Tottenham himself, with firm and public backing from all ranks above him up to and including the Commissioner of police.

8.30 How can this be done? We are sorry that we could not have heard from Chief Superintendent Stainsby himself whether he thought that

there was a need for a commitment to eradicate oppressive and racist policing, and if so how he proposed to carry it through. We asked the Commissioner of Police a number of questions about racist behaviour in our letter of 6th May 1986 – he did not answer them. In our view such a commitment would have to include: –

(1) A requirement that over a reasonably long period, no house search or arrest warrant should be applied for without the authority of the Chief Superintendent, or some officer delegated by him in cases of emergency;

(2) A stipulation that every stop-and-search of a person in the street be reported to the Chief Superintendent with a full reason why it was done. In this connection we mention the answer given by the Home Office to Lord Gifford's question:–

"How many people were stopped and searched by police officers in the Tottenham area during each month of 1985; of what ethnic origin they were; and in how many cases the stop was followed by an arrest?"

The answer was that in the first three months there were 867 stops resulting in 175 arrests; and in the last nine months there were 413 searches followed by 51 arrests. After April the basis of recording changed and it seems that stops were not recorded. Information on the ethnic appearance of those searched was not collected centrally. These are worrying statistics, especially as many of the arrests are likely to have been "knock on" offences (See paragraph 3.5). Hundreds of people who were innocently going about their lawful business have been stopped, and have suffered the humiliation of a public search.

8.31 These requirements should be accompanied by guidance from the Chief Officer that there should be no stops of Black people on "hunches" that they were up to no good; no fishing expeditions to the homes of Black people who were rumoured to be criminals. Search powers should be used only where there was clear evidence of specific crimes. The requirements would also need personal leadership from senior officers; for example, there are many opportunities at briefings before officers leave the police station for senior officers to ram home the message that racist and oppressive behaviour will not be tolerated. We understand that in other police divisions in London such methods have been effective in reducing the number of oppressive searches. The need to justify a search in the face of probing questions of a Chief Superintendent should be a deterrent even to the most racist constable.

8.32 Similar constraints will have to be placed upon the district support

units, which are about to be reorganised as a new form of Special Patrol Group serving the whole of a police area. They will be known as Territorial Support Groups. Their job is a difficult one. They have to wait or drive around, often for long periods, until called out to help out in some emergency or some special operations. They usually have no knowledge of the people to whom they are sent. It is therefore vital that they should be under control. The experience of the day when district support units left the Spurs' ground and moved into Broadwater Farm looking for something to do, must never be repeated. Once again we would suggest that the control must be imposed by direct supervision from the appropriate Area and Divisional Chief officers, to whom all operations of these units should be reported. The aim must be that officers who call in such units without good reason, and officers in the units themselves who abuse their power, can be called to account and disciplined. The ill-effects of using these units where they are not needed cannot be overstated: Vernon Moore of the West Indian leadership council, put the point succinctly in saying to us:–

"The deployment of "meat wagons" in certain areas should be decreased in order to dispel the psychology of fear which the Black community is currently experiencing."

8.33 Over and above these specific suggestions, we call for a ruthless determination to eradicate racism from the police force. Community development officer Laxmi Jamdagni made this call in clear terms:–

"I think the single biggest issue here is police racism and the short term and long term effects that that is having."

The Commissioner's Report for 1985 tells us that there has not been a single substantiated complaint of racial discrimination since racial discrimination became a specific disciplinary offence in 1984. To us that speaks volumes, not only about the hopelessness of the police complaints procedure, to which we return below, but to the low level of commitment to take racism in the police force seriously. We urge the senior officers in Tottenham to prove by every means at their disposal – by publicity, by example, by training, and by discipline – that disrespect and ill-treatment of Black people because of their colour will not be tolerated under their command, and will be punished.

8.34 We mention in this context the question of the recruitment of Black police officers. It is in our view fallacious to suppose that recruiting drives for Black officers will help to combat racism. The

converse is the case – cracking down on racism will make a job in the police force considerably more attractive to many Black people. They will be far more ready to serve in an organisation which respects them as people, which does not abuse them or degrade them, and which will give them the opportunity for promotion in accordance with their abilities. Our own view is that we want to see Black people playing a full part in all walks of life, including the police. Advertisements and campaigns aimed at potential Black recruits are to be welcomed, but they will not significantly increase the number of Black officers unless the Metropolitan Police Force at all levels is clearly seen to be attacking the racism within its own ranks.

POLICING BROADWATER FARM

8.35 The proposals set out above could be implemented on the Broadwater Farm Estate in a way which would, over a period of time, effect major improvements in relations between police and residents. First, we believe it to be essential that there are no officers being drafted in from other divisions outside Tottenham to be part of the Broadwater Farm patrol. Secondly, the members of the home beat team must be introduced to the people of the estate which they are policing. This will require most careful liaison and discussion with both the representatives of community organisations and the police. Many people in the community have almost lost hope that police officers will respect them as equals, and on the other side we understand that there is a reluctance on the part of police officers to serve on Broadwater Farm, which is still branded in their eyes as a violent and anti-police community. But if, as we have been told, the members of the home beat team have been selected with care: and if, as we believe, the community organisations will respond to a dialogue which is seen to be genuine, then it can be done. The community is entitled to know, and we think want to know, who their police officers are. Pat Ford, former chair of the Tenants' Association, said this of the present situation:—

“They are still very erratic as they are in their vans, and they are in and out, and you get them very thin on the ground one minute and loads the next. If they are going to have 12 here, I think they should have 12 here, and I think that we should know their faces, and I think they might stand a chance then.”

It must also be very difficult for the home beat officers to be patrolling in a community whose prominent members are unknown to them, and where they feel estranged and on edge. We would leave it

to discussions between senior officers and the representatives of community organisations to determine exactly how and when such contact should be made. The attendance of some of the home beat officers at the Broadwater Farm panel would be very helpful.

8.36 It is not for us to say precisely how many police officers should patrol Broadwater Farm. It is evident that for 16 officers to patrol 1063 dwellings is out of proportion to any other neighbourhood policing operation. Spread over Tottenham, the same ratio would require about 1000 community beat police officers for the whole of Tottenham, whereas in reality there are only about 200 constables in the division for every kind of work. People in other neighbourhoods are entitled to ask why they cannot have a greater share of community beat policing for themselves. Even so, it is not just the numbers but also the attitudes and behaviour of the officers which mattered. In our survey 65% said that they thought the existing numbers were about right or too few. Sixteen officers who understand and work with the community, and who do not call in reinforcements for every minor policing job, will create far less trouble than eight who are hostile and aloof.

CONSULTATION AND ACCOUNTABILITY

8.37 We believe that the present legal position whereby the Home Secretary is the police authority for London should be changed, and that London should have a police authority of elected representatives. At present it is virtually impossible for any effective democratic control to be placed upon policing in London. Norman Atkinson MP, who declined to give evidence to the Inquiry but spoke to three of us privately, said that we could refer to his experience of how difficult it was to raise any questions about policing strategies on behalf of his constituents. When he raised the matter with the Home Secretary, he would normally be answered by a Minister of State saying that it was an operational matter for the Commissioner. Many other public servants, such as teachers and social workers, are able to maintain strong professional standards in dealing with individual problems, while being accountable to elected bodies for the financing and policy direction of their service. In the same way, even though police officers as trained experts should have discretion in how the law is enforced, their budget and general priorities should be determined by a body of elected representatives which can call them to account. Without that, the interpretation of the public interest is left entirely to a

Commissioner of Police, who is not accessible to MPs or responsible to a public mandate. That is not the democratic way.

8.38 However we do not enter further into the debate about what sort of elected police authority, with what powers, there should be. There is a crisis of confidence in the police in Tottenham today, and it must be tackled within today's legal framework. That means making use of the arrangements for consultation between the police and the people of the area which are required by Section 106 of the Police and Criminal Evidence Act 1984, which we quoted at paragraph 3.49.

8.39 The Home Office has published guidance on the arrangements for local consultation in the Metropolitan Police District. Paragraph 7, dealing with membership and organisation, starts as follows:—

"If a group is to have the confidence of the local community as the focus for local consultations on policing matters, it is essential that its membership should be as representative as possible of that community. Groups should be accessible to the public so that the community in its widest sense can make a constructive contribution, as well as the police, elected representatives and statutory agencies . . . The formation of sub-committees to consider particular problems or initiatives could involve representatives from the community who are not members of the group itself."

8.40 The Haringey Police and Consultative Group first met on 31st October 1965, and its constitution and standing orders were adopted on 9th January 1986. Members of the Inquiry attended the two following meetings on 13th March and 15th May. It was quite apparent that the Group was not representative of the Haringey community. Eric Clarke, chair of the group, accepted this in his evidence to us:—

"What is missing basically is the Black element in any numbers and the Black element is quite a strong element within Haringey. We had the Standing Conference and a couple of bits and pieces, which are good bits and pieces, but no, I wouldn't think we were representative of the electors of Haringey at all."

He believed that the biggest inhibiting factor to Black organisations joining was the attitude of the Borough Council which had not taken part. In a dialogue with a number of Black members of the public who intervened during his evidence, his position was that the group was open for them to join, and if they wanted the group to concern itself

with the grievances of the Black community, it was for them to come along and voice them. They however were saying that for the Group to be acceptable it must show itself ready to deal with the injustices suffered by Black people, and of this they saw no sign.

8.41 It is necessary to examine how the present situation has come about. If the intention of the group was to bring together as wide a range of community interests as possible, in accordance with the Home Office guidance — it would have had a list of 1,200 organisations in Haringey to call upon. Both the Haringey Council and the Haringey Council for Voluntary Service have compiled extensive lists of all organisations in the borough and these lists are updated regularly. The Haringey Council for Voluntary Service has computer-based lists of 1,200 organisations from which can be retrieved any groupings of organisations required for a particular type of mailing. The council's community affairs department produces an updated directory regularly.

8.42 The initiative for the present Consultative Group first began on 6th June 1985 when an exploratory meeting took place, at which according to D.A.C. Richards "a good section of community representatives were invited". In fact the conveners of that meeting appear to have written to only 60 organisations, and did not consult either the Haringey Council or the Haringey Council for Voluntary Service about other possible invitees. They appear to have made no real efforts at initially inviting a great many of the Black and minority ethnic organisations, of which there were approximately 230, even though the Black and minority ethnic communities' population is about 44% of the borough. According to the information which we have received, only 17 such organisations were invited. Only two women's organisations were invited, even though women are among the most vulnerable people in terms of criminal attacks and abuse. The initial list of invitees comprised mainly neighbourhood watch organisations, tenants' organisations and long established groups such as the Church, Council of Churches, London Transport, and the Probation Service. There were 21 organisations present at the exploratory meeting, of which six appear to be minority ethnic organisations. The chair Eric Clarke told the Inquiry that the membership is now 100, most of whom are neighbourhood watch schemes. Dudley Dryden, who attends the Group on behalf of the West Indian Standing Conference, and is one of the very few Black

people to attend, gave us his view of the Group at its present stage:—

"I do have some concern about the Consultative Group. I think the base needs to be broadened for greater representation of the people in Haringey, and not just as it stands at the moment, but is early days and we have yet to see the base being broadened. Otherwise it will have a voice just in one concept only. When I am there at the moment I am like a voice in the wilderness, but sometimes the voice in the wilderness does get results."

8.43 The constitution as at first drafted contained as one of the nine aims of the group:—

"To monitor the incidence of racial attacks and harassment in general within Haringey and to discuss the police methods for their alleviation and investigation."

When the constitution was adopted, this was amended to substitute "personal violence" for "racial attacks." It must be said that the senior police officers who were present supported the idea that the monitoring of racial attacks should be one of the aims of the group. However, the amendment, carried by a meeting composed almost entirely of White people, has caused a concern about the commitment of the group to anti-racist policies which we find entirely reasonable. This concern would not have been allayed by the passing at the next meeting of a motion worded in weak and general terms that the group "wishes to record their commitment that all their efforts and endeavours will be based on a policy of equal opportunities irrespective of race or sex."

8.44 The Middlesex Area Probation Service, in their written submission to the Inquiry, gave this summing up of the performance to date of the Group which has so far been meeting:—

"The mood of the meeting is populist, and anger is directed primarily against Haringey Council. The majority of members present show little awareness of the feelings and problems experienced by the young and by ethnic minorities in the borough. Some of the decisions taken by the Group show an unwillingness to accommodate the views of disadvantaged and minority groups. The Group is unable to offer any constructive criticism of the police."

8.45 However, the council has also a serious responsibility to bear for the present situation. We have said above (3.51) that in our view the council indulged in obstructive tactics when first invited to hold

discussions about the consultation arrangements. It deprived itself of the opportunity to insist on a truly representative membership list, and a constitution which would be acceptable for the whole community. With all the information at its disposal it would have been in a strong position to have negotiated to set up the Group on a constructive basis. Its absence has encouraged the Group to become, as we have ourselves seen it, the anti-council gathering described by the Probation Service, where any support for the council is greeted with boos. At its meeting on 15th May 1986, the Group issued an ultimatum that it would appoint council representatives itself, if the council had not done so by the next meeting on 17th July.

8.46 It is our firm view that this state of affairs does no service either to the police or to the community at this critical time. It can only be ended if there is an open mind and a readiness to re-think on all sides. The Group itself should be prepared to make a fresh start, and to throw open its organisation to help every group which wishes to join. A public campaign to draw in members from all parts of the community would create confidence in the Group and enable it to establish wide and important links into the community. There are a number of key agencies in the borough, such as the Haringey Council for Voluntary Service, the West Indian Leadership Council, the co-ordinating bodies for Asian and other ethnic minority and women's organisations, with whom the Group could co-operate in making the campaign effective.

8.47 But the re-thinking should go further than membership and extend to the structure of the Group and its meetings. At present it meets every two months, for two hours only, unless the meeting decides otherwise. A considerable portion of that time is taken up by reports from the two chief superintendents of Hornsey and Tottenham. Within that framework it is not easy to see the Group being able to grapple effectively with matters of serious complaint. There needs to be a readiness to meet more frequently, (the Lambeth Consultative Group meets twice a month) and to create sub-groups which can deal more informally and carefully with issues of particular concern.

8.48 In the longer term, the Consultative Group should have funding which enables it to employ its own staff and provide information and service to its members independently of the police.

The guidance states that costs, which are covered by the Home Office, should be small. We know of at least one Consultative Group in London which has secured funding to cover the costs of its own office and staff. The problems of Tottenham certainly deserve priority for the funding of effective consultative arrangements.

8.49 We also urge the council for its part, to enter (as a matter of urgency) into discussions with the group with a view to participating fully in its work. The council has potentially an important representative role to play. The councillors who would most logically be appointed would be the members of the police sub-committee. We have heard evidence from members of that committee representing both the major parties on the council. We have been informed that frequently the decisions of the sub-committee are taken by a consensus of both parties. If a matter of concern were brought from the sub-committee on a bi-partisan basis to be raised at the Consultative Group, there would be powerful pressure on the police to deal satisfactorily with that matter of concern. Moreover the council maintains a Police Research Unit. The information which the unit has gathered would be at the disposal of council representatives on the Consultative Group, and could be used to support a demand for a new policy or a request for further information.

8.50 We questioned Councillor Grant about his attitude as leader to the council's relations with the Consultative Group. His answer deserves careful attention:—

"I think that we should take part in the Consultative Group providing that the Consultative Group is representative of the people in the borough. At the moment the Consultative Group is made up, as I understand it, of something like 80-90% of neighbourhood watch schemes. There is little or no representation from Black and minority ethnic groups in the borough, of which there are literally dozens. There is no representation to any great extent from some other community groups within the borough, women's groups and so on. I think that if the Consultative Group were to become representative, then the council should take part, even though politically we disagree with the whole way in which it was set up. I think we should concede that point and we should take part, providing it's representative. Secondly, I think the Consultative Group will need to make a clear anti-racist statement and that I believe has been thrown out by the Consultative Group.

They have refused to consider the question of racism at all within their work. As I understand it, even the police were quite happy to have a reference in their objectives to an anti-racist police policy, fighting against racial harassment and so on. Even the police were quite happy with that, but the Consultative Group couldn't bring themselves to agree to that particular statement. But if those two things are agreed, I think we should take part in it."

We have recognised the force of both of the points made by Councillor Grant in this answer. If the Consultative Group is unwilling to respond, then we believe that the Metropolitan Police would be obliged to dissolve the present unrepresentative group and start again with a wider forum.

8.51 We emphasise, that in the interests of utilising this process of consultation for the benefit of all the people of the borough, flexibility and restraint will be needed on both sides. The first and most immediate piece of restraint will need to come from the Group at its next meeting on 17th July. We believe that it must drop its "ultimatum" to the council. In the first place, the Group has no right whatsoever to appoint council representatives; only the council can do that. In the second place, we hope that all concerned will want to digest the findings and proposals of this report, before travelling a step further down the road of provocation and disunity. It may then be possible for a genuine and constructive dialogue to begin.

THE PREVENTION OF DISORDER

8.52 On 7th October 1985, the Commissioner of Police Sir Kenneth Newman made the following statement in relation to the decision not to use plastic bullets the night before:—

"But I wish to put all the people of London on notice that I will not shrink from such a decision should I believe it a practical option for restoring peace and preventing crime and injury. I would have hoped not to have had to express that thought but yesterday evening's events have made it a regrettable possibility."

This was a chilling threat. We are sure that Sir Kenneth was keenly aware of the anger of his own men at the experiences of 6th October. He had himself visited the scene in the middle of the night. He may have felt the need to give them reassurance that they would not be left unprotected. Even so, the words in our view would have been better left unsaid, for they increased public perception of a police force concerned only to subdue disorder with even greater force. We urge

the Commissioner to take no further steps to make that threat a reality. We agree with the statement which was made to us by Dudley Dryden of the West Indian Standing Conference:—

"I would like to say something about the presence of plastic bullets, water cannons and CS gas. They are not going to be a solution to the problems. Because if a person is cornered they definitely intend to fight back and fight back in a very vicious and ferocious way. Examples over the years and hundreds of years tell us that to put more pressure on persons who have already been pressurised, that is not the solution. The solution to the problem is to get around the table in an amicable way with the community and have the matter being sorted out."

8.53 Since October 1985, the Metropolitan Police have introduced Londoners to "Riot City" — a mock-up of an urban area where police officers simulate riot conditions and throw petrol bombs and missiles at each other. It appears that all police officers are to undergo training there. We find it frightening that police officers are being put through training for urban warfare without any concentrated effort being made to give them training also in the understanding of and conciliation in, urban conflicts. It is said that plastic bullets would be introduced only as weapons of last resort, but the experience of Northern Ireland has shown that they can rapidly become used as a standard way of dispersing a hostile crowd. Two members of our panel have had eye-witness experience in Northern Ireland of police officers firing baton rounds at bystanders who were jeering at them, before any hostile move had been made, provoking the very violence which they were intending to deter. The Northern Ireland experience also tells us that plastic bullets can and do kill innocent bystanders. We therefore oppose any use of plastic bullets. The more that such weapons are available and are used, the more an attitude of mind develops, both among police and other people, that it is necessary for sections of the community to be at war with each other, with one section — the police — being armed as if to put down an enemy.

POLICE COMPLAINTS

8.54 We have stated in paragraphs 4.52 to 4.54 our belief that the Police Complaints Authority failed lamentably in its investigation of Mrs Jarrett's death to satisfy a large section of the public, including ourselves, of its independence and impartiality. What is striking about the investigation is that the responsibility for that failure must be laid

squarely at the feet of the Authority itself and not of the investigating officers. We know from the evidence given to the jury, essentially what it was that the investigating officers discovered. On the basis of what they discovered, there was a clear case to recommend disciplinary action, but the Authority took the decision not to do so. Thus the argument which many put forward that complaints against the police must be investigated by an independent body would not have affected this case. If the Police Complaints Authority had had the power to investigate the case themselves, instead of merely supervising the investigation, it is likely that they would have come to the same conclusion. The problem is that the members of the Authority, although lay people, appear to have no idea of what standards of conduct are expected by reasonable members of the public. They expect that a police officer conducting a search who so carelessly pushes past a woman standing peacefully in a doorway of her house, that she falls and dies, will be disciplined.

8.55 We believe that it would be better for there to be a completely independent authority for the investigation of complaints against the police. However, the Police Complaints Authority is a newly established body and we have to consider the future on the basis that it will remain. In the case of Mrs Jarrett's death it could have fulfilled the valuable function of insisting that disciplinary action was taken. It would then have been appropriate for the Commissioner as the disciplining authority, to have satisfied the public that he was committed to dealing with police misconduct. As it was, the Authority, who knew that there had been intense concern and anger expressed about Mrs Jarrett's death, exonerated the officers completely. They have seriously lost credibility and public confidence. Having failed to act on this complaint, one wonders what trust can be placed in them by others whose complaints are less publicised. The case of Mrs Jarrett's death in our view calls into question whether the members of the Authority who were party to the decision should continue to hold their responsible public office.

POLICE INVESTIGATIONS

8.56 We have raised in Chapter 6 a number of questions about the fairness and the legality of many aspects of the investigation which began after 6th October. Although the new law was not in force, that investigation tells us a lot about how the powers under the new law will be used. For example, we saw how the police on a number of

occasions applied to the Magistrates Court for a remand in police custody for three days, and how in the great majority of cases, those applications were granted. The new law allows detention for up to 96 hours provided that a Magistrates Court grants a warrant of further detention after 36 hours. We fear that it will become customary for magistrates to grant such warrants in cases such as this, and we address a particular appeal to the magistrates below.

8.57 We have seen also how blatantly the police acted to deny a person being interrogated, the right to have the assistance of a lawyer. It was intended that under the new law the right to the assistance of a lawyer was automatic from the outset, except in the very exceptional case where it was feared that the lawyer might pass a message (perhaps inadvertently) which would alert other suspects or harm other people. We fear that the exception under the new law will become used in as standard a way as that under the old. We believe that the right of an arrested person to consult with the lawyer of his or her choice is fundamental. If police officers refuse to respect that right, which is now enshrined in law subject to an exception which would occur rarely, then it is imperative that the courts protect it. Clear rulings are needed from the courts that a "confession" made after the wrongful refusal of access to a lawyer, will not be admitted in evidence.

8.58 As far as other abuses are concerned, such as oppressive questioning, intimidation, and threats, the new law provides that if a confession has been obtained by the oppression of the person who made it, or in consequence of anything said or done which was likely to render the confession unreliable, the court shall not allow the confession to be given in evidence. The difficulty with that, is that the judges who make such decisions are inclined to believe the police officer rather than the suspect when there is a conflict of evidence as to what was done. It is difficult to devise any set of safeguards which would be guaranteed to provide redress in every case of improper behaviour. But there is one obvious protection against abuse which should be obligatory in a technological age – the introduction of video recordings of police interviews. We find it to be something of a perversion of priorities that whereas sophisticated technology is available to the police for them to store and retrieve vast quantities of information on computer, the simple device of a tape recorder has not been installed except as an experiment in a few police stations.

8.59 There is another scheme which is already in operation in three parts of London, the introduction of "lay visitors", i.e. lay people who have the right (recognised by the police) to be admitted to any part of a police station at any time of day or night, without prior notice, in order to inquire whether suspects are being properly treated. We note that in the Report of the Commissioner of Police for 1985 it is stated that:—

"At the time of the street disorders in Lambeth the lay visitors were immediately on hand to examine the way in which those arrested were being dealt with."

It would have been of crucial assistance to some of the people who were in custody for days, in the months following 6th October, for lay visitors to have entered all the police stations where they were being held in order to report on what was happening to them.

8.60 Such a scheme would be a considerable improvement upon the existing liaison officer scheme operated by the Haringey Council for Community Relations. That is a scheme whereby members of a panel of liaison officers maintained by the H.C.R.C. visit police stations if they are invited to do so either by a police officer or by a detained person, in order to defuse tense situations and ensure proper treatment. The scheme may well have had valuable results when it was first launched in 1974, but it has fallen into virtual disuse. We were told that it was only used about twice a month, and was not made use of by anybody during the period of the interrogation of persons detained after 6th October. The natural body to administer a lay visitors' scheme would be the Community and Police Consultative Group – if the group was operating effectively as a representative of sections of the Haringey community. Certainly, such a scheme could only operate if the lay visitors were fearlessly independent people who were prepared to complain to the highest quarters if they came across abuses. It could be one of the priorities of a reconstituted and fully representative consultative group to set up a sub-committee to work with the police in the setting up of an acceptable scheme for Haringey.

8.61 Separate from the question of the treatment of detained people, is the question of how their relatives and friends are treated when they inquire about their welfare. Whatever the arguments about the rights of people who are being questioned, it is totally unacceptable to be disrespectful to their relatives and to deny them

information. As a matter of common humanity it should be appreciated that the anxiety of relatives, particularly over the detention of juveniles and young adults, will be acute. There should be standard procedures whereby relatives who telephone or visit the police station can be given accurate information about what is happening. Failure to observe those procedures should be a matter of misconduct. Here again the introduction of a lay visitor scheme would be of value.

COURTS OF LAW

8.62 If the rights of the individual are abused by the police, the only recourse available is to complain to the courts of law. However we have not heard of any case during the course of the investigation after 6th October in which the court intervened effectively to curb the abuses about which complaints were being made. Indeed we have recorded (paragraph 6.29) one occasion on which a high court judge washed his hands of the matter of complaint and claimed that he had no jurisdiction. We would appeal to magistrates and judges to recognise that they are expected by the public to be impartial arbiters between the police and the accused, who appear before them as innocent persons because they have not been proved guilty. Magistrates do have powers which they can exercise if it is reported to them that the police have used oppressive methods. They have the power to refuse to issue warrants of further detention under the new law; and to refuse to allow applications for remands in police custody. If magistrates supinely acquiesce in whatever the police require, then the courts of justice as well as the police become the objects of cynicism and disrepute.

8.63 We find the use of the power to remand a defendant into police custody to be particularly sinister. Normally, if bail is refused, the defendant is remanded in custody to a prison, where police officers have no right to enter and question him or her without consent. When the remand is into police custody, the defendant remains in the police station and will be questioned at any time. Therefore, a remand into police custody authorises a further period of detention for questioning over and above the limits which Parliament has laid down. We believe that this law should be changed in the light of the Broadwater Farm experience, so that such remands could only be ordered in cases where the defendant agrees (as is sometimes the case when a person is giving information to the police about other accomplices). So long as

the present law remains, we urge magistrates not to allow such remands when they are objected to by the defence.

8.64 The need for vigilance in the defence of civil rights, extends also to members of the legal profession. They have the power – by the arguments they raise in court, by alerting the press to attend the public courts, and by making statements where necessary out of court – to ensure that violations of their clients' rights do not go unnoticed. If just and proper redress cannot be obtained from the courts, then the responsibility lies with the lawyers, who understand what legal principles are being breached, to alert the public to the injustice of the case.

8.65 The other judicial proceeding with which we have been concerned has been the Coroner's Court. We have stated in Chapter 4 that the inquest into the death of Mrs Jarrett was conducted with exemplary fairness. However there are two potential sources of injustice relating to Coroner's Courts which must be rectified. First, in an age in which the right to legal aid for representation in serious cases has been accepted, it is a scandalous anomaly that no legal aid is available to the relatives of the deceased to be represented at an inquest. As we have stated above, the Jarrett family were fortunate in having able barristers and solicitor to represent them without a fee. Secondly, there is no good reason why the rules should preclude the legal representatives of the interested parties from directly addressing the jury about the verdict which they wish the jury to bring in. It is a basic rule of natural justice that the case of every affected party should be heard. The fact that the Coroner's inquest has some of the features of an inquisitorial procedure is no reason for denying that right.

EDUCATION IN LEGAL RIGHTS

8.66 All the proposals made in this Chapter have been concerned to ensure that the basic rights of the citizen under the law can be protected from abuse by the agencies of the law. It is far easier for those abuses to occur if citizens are ignorant of what their legal rights are. In Britain there is no written constitution or bill of rights which sets out fundamental rights in a way which can be easily understood. The extent of individual rights and the extent of police powers can only be understood by reference to a complicated body of statutory and judge-made law. Accordingly we see, as have some of the

witnesses to our Inquiry, a real value in introducing into the secondary education system (as an obligatory part of the curriculum) a course of education in legal rights and police powers. The course could be extended to include law and politics, so as to cover elections and political parties, central and local government, as well as legal rights and the powers of the police. These are topics which at present occur only incidentally (for instance in social studies courses) in the normal school curriculum. If they were compulsory, they would inform not only those who will have to deal with the police, but also future police officers, of their rights and duties under the law.

Chapter Nine

LOOKING FORWARD – BUILDING A SELF RELIANT COMMUNITY

9.1 In Chapter 2 we traced the decline and revival of Broadwater Farm. We described a community of people who succeeded, in co-operation with the council and other agencies, in improving their living environment against all the odds. In paragraph 3.53 we spoke of the optimism which showed through the headlines of the Youth Association magazine in June 1985. In the 12 months since then, the disturbances and their consequences have over-shadowed the success. But the council and other agencies which supported Broadwater Farm in the past have not changed their attitudes to the estate. On the contrary, they favour new projects to the extent that resources allow. And the people of Broadwater Farm, in evidence to us and in answer to our survey, have been stressing the problems and making proposals for dealing with them.

9.2 We believe that the achievements of Broadwater Farm in recent years must be extended and developed. The self-reliant spirit of the Youth Association and other organisations cannot be guaranteed to continue whatever the circumstances. It is vulnerable to a combination of factors – lack of resources, police action, the despair of community leaders, the apathy of residents. If it were crushed entirely the social consequences would be grave. We do not make a simplistic link between deprivation and rioting, for the cost of unemployment and poverty can be paid in many other ways. But there is a connection: as Ernie Large said: –

“If you take unemployment and poverty and top them up with oppression, you are likely to light a fuse, and that goes for any community anywhere in the world, if you add those ingredients together. And that is what is perceived to have been happening with the Black community in Tottenham.”