



The Monitoring Group

***THE WAR ON GANGS
OR A RACIALISED
WAR ON
WORKING CLASS
BLACK YOUTHS***

BY STAFFORD SCOTT

The War on Gangs

**or a Racialised War
on Working Class Black Youths**

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About Stafford Scott

Stafford Scott was a co-founder of the Broadwater Farm Defence Campaign in 1985, and recently set up the Tottenham Rights project. He currently works for the Monitoring Group around issues of policing, including undercover policing. He writes for a number of publications, including the Guardian newspaper.

Introduction

In this essay I will look at the similarities between the current Government's 'War on Gangs' alongside the issues raised in Stuart Hall's 'Policing the Crisis: Mugging, the State, and Law and Order'. Stuart Hall's original piece was written in 1978, and now with the government's 'Gang' narrative emerging in 2011. I believe the comparison of these discourses/debates/discussions will demonstrate how Government, Judiciary, Police, Media and other public service providers overstate and overreact to a real societal problem. This overreaction in turn creates a moral panic within mainstream perspectives; it produces a real and tangible crisis within the communities that are being targeted by the above agencies

'Societies appear to be subject, every now and then, to periods of moral panic. A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylised and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible.' (Cohen cited in Hall et al. 1978, p16-17)

Cameron's War on Gangs (Policing the Crisis Revisited?)

For most, the summer uprisings of August 2011 are now a distant memory. The exceptions to this are the families and friends of the 5 people who lost their lives, the hundreds who saw their homes burnt to the ground or their businesses ransacked by young 'feral looters'. Within a year of the uprisings taking place the vast majority of these 'looters' were imprisoned and punished for their criminal actions. The State responses to these events were immediate and punitive. In London alone some 30,000 police officers were drafted in to quell the escalating violence that had begun in Tottenham, following the police killing of Mark Duggan.

We witnessed the implementation of a 'fast track' justice system that included (for the first time in British history) the use of 'Night Courts'. Those accused of rioting

or looting were required to enter their plea of “guilty” or “not guilty” before they even had a chance to discuss the merits of the case with their solicitors. In these fast track courts those accused of having participated in the rioting were coerced into pleading guilty at their first appearance. This action was imperative if the accused were to be given the customary third off the length of their sentence for the early plea acceptance of guilt. 1,292 individuals were given custodial sentences amounting to more than 1,800 years in total. Despite the early guilty pleas by the accused, the majority received inconceivably lengthy sentences. Judges handed out these harsh sentences in order to deter others from following the defendant’s example. The British public could now feel reassured that they would be able to sleep safely in their beds at night. The ‘looters’, rioters’ and ‘feral’ youth had been locked away for lengthy spells

Once the riots had dissipated the Prime Minister at the time David Cameron returned from his holiday. The Government narrative that began to emerge was of the riots being orchestrated by ‘urban gangs’. These ‘gangs’ had been spiraling out of control prior to the unrest, and now needed to be addressed and contained as a matter of urgency. In 2011 the Mayor of London, Boris Johnson, was also forced to return from his holiday. Johnson also made similarly unsubstantiated allegations about the impact of gang involvement on the events in August 2011. Interestingly, neither Cameron nor Johnson were able to identify or name any of gangs that they alleged had been actively involved in orchestrating the unrest. Subsequently there were at least four official reviews conducted into the riots. This included the report from the ‘Riots, Communities and Victims Panel’. The panel had been established by Cameron to examine and report back with a detailed explanation as to why the riots had happened. The Metropolitan Police Service also produced its own report into the riots entitled ‘4 Days in August’.

Unsurprisingly, neither of these nor any of the other reviews was able to confirm the PM’s assertions that gangs had been the primary organisers or beneficiaries of the rioting. Equally, not one of the police forces where the riots had occurred stated that they had uncovered any evidence of gang orchestration of the events. Once the judicial process had been completed, only 13% of those convicted of crimes committed during the riots were even alleged to have been gang members by the state. It should also be noted that the vast majority of these individuals deny being members of gang.

CASE STUDY Marcus Knox-Hooke

The case study of Marcus Knox-Hooke demonstrates how police ‘intelligence’ can have a devastating impact on Black individuals and on the Black community as a whole. The police alleged Knox-Hooke was the principal instigator of the 2011 Tottenham ‘riots’ and the de-facto person responsible for the subsequent nationwide riots that followed. He was initially charged with 9 counts including charges violent disorder, burglary and robbery.

At Wood Green Crown Court the prosecution case, based largely on police ‘intelligence’, claimed Knox-Hooke was the leader of the NPK Gang based on the Northumberland Park Estate. Northumberland Park Estate is situated approximately 2 miles from the Broadwater Farm Estate where Knox-Hooke was born and grew up, with his parents and siblings. He is a well-known character within the locality.

Upon his release from a 32 month sentenced Knox-Hooke featured as the main character in a documentary inspired by the 2011 Tottenham riots entitled ‘The Hard Stop’. The award-winning documentary focused on Knox-Hooke’s relationship with his life long friend Mark Duggan, and the impact Duggan’s death had on Knox-Hooke. Throughout the documentary Knox-Hooke strenuously denies being a member of a gang or being affiliated with one and did so during his trial. He speaks proudly of his love for his ‘family’ that is his friends and his peer group, on the Broadwater Farm estate. It is apparent the ‘intelligence’ provided to the courts about Knox-Hooke was wholly inaccurate. The labeling of him as a gangster was unjust and lacking basis. The gang Knox-Hooke was purported to belong to and lead were accusations based on spurious ‘intelligence.’

If the ‘intelligence’ can be defective in the case of such a high profile individual in the midst of such historic events then one can only wonder how this will transcend to more mundane everyday court cases involving Black young men. How often are young Black men accused of gang affiliation based on ‘intelligence’? More importantly how is this intelligence being appraised, gleaned and evaluated? I would attest this subjective ‘intelligence’ gathering has remained largely unchallenged and has subsequently become normalised.

The assertions made by Cameron and Johnson were similar to the statements made by politicians in the 1980's following the Inner-City uprisings. Theirs was an attempt to deny the undeniable; to detract public attention away from the socio-economic drivers that fed and underpinned all of the inner-city uprisings that had involved Black youths in the UK. There was no acceptance that public policy had any role to play in creating the conditions where young people would feel so marginalised and excluded from mainstream society they would rebel/riot in such a ferocious and volatile manner. As a result of their stance there has not been, a public policy response to the riots, with the exception of Government Departments bringing out unnecessary and excessive policy initiatives. Cameron and Johnson's narrative of 'tackling the war on 'gangs' and 'gang culture' has remained unchanged and unchallenged.

Martin Luther King once said ...”I think America must see that riots do not develop out of thin air. Certain conditions continue to exist in our society, which must be condemned as vigorously as we condemn riots. But in the final analysis, a riot is the language of the unheard. And what is it that America has failed to hear? It has failed to hear that the plight of the Negro poor has worsened over the last few years. It has failed to hear that the promises of freedom and justice have not been met. And it has failed to hear that large segments of white society are more concerned about tranquility and the status quo than about justice, equality, and humanity. And so in a real sense our nation's summers of riots are caused by our nation's winters of delay. And as long as America postpones justice, we stand in the position of having these recurrences of violence and riots over and over again. Social justice and progress are the absolute guarantors of riot prevention.” [King, M L. (1968). The Other America Speech].

Clearly the plight of young people in general and Black youths in particular had worsened in the preceding years. For many youths the final straw came in March 2011 when the Education Maintenance Allowance (EMA) scheme in England, (not in Scotland, Wales or Northern Ireland), was cancelled as part of a programme of budgetary cuts. At the time of the riots the percentage of black male youth unemployment was as high as 50% in some parts of the country. The Ministry of Justice's own statistical breakdown of those convicted of participating in the riots demonstrated 69.1% were in receipt of state benefits (MOJ). The same report also reinforces there is a lost generation of young people taking part in the riots. 42% of children who appeared in court for riot offences were in receipt of free school meals - this is in comparison to 16% of all pupils in state secondary schools. Young people appearing before the courts came “disproportionately from areas with high levels of deprivation” as defined by the Income Deprivation Affecting Children Indices 2011. 64% of 10-17 year-olds lived in one of the 20% most deprived areas. Only 3% lived in one of the 20% richest areas. LSE Professor Tim Newburn undertook research into

the riots with the Guardian Newspaper. “Reading the Riots” described those who took part in the riots

“The rioters were drawn from the poorest communities, had a sense of being constantly harassed by the police, felt that their opportunities were limited and shrinking, and that the dearth of services and chances around them was the result of deliberate political choices, made by rich people who behaved with impunity”.

This analysis did not fit in with British media rhetoric. Having witnessed first hand the fury of a full-scale riot, they welcomed the Government’s response and gave short shrift to anyone who dared to offer an alternative perspective. This was demonstrated when writer and broadcaster Darcus Howe was interviewed live on BBC News and dared to give an alternative narrative to that of the Government’s. The septuagenarian and veteran campaigner, was accused by the female interviewer of being “No stranger to rioting yourself,” When it was intimated that these were not typical race riots as white people had participated in large numbers Dr David Starkey claimed, “the problem was that the whites have become Black!” (Newsnight August 13th 2011) These are just a few of the many examples of the mainstream media linking crime with race and young people in the minds of the wider public thus further reinforcing the notion of a moral panic.

Creating a moral panic!

The use of the term ‘urban’ to describe what is essentially black street style has long been practiced, particularly within the sports, fashion and entertainment industries. When Cameron first spoke of the ‘urban’ gangs, many may have taken it as a euphemism for black street gangs. But, within a week of the riots ending, Cameron had adapted his language and his focus to ensure that there could be no misunderstanding of who he blamed for the riots when declaring an “All out war on gangs and gang culture” in a speech at a youth centre at Witney, in his Oxfordshire constituency. The inclusion of the term ‘gang culture’ might seem a mute point to the casual observer however, in reality it becomes a significant addition when national policing institutions, Local Authorities, leading academics and researchers are being funded by the Home Office to help to define what ‘gang culture’ actually means.

The inclusion of the term ‘gangster culture’ meant the Government, **whether wittingly or unwittingly**, was initiating a process that would ultimately criminalise, not just the targeted ‘gang members’ themselves, but also their friends, their peers, the local neighbourhoods, and in turn their local community.

In response to calls for a public inquiry the Prime Minister, Deputy Prime Minister and Leader of the Opposition founded the ‘Riots, Communities and Victims Panel’.

The Panel's role was to explore the causes of the riots and how communities can be more socially and economically resilient, in order to prevent future disorder. The Riot Panel's final report was published on 28 March 2012, and was initially welcomed by the Government for providing a sound analysis of the entrenched social problems that were (according the report authors), causing many barriers to some sections of society.

“The report explored the impact of high levels of deprivation, crime and unemployment on local communities, and the challenges this poses in reaching those families that require strong multi agency support. Many of the recommendations chime with our ambition to strengthen socially responsible attitudes, public service reform and economic resilience”. Department for Communities & Local Government

The report may have been welcomed by the Government but it was not the PM or his office that responded publicly to it. The response was left to the DCLG as the report highlighted all of the issues that the Prime Minister did not want to discuss. Whilst it was acknowledged that criminality occurred during the 5 days of rioting the Panel found no evidence of gang orchestration. The Panel stated the causation for the violence was due to varying and complex factors including social deprivation, high levels of unemployment and lack of opportunity for a sizeable majority of inner-city youths. These causations compounded with racism impacted upon black youth disproportionately.

In March 2013, almost 18 months after the end of the riots, David Lammy, Tottenham's MP, conducted research that revealed only 11 of the Panel's 65 recommendations had been acted upon. Among the recommendations that had not been implemented were measures to improve schools, mentoring for convicted youth offenders to help stop reoffending, and fresh action to stop young people going without education, employment or training.

The Riots Panel report stated “In asking what it was that made young people make the right choice in the heat of the moment...the importance of character.” was noted. Lammy's research illustrated that one of the recommendations that was not implemented included schools having to publish their policies for character building. At the time of Lammy's research the **Department for Education** said it had no plans to implement other measures that the Riots Panel believed would help bolster education. These measures included fining schools where pupils had poor levels of reading and writing, and ordering schools to publish the numbers of pupils they excluded, suspended or transferred to a pupil referral unit.

It was surprising that The **Department of Education** was reluctant to implement the Riot Panel's recommendations particularly as police officers are routinely based in the vast majority of schools in areas where rioting had occurred. One could be forgiven

for thinking that if any Government department had any immediate lessons to learn from the recommendations of the Riots Communities and Victims Panel, and a role to play in guaranteeing that young people would be less likely to commit violent crime and public disorder in the future, then it should have been the Department of Education.

Other Government bodies were far less reluctant to build on the PM's agenda. The **Cross-Government** 'Ending Gang and Youth Violence' report was published in November 2011, and set out a series of actions for central government and a set of principles and good practice to help **Local Government** tackle the problem of street gangs; and recommended sentences should be doubled for 'proven' gang members. This is a good example not only of the various **Government Departments** coming together but also demonstrates the **Parliamentary Parties** working in unison with one single target in mind. The report was clear that enforcement must be matched with support for individuals to help them exit gang lifestyles, and also to prevent people joining gangs in the first place. But the '**Ending Gang and Youth Violence programme**', that emerged out of the report, made little or no additional funds available to the austerity stricken, and cash starved, local authorities to enable the support they demanded. As an alternative, a '**team of practitioners** with experience of dealing with gang and youth violence' was despatched to work in the 33 priority areas across the country. The team's role was to "support those areas to improve their partnership response to the challenges of gangs and youth violence".

The **Department for Work and Pensions** spearheaded work across government to drive improvements in information sharing. The **Youth Justice Board** established gang forums across the country to enable practitioners to share emerging practice in work with violent young offenders and gangs. Additionally, in recognising the central role that health agencies play in preventing violence, the **Department of Health** included a number of 'violence indicators' within its 2012 Public Health Outcomes Framework. The 'Mandate to **NHS England**' specifically refers to improving the way in which the NHS contributes to "reducing violence... by improving the way the NHS shares information about violent assaults." While this suggestion may be useful, it is certainly incomplete. An alternative solution for those UK neighbourhoods that struggle with social and economic deprivation would require a focus on providing, and maintaining, services which support the mental and physical health of those within the communities. This need not be to the exclusion of the sharing of information on the victims of violent assaults with **other Government Departments** but could also be in addition to it.

What became clear through the development of these initiatives and suggestions in differing policy areas, is the Government was now fully united in its preparation for the war on gangs. Every department was now involved in the sharing of personal and detailed information, despite the restrictions placed upon them by the Data

Protection Act 1998 and Article 8 of the Human Rights Acts. In addition it is important to remember these gangs are still yet to be named in spite of the scope of scrutiny the government departments had joined together to place them under.

Inevitably, it was the **Home Office**, under the leadership of Theresa May, that championed the Government's war on gangs. Working closely with their partners the **Crown Prosecution Service** (CPS), the **Association of Chief Police Officers**, (ACPO), the **Mayor's Office for Policing And Crime**, (MOPAC) and the **College of Policing** (CoP), the Home Office began to consider the issue of how to deal with gangs.

The Policing and Crime Act (PCA) 2009, which became legislation on 31st January 2011 provided them with the perfect opportunity to increase the numbers of gangs that they could now target. The PCA (2009) is the first piece of UK legislation that specifically mentions gangs and gang related violence. Within the Act there were new powers given to the police and local authorities to take out 'Gang Injunctions' in order to:

- A) Prevent serious youth violence;
- B) To breakdown gang culture;
- C) To provide opportunities for multi-agency gang prevention programmes

Post the Summer riots it is clearly demonstrated how this new piece of legislation is not only used to gain gang injunctions on the 'hoodies' but it also becomes the foundation upon which a greater **multi-agency** focus and approach on the gangs is built. This new focus, which is a more specific targeted approach, is made all the more easier to implement as, within the PCA (2009), gang related violence is defined as:

"...actual violence or threat of violence which occurs in the course of, or is otherwise related to, the activities of a group that:

- a) Consists of a minimum of 3 people
- b) Uses a name, emblem or colour or has any other characteristic that allows its members to be identified by others as a group
- c) Is associated with a particular area.

While the original aim of the PCA (2009) may have been to define what gang violence means, it had now taken a further step in defining what constitutes a gang.

The Runnymede Trust produced a report, entitled 'Gangs Revisited: What's a Gang and What's Race Got to Do with it?'

"The PCA (2009) legal definition offers a problematic understanding of what a gang is and the authors fear that it could easily lead to groups of young people hanging about in public spaces and 'doing nothing' (Corrigan, 1979) becoming criminalised. This problematic

piece of legislation has largely arisen as a result of the recent explosion of **academic and policy-driven research** on gangs and urban youth violence in the UK, and has major implications for generic and targeted community-based work undertaken with ‘socially excluded’ black youth”

Whilst researching for this piece we wanted to better understand the impact of the role of academia in helping to shape this piece of legislation. This became virtually insurmountable given the timeframe for this piece and the plethora of reports, journals and books which academics have written on the subject of gangs and ‘street’ gangs. At the time of the drafting of the PCA (2009), Hallsworth and Young (‘Getting Real About Gangs’ (2004) and ‘Urban Collective; Gangs and Other Groups’) became the academics of choice for the government.

Hallsworth and Young produced a ‘Three-tier Gang Typology’, which is the gang classification system the Home Office and police, not just the MPS, employs when identifying ‘active’ and ‘potential’ gang members. In 2008 the MPS adopted this ‘Pyramid of Risk’, also devised by Hallsworth and Young, when identifying individuals and groups who will be placed on their gangs database (See the Gang Matrix below).



Hallsworth & Young’s findings identified gangs as being delinquent street collectives, which can be identified as existing within three tiers:

1. Organised crime groups;
2. Street gangs;
3. Peer groups.

Each tier is recognised by Hallsworth and Young as having a different structure and organisation. They also identify that some of these groups, within the tiers, have gang like features and pose different risk levels to the public and among rival gangs.

This is a broad identification system and provides a problematic approach to identifying gang members without any determinate risk factors being included.

The Runnymede report rejects the notion that youths can be identified and characterised by their structural organisation as this **“Problematises the day-to-day activities of groups of young people hanging about ‘on Road’ and ‘doing nothing’”** which results in **“...Benign youth activity...unfairly interpreted as deviant or anti-social; and therefore subject to punitive control.”** This redefinition of ‘the gang and gang culture’ ultimately criminalises the young people involved. -

In addition Runnymede attributes the **“relentless and misguided”** theorising of Hallsworth & Young as a result of poor criminological traditions which tend towards **“locating a gang”** through their structural characteristics. The Runnymede report states that this **“fails to reflect the interplay between those complex local factors and nuances that are oftentimes the cause of interpersonal and collective youth violence (see Gunter, 2010; Sanders, 2005).”**

Their analysis concludes with the words **“...the current ‘gang’ preoccupations of policy makers and academics have unwittingly consorted to signify the everyday and mundane activities of young people (many of whom are black) growing up in deprived urban neighbourhoods as inherently deviant and gang-related; when in reality for the vast majority they are not.”**

This Pyramid of Risk is confirmed as the foundation upon which the MPS has built its operational strategies for the ‘war on gangs’. For the purposes of their own gang typology, the MPS has redefined a gang as;

1. A group of criminals who band together; or
2. Any group of adolescents (particularly those seen to engage in delinquent behaviour); or,
3. A group of people who associate regularly on a social basis.

(Metropolitan Police Service 2008:21)

The worrying aspect of the MPS’ employment of this identification system is that this has since been shared with youth justice practitioners and other statutory partners across the children’s and young peoples’ services sector (See Appendix One).

The PCA (2009) and EGYV report of 2012 facilitates the sharing of information and, virtually, encourages the rest of the public sector to follow an identical labeling process of young Black children and youths as gang members, given the broad identifiers of gang relativity. There are no checks and no balances in place. Those who are flagged as being linked to gangs are labeled, immediately as ‘Trident Gang Nominals’. Yet they have no one to argue or advocate on their behalf, they have no one and nowhere to appeal to. And, all of this is happening in an environment where little or no evidence is required to substantiate the serious allegations being levied.

The Role of the Police, Judiciary and Lawmakers

In January 2012, less than 6 months after the summer riots the Mayor's Office Police and Crime (MOPAC) was formed. Mayor, Boris Johnson, took over responsibility for the Metropolitan Police Service from the Home Office. However it is clear that they are still working in unison as within weeks of MOPAC's formation it was announced that Operation Trident was to be redeployed. Prior to this Trident had been the MPS's unit for dealing with 'Black on Black' gun crime. With the creation of MOPAC, Operation Trident becomes the Metropolitan Police's Trident Gang Crime Command Unit. Since the inception of Operation Trident in 1998 the unit have focused solely upon crimes committed by members of the black community. This is where their specialism, expertise and knowledge lay. In recreating them as the anti gangs unit it becomes clear the MPS's entire focus on gangs is predominantly on the so-called black gangs to the exclusion of, almost, all others. Evidence of this can be found in a 2015 Freedom of Information request where the MPS provides for the first time a breakdown of the numbers and the ethnicity of gang members across London.

Ethnicity	2014	2015	2016	
IC1 White – North European	316	341	355	Includes English
IC2 White – South European	108	114	127	
IC3 Black (SIC)	2712	2890	2817	Includes Turkish
IC4 Asian (SIC)	219	238	229	
IC5 Chinese, Japanese, SE Asian	6	5	6	
IC6 Middle Eastern	87	93	92	

Source: Information Rights Unit

In a piece written for the Institute of Race Relations, Lee Bridges, Professor of Emeritus (School of Law, University of Warwick) wrote “The ethnic composition of the Gangs Matrix and similar databases is not simply an issue of bias in the way such instruments are compiled. As the police themselves turn increasingly to so-called ‘intelligence-led’ operations at a time of reduced manpower and resources, these databases feed directly into the ways that policing policies and priorities are being targeted on particular groups. In other words, the racial bias in the databases becomes institutionalised in police practice”

Operation Trident: A service to the black community or institutionally racist policing in action?

The birth of Trident

In 1998 pockets of London, in particular south London, witnessed an increased wave of violence linked to crack cocaine, trafficking and guns. The police attributed to 'yardie gangsters'. Following the murders of Avril Johnson, from South London, and Michelle Carby, from East London who were both gunned down in their homes Operation Trident was set up. Officers from Scotland Yard were finding the cases particularly difficult to investigate as fear of reprisals, and a general distrust of the police, meant that many witnesses were too frightened to come forward. The above is how those in the MPS, who can still remember why Trident was brought into existence, will describe the rationale behind its creation. But the truth is far darker and sinister. Prior to those murders, in 1995, Delroy Denton, an illegal Jamaican immigrant murdered 24 year old Beautician Marcia Lawes, in Brixton, South London whilst a registered informant for Scotland Yard. Delroy Denton and his compatriot Eaton Green (also a paid informant) had been recruited by the MPS, allegedly whilst still in Jamaica, as informants who could infiltrate the yardie gangs and provide information to Scotland Yard on their activities. There was an outcry when it was discovered that both had been on a national crime spree whilst protected by Scotland Yard and in this time Denton went on to rape and murder Marcia Lawes. At the time, members of south London's black community accused the MPS of being in a conspiracy with criminals and treating black murder victims and their families with utter contempt. The uproar that ensued led to a 20-month inquiry by the Police Complaints Authority (PCA), who commissioned an investigation by the Hampshire Chief Constable, Sir John Hoddinott. Hoddinott determined that despite Green and Denton being active criminal informers who wreaked havoc throughout the UK, with the full knowledge of the MPS, no police officer would be charged. Denton later received a life sentence for the murder and was described at his trial as a "sex fuelled psychopath" and "premier league danger to the public". For many within the black community what the Hoddinott inquiry actually revealed was that the MPS had a better relationship with criminal informants, who happened to be black, than it had with law-abiding members of the community. In addition the MPS was prepared to recruit a psychotic murderer, as an informant at the expense of prioritising the need to build trust and confidence with the capital's Black communities. In response Lambeth Police Consultative Group demanded that, "instead of using foreign gangsters to infiltrate 'yardie gangs', the MPS should

develop a specialist unit to tackle the rise in gun crime.” It was argued that only such a specialist unit would be able to develop a high level knowledge, understanding of, and trust within, the African-Caribbean community, that would enable them to police the community with a sensitivity that was generally lacking in the MPS.

“We argued that building trust and confidence and encouraging witnesses and members to come of the community to come forward and work in partnership with the police was critical to solving gun and violent crime. This approach requires sensitivity, dedicated police time and specialist resources” Cllr Claudia Webbe (Founding member of Operation Trident IAG)

Thus Operation Trident was established to deal with what was being described as ‘Black on Black’ gun crime. Initially Trident officers worked hard at reaching out to the London’s black community. But over the years community concerns about Trident’s aggressive style of policing were raised.

These concerns came to a head in 2011 with the killing of Mark Duggan in Tottenham following a Trident led operation. It emerged that the IPCC, who were investigating the fatal shooting, had informed Trident officers of the name of the suspect who had supplied the gun to Duggan, Kevin Hutchinson-Foster, within a week of the shooting. The lead Trident officer took no action to arrest Foster even though (as he told the Duggan Inquest hearing), he was aware the supplier was in control of a further two handguns on the day that he had passed one firearm to Duggan. Unbelievably, Foster was not arrested until some 90 days after the event. This has led to many, myself included, questioning Trident’s real motives in this case. As a result there was (and still is) a strong belief within parts of London’s black communities, that some Trident officers had adopted a policy of engaging with the suppliers of guns, so they could then arrest those who received the weapons from them, as a means of reaching their targets. Whilst many may think that that such a belief is implausible or even impossible I simply draw your attention to the Hoddinott inquiry.

In 2012 The MPS described the newly formed Trident Gang Crime Command (SC08) as

“Tackling gang violence is a key priority for the MPS. The Trident Gang Crime Command has responsibility for tackling gang violence and the prevention and investigation of all shootings in London, regardless of victim’s background. The command has been set up to ensure that all expertise and skills are brought together and used in a targeted and effective way. This will allow the MPS to relentlessly pursue gangs and gang members across London through proactive operations and investigations, while improved monitoring of gang activity will allow the MPS to put resources into places where they are needed most. However the MPS recognises

the police cannot tackle gang violence alone. Therefore the MPS is committed to working with partner organisations and the public to prevent young people joining gangs in the first place.”

There are then a number of local gang units established in local boroughs all across London. The gang units are quickly linked to the Community Safety Partnerships that exists across each local authority. Together they develop and use Trident’s Gang Matrix as a means of keeping the partnerships focus on the gangs as a policing and neighborhood priority.

What is the Trident Gangs Matrix?

The MPS are extremely reluctant to discuss the Gang Matrix publicly, however in a statement they have previously described it as;

“The database was formed after the 2011 riots provides it with an up to date picture of the different gangs operating in London, something that had never previously been available”
The Matrix measures gang membership and violence. There needs to be multiple intelligence indicating gang membership and the violence criteria is either based on intelligence, criminal offending or violence convictions. It can be used to identify those individuals who are more likely to commit offences as well as those at risk of being affected as victims; providing the police and partners with an opportunity to offer support and take steps to prevent further offending or victimisation through an appropriate intervention, such as a diversion programme.”
(Huffington Post 02.01/18)

The statement from the MPS implies the Matrix is a database for monitoring the most violent gangs and gang involved individuals locally. It also implies there is a robust vetting system or criterion upon which individuals are added to the matrix as it states “There needs to be **‘multiple intelligence’** indicating gang membership.”

However, a report of **Her majesty’s inspectorate of Constabulary** undermines the veracity of their statement and the quality of the intelligence used to populate the database.

“For an entry on the local gangs matrix, two corroborated pieces of intelligence that the individual is in a gang are required; the level of propensity to violence is also taken into account. The matrix is used to inform the forces local and pan-London activities.” Her

The most concerning revelations are to be found in the responses provided by the Information Rights Unit in response to a number of Freedom of Information requests.

Q 1. Who within the MPS is responsible for maintaining the GM?

A. Dedicated analytical staff within our Met Intelligence department manages the Gangs Matrix.

Q 2. Which partner agencies are able to add individuals the GM?

A. Every Ending Gang and Youth Violence (EGTV) Borough should hold a regular meeting with partners to discuss their gangs and gang members. These partners will include the **Youth Offending Service, Probation Service, Local Authority, Housing, Local Youth Workers, Department for Work and Pensions (DWP) –Pupil Referral Centres, Looked After Children** and some **other local groups**. At these meetings partners can highlight any individuals they think should be added to the Matrix or who have recently come to notice. The Gangs Matrix Chair can decide whether the person is added and scored accordingly

Q 3 Which 'partner agencies' are able to access information on the GM?

A. The matrix is shared with **National Probation Service (NPS)** and **Community Rehabilitation Companies (CRC)** who work with the MPS to monitor gang members on license.

Q 4. What are the criteria for inclusion on the GM?

A. Gang members are usually identified by the local **Borough Gangs Teams** as they have the best local knowledge of their gangs and liaise most closely with our multi-agency partners. Other units such as **Met Intelligence** and the Trident and **Area Crime Command** may also propose individuals for consideration for inclusion on the matrix based on current intelligence and/or information from on-going investigations.

Q 6. How many individuals identified on the GM have been identified for inclusion on MOPAC Operation Shield in (1) Lambeth; (2) Haringey; (3) Westminster (?)

A. Every individual selected as a Shield cohort nominal will be on the gangs matrix as Shield targets gang members so they need to be on the gangs matrix for them to be included.

N.B. Operation Shield will be analysed in depth in the latter part of this article.

As illustrated above it becomes apparent there are a range of non-police agencies that are able to add names to the Matrix. It is clear leading criminologists are still undecided on what constitutes a gang and how to classify gang membership and behaviours. Some of these criminologists have created a 'Gang Industry' where they become the experts and are identified as a knowledge source, by Central and Regional Government, although their expertise is actually relatively untested. One therefore has to be concerned that there are untrained individuals within these 'partnerships', that would be the officers within the local authorities, who are being asked to carry out duties and functions that were not in their job description. Therefore, it can be assumed that they are being employed in roles for which they are not expertly qualified to undertake. As an example in the answer to Q 2 we are told the Local Authority can identify 'candidates' to be placed on the Matrix. In reality this means that even the, untrained, estate cleaners can have an input into identifying 'gangsters' via the estates Housing Management structure. But in truth the most prolific identifier of gang nominal, outside of the MPS has been the DWP. The Employment Services have identified 4000 gang members in one year.

As a result we decided to take a closer look at the criteria for adding names to the Matrix, and gleaned some insightful information from an FOI that was answered by the Information Rights Unit in November 2016.

What criteria are used to decide if someone is put on the Gangs Matrix?

The matrix measures violence and the criteria is based on violent offending and violence related intelligence. As such it can be used to identify those more likely to commit offences but also those that are at risk of being affected, allowing us an opportunity to take steps to prevent further offending/victimisation. A 'gang nominal is defined as 'someone who has been identified as being a member of a gang and this is corroborated by intelligence from **more than one source** (e.g. police, partner agencies or community intelligence).'

Criteria for adding these names to the gang matrix will include the following:
Source intelligence on the MPS Intelligence database CRIMINT.

- Intelligence from partners e.g. **Youth Offending Service** and Probation (NPS or CRC)
- Intelligence from other agencies including **Third Party Organisations**.
- **YouTube Videos**
- **Other Social Media activity**
- Regular Involvement in group offending with known gang members
- Regular **stop and search** with known gang members

Which wider statutory partner intelligence is used and from which organisations?

- Local Authorities
- Youth Offending Service
- National Probation Service Community Rehabilitation Company

Information Rights Unit 27th November 2016

Is the Gang Matrix a Database or a Tool for Racial Profiling?

Rachel Robinson, Advocacy Manager for Liberty was recently interviewed on The Matrix in the Huffington Post “Far from reducing violent crime, this shady database is dividing communities, damaging police-community relations and undermining peoples rights. It disproportionately affects young black men and feeds a popular narrative of gang violence that is inaccurate and discriminatory.”

The Gangs Matrix is a database of sorts. The MPS would have us believe that it contains the names of the most violent, dangerous and prolific gangs and their members. However, MOPAC’s own statistics illustrates that the MPS London wide Matrix contains only 6% of the, allegedly, most dangerous individuals across the city. These are assigned the RED category on the database. This means that out of the 3712 individuals that were confirmed by the MPS as being, on the Matrix in November 2017, only 618 could be described as being some of London’s most violent criminals.

“As to the MPS Gangs Matrix, MOPAC’s own figures demonstrated that “only 6% of individuals are assessed as within the most harmful red category, half of whom are in custody, with the majority (57%) currently assessed as within the lowest (green) status. In 2014, only a third were subject to any judicial restrictions, including gang injunctions, anti social behaviour orders, electronic tagging or management under licence by the Probation Service after release from prison. The combined figure of those in custody and those subject to judicial restrictions is still only 44%. These raise real worries that the Gang Matrix’s criteria for inclusion are overboard and disproportionate. Indeed, experts on gangs and related issues- whose definition of a gang has been

adopted by the MPS – have worried as to the breadth of the Gang Matrix’s approach. Professor Simon Hallsworth and Tara Young have set out a three-tier risk profile of individuals who may be a member of an organised crime group, a member of a gang, and merely a member of a peer group which may be affiliated with gangs or organised crime, with the latter presenting the lowest risk. They and others have expressed concern that deemed to present the lowest risk – and yet this is just what the Gang Matrix may be doing, since a plausible explanation for its figures is that members of peer groups which contain individuals associated with gangs are being targeted.

Liberty March 2017

Liberty have further voiced concerns as part of their formal response to MOPAC’s draft Crime Plans for London in which MOPAC have committed to review the Gang Matrix.

“We welcome MOPAC’s commitment to reviewing the MPS’s approach to crime committed by gangs, provided it amounts to a full review of the use of the Gang Matrix. However, Liberty urges that, in doing so MOPAC seriously rethinks the MPS’s use of this database. There is real evidence to suggest that the Gang Matrix has serious flaws, risking discrimination and division whilst targeting individuals who may have little to do with violent crime. We also urge MOPAC to end its adoption of the arbitrary and unfair practice of collective punishment, currently being trialed among certain London boroughs as part of Operation Shield.”

Amnesty International have also voiced their concerns about the operation of the MPS’ Gang Matrix. In a report, to be published in May 2018, they will be examining whether the MPS’s partnership arrangements and information sharing protocols are infringing upon an individual’s civil liberty’s. They will also be questioning whether data protection legislation has been breached and the potential of ‘harm’ to the individuals caused by those using, sharing and populating the Gangs Matrix database.

Case Study MPS’s Haringey Gang Matrix (see Appendix Two)

In Haringey there are 100 individuals on the MPS Gang Matrix. And, as previously stated only 6 out of the 100 individuals are deemed to be within the RED category i.e. considered being amongst the most violent offenders. Whilst 67% are currently assessed at the lowest level GREEN Category. Look further and you will also see that 35 of the so-called ‘gang nominals’ found in the GREEN category score 0 (**zero**) in the column headed **Matrix Harm Score**. No score under this heading means that the individual has never been convicted of a violent offence. Furthermore it means there is no intelligence linking them to serious youth violence much less confirming gang involvement. The majority of those with a zero harm score also have a zero victim score. Which means that the rationale put forward by the MPS for inclusion on the

Matrix is simply untrue.

“The Matrix measures **gang membership** and **violence**. There needs to be **multiple intelligence indicating gang membership** and the **violence criteria** is either based on **intelligence**, **criminal offending** or **violence convictions**. It can be used to **identify** those **individuals** who are **more likely** to **commit offences** as well as those at **risk of being affected as victims;**”

The truth is that most of these young people are the peers of those on the Gang Matrix who are in the RED & AMBER categories. They live on the same estates or went to the same schools or youth clubs together. And, many of the young men I know personally who appear in the GREEN category have never been convicted of having committed any offence.

So how is it that they end up on a Gang’s Database?

The Policing and Crime Act’s redefinition of what constitutes a gang coupled with the unwavering focus of, certain, criminologists on black street gangs aids their narrative and definition. The Home Office has made it far too easy for it and its partners to stereotype, label and ultimately criminalise Black youths without the need for the type of evidence that would reach ‘criminal prosecution standard’. This is the reason why so few of those who populate the Gang Matrix are in currently prison.

For example, on the Haringey Matrix 99 of the 100 ‘gangsters’ that are listed on the ‘database’ are identified as black and the database would have you believe that they are to be found in four gangs.

These are:

- Grey Gang, (Hornsey)
- WGM (Wood Green Mob),
- NPK (Northumberland Park),
- TMD (Tottenham Man Dem).

But upon closer inspection (Appendix 2 of the printed version of report) you will actually see the names of six gangs listed. These include the 4 listed above. Also listed are one member from the ‘Tottenham Turkish Boys’ and one member from the BWFY (Broadwater Farm Youngers). I will examine these inclusions shortly. Firstly I will briefly describe the Gangs omitted and the possible reasons for their exclusion (in part) from the Haringey Matrix.

The Tottenham Turkish Boys are more commonly known as the ‘Tottenham Turks’. A simple Google search will inform the individual that the Tottenham Turks are part of an organised crime clan. This clan wields power and influence that is far bigger and deadlier than all of the other gangs in Haringey combined. This highly organised

gang is omitted from the Haringey Gang Matrix and is not listed in the Trident Gang and Crime Command's pan London Gang Matrix either, which is pretty telling. If such a powerful and established gang is excluded then one can only ask, what is the real purpose of the MPS's Gang Matrix?

This incredible omission further supports our assertion that the Gang Matrix is in existence to racially profile and target black youths. This racial profiling process is sponsored at the highest level in Government and it is endorsed and carried out willingly by London's local authorities and other providers of public services. It is institutionally racist and provides an example of racial profiling at its worst as it is systemic and endemic. This is a process of racial profiling that criminalises and demonises (primarily) black youths for being black and poor. It further stereotypes and attempts to further criminalise black youths who have already been failed by the system

Detailed on page 3 (of appendix 2) one of the individuals has been identified as a member of the 'Tottenham Turkish Boys' who is also affiliated to NPK Gang. When the 'Operation Shield call-in' was conducted (see below for Operation Shield) this individual was called in as part of the NPK cohort. Maybe this is as a result of there being no other mention of any other Tottenham Turkish Boys on the Matrix and you would assume that even those who are most eager to populate the Gang Matrix would recognize that even under the PCA (2009) definition of the gang you cannot have a gang of one, or can you?

According to the Haringey Matrix you most certainly can have a gang that consists of a single member. On page 4, two lines from the top, there is one individual who is cited as being a member of the BWFY (Broadwater Farm Youngers). Strangely it also states that this is '**yet to be confirmed**'. There are no other members of, or mentions of the BWFY 'gang' throughout the document. His inclusion can only mean that this 'gang nominal' has been placed on the Gang Matrix without there being any intelligence, much less multiple intelligence, on his actual gang involvement. How can there be if they are unable to confirm which gang he is meant to be a part of? What is apparent is that under these circumstances and given the alleged criterion for inclusion on the matrix, this individual should not be on the Gang Matrix. Admittedly, he has been given a harm score rating of '7', which might indicate that he has been violent in the past.

We are told by the MPS and Trident this is called the Gang Matrix for a reason. If there was a need for evidence to show that the MPS Gang Matrix is a process that willfully seeks to criminalise whole groups of black youths then I would suggest that Haringey's Gang Matrix provides overwhelming evidence of this, as there are a high proportion of black youths who do not meet the criterion set by the MPS for inclusion. In stark contrast, there are known organised Turkish gangs who are wholly or partially omitted from the Matrix database. Furthermore all other gangs based on

the information provided by the Information Rights Unit on the ethnic breakdown of gangsters in London are also excluded.

When evidence is not necessary

The stigmatising effect of being labelled as a gang member means there is, in the eyes of the state, an inflation of the risk an individual poses to the public and to other gang members and as a result these young people are policed accordingly. With this gangster ‘tag’ young people face the imposition of punitive court disposals – disproportionate sentences (Joint Enterprise) – incapacitation strategies (disruption tactics). Incapacitation Strategies or disruption tactics are ‘techniques’ that Trident uses to aggressively pursue those they deem to be gang members who they are unable to catch in the act, or any criminal act, hence the need to disrupt as opposed to arrest and charge as this would require tangible evidence. The key to the police’s use of disruption tactics is that the police are able to convince their partners across the public sector that, even though they lack the quality of evidence that would secure a conviction. These gangsters are on the Matrix and therefore need to be dealt with. Their partners across the public sector willingly support their use of questionable tactics. (See Operation Shield). Anti Social Behaviour Orders - Hard Stops – Super Gang Injunctions – Stop and Searches – Evictions and even having children removed from the home. These are some of the standard techniques employed by Trident and their partners against those who are on the Gang Matrix. In fact many of these disruption tactics will be undertaken in conjunction with or by Trident’s partner agencies e.g. local authorities who will work closely with the MPS to seek ASBO’s and injunctions on alleged gang members.

In Haringey the MPS has taken these disruption tactics a step further and appear to have decided that those listed on the Matrix should not be allowed to travel ‘off borough’. The official line is that they are concerned about what they call ‘county lines’. This is where youths, from various parts of London, go to different parts of the country and set up drug houses. But, instead of waiting for youths to engage in this type of criminal enterprise and then arresting them with evidence of their criminality they, the MPS, have decided that its best pre-empt and predict those who may consider taking part in this illegal activity.

As a result the MPS has now engaged the support of yet another statutory agency to support them in their endeavours, namely the **Driver and Vehicle Licencing Authority (DVLA)**. The DVLA have written to those, from Haringey (and possibly further afield), whose names are on the Matrix and who hold a drivers licence, whether that be full or provisional. Informing them that they have been made aware by the MPS that the recipient of the letter was unfit to drive. The reason listed is because they are

habitual marijuana (specifically skunk weed) smokers. The individual is then required to return their drivers' licence to the DVLA within days. To have their licences returned each individual is then required to complete a questionnaire that asks them about their history of drug taking. Then each of them has had to go through the indignity of having to provide a urine sample. . In more than one case that has been brought to our attention, in addition to the marijuana allegation the MPS has also provided what is effectively bogus medical evidence to the DVLA suggesting that one their targets suffers from epilepsy. This has meant that those individuals concerned were not only forced to take a urine test but also had to instruct their GP's to release their medical records to the DVLA to disprove the police's allegations. It is inconceivable that in doing this the MPS and the DVLA have not willfully breached the Human Rights of each of these young men. (See Appendix Three)

It is undeniable that the activity that the MPS describe as 'county lines' is a real phenomenon. It has happened and does happen! But what is also clear is that when the police gets an example of a crime being committed by some street gangs it inflates the risks and then creates a stereotype out of this risk. The MPS then projects the perceived risks onto all of the other gangs thereby justifying the use of disruption techniques whilst not accepting that the lack of evidence is by far the best barometer upon which to decide action. In normal policing scenarios having no evidence would equate to no action; but for those on the Matrix it appears to be the other way around.

What is becoming clearer is that Trident Gun and Crime Command has created a pipeline for black youths that leads them directly into the criminal justice system.

Even the criminologists, Hallsworth and Young have expressed concerns as to how the 'tools' that they provided to the Home Office and the police might be brought misused, as was illustrated in the earlier Liberty quote; ***"They and others have expressed concern that their model might be used to justify criminalising interventions against those deemed to present the lowest risk"***,

Equally worrying is the concern held by many that once a defendant enters a courtroom and the allegation of gang involvement is presented against them the likelihood of them then being convicted of the crime is greatly increased. The Gang Matrix is clearly drawing in people who should not be on it and, then, with the support of their friends in the statutory sector they are setting these young people up to be prosecuted (See Operation Shield). The numbers of youths that have been tagged with the label of gangster, almost 4000 per year, makes this a much more pernicious use of the process than even back in the 1908's when the Sus laws were being used to criminalise black youths.

The Matrix's focus on black youths and their peer groups mean that the entire community is treated as a suspect community. One only needs to go into the boroughs targeted

by the Trident Gun & Crime Unit to see that there has been a steady withdrawal of local authority funded services over the past years, from youth service provision to the closing down of centres and buildings that traditionally used to be home to the local black voluntary sector. More chillingly one only has to look at the boroughs that are seeking to force through what they cite as major regeneration programmes including the Haringey Development Vehicle which seeks to hand over large swathes of public land and social housing to private developers. Many in Haringey, myself included, have campaigned against this type of mass regeneration programme as it is viewed as a form of ethnic cleansing. Those who are decanted will not have a guarantee of return. Is it a coincidence such regeneration programmes have been developed in Haringey, Lambeth and Westminster. The 3 boroughs listed were also chosen for the MOPAC funded Operation Shield pilots?

Impact on other services, education, housing and employability

There is real evidence to corroborate the Gang Matrix is seriously flawed and is discriminatorily targeting black youths who have no involvement in crime. A person's inclusion on the matrix can have serious repercussions on their lives. Policing and service sector decisions are being made based on a young person's alleged gang affiliation. The provision of services or the withdrawal of public services, are often dictated by the gang label. Where LA's maintain a scaled down youth service provision this is decided on the basis of where there are and aren't any alleged gangs. Whether families are able to seek re-housing is also now being determined on this basis. Removal from mainstream education into PRU's is also often decided on alleged gang involvement. In terms of employability, these youths do not get to meet prospective employers, they are not even invited for interview. Unemployment amongst those on the Gang Matrix is the norm! Most are also 'sanctioned' by the benefits office and therefore do not even appear on the unemployment register. Post 2011 the leader of Haringey council pledged the council would create 1000 apprenticeships for local youngsters. I have yet to meet a youth from one of the Trident targeted postcodes who has been offered the opportunity of an apprenticeship in Haringey much less real employment.

From The Matrix To The Dock – Joint Enterprise (Guilt by Association)

“More generally Liberty is concerned that the current Gang Matrix (i) disproportionately affects young people from black and other minority ethnic groups. (ii) Feeds a popular narrative of gang violence, which is inaccurate and discriminatory. (iii) Fails to properly address youth violence in the UK which black and other minority disproportionately affects ethnic individuals. Liberty agrees that more needs to be done to tackle serious youth violence in London particularly among children and young people. However, the Gang Matrix, as it stands, is so broad a tool as to call into questions its effectiveness in reducing serious violent crime, and instead risks increasing discrimination and division among London’s diverse communities.”

Liberty’s response to MOPAC

The effects of the matrix are most dramatically demonstrated within the court system where the “gang” connection is often used through Joint Enterprise - a law that allows the accomplice, or co-offenders to be punished equally as the person who committed the violent act. Thereby ensuring the state is able to secure multiple convictions for a single crime. The use of the law has come under scrutiny in recent years. In 2014, the Justice Select Committee recommended an urgent review into the use of the doctrine. Then in 2016, the Supreme Court handed down a landmark ruling warning the use of the law had gone too far. The Supreme Court declared that Joint Enterprise had been “misinterpreted” for over three decades, having taken a wrong turn in the 1980’s. It would appear that at a time when we finally forced the state to remove the use of sus laws from the statute books it then simply found a replacement in the form of another ancient piece of ‘common law’, namely Joint Enterprise.

“It has emerged as a prosecution tool for the collective punishment of groups where it can be proved that all of the subjects were ‘in it together’. Most controversially it applies even where the suspects may have played very different roles and in many cases, where a suspect was not in the proximity of the offence committed. Intrinsic to the application of the doctrine is the principle of ‘common purpose’ where it is alleged that individuals have conspired to commit a crime together. Moreover where such a ‘common purpose’ is shown to exist in committing one crime, all the participants may be held liable for other crimes committed by one member of the group, even though they may not have participated in or intended that the further crime should have been committed. Instead JE has been contingent upon police and prosecution teams demonstrating possible ‘foresight’, that is establishing some association between

those involved to demonstrate a shared belief and contemplation that the principle offender might commit the offence.”

‘Dangerous Associations; joint enterprise, gangs and racism’ Patrick Williams and Becky Clarke

The findings in the report, from Williams and Clarke, provide a critical analysis of contemporary responses to the ‘gang’. The report highlights the limitations in the evidence base that currently informs the pursuit of collective sanctions against alleged gang members and their associates. The report examines the impact of being on ‘gangs lists’ such as the Gang Matrix and looks at the impact of a series of “negative constructs, signifying racialised stereotypes that endure and underpin policing and prosecution strategies in relation to serious youth violence in England and Wales” Williams said of the research published in the Centre for Crime and Justice Studies: “Serious violence affects all communities irrespective of ‘race’ and ethnicity, class, gender and age. Our research suggests that the on-going preoccupation with the gang results in the unwarranted targeting and policing of young black men, which diverts attention away from the wider problem of serious violence throughout England and Wales.”

We have focused on London, as it is where The Monitoring Group is based and we have direct contact with numbers of black youths who are caught up on the Gang Matrix. The gang classification is not just a ‘London thing’. Data for the report ‘Dangerous Associations; joint enterprise, gangs and racism’ collated by Williams and Clarke comes from Manchester’s Xcalibre Task force and Nottingham’s Vanguard Unit are both units which represent their forces anti gang command and have a similar remit to that of the Trident Gang and Crime Command.

In addition to data from London’s Trident Gang and Crime Command the report’s authors identified that in Manchester 89% of those on the gangs list were from BME backgrounds although the BME community only account for 33% of Manchester’s population. Similarly in Nottingham the BME community is 35% of the local population but accounts for 64% of those listed as gang members. The report also provided statistics showing that 89% of those populating the gangs’ list in Manchester were listed as BAME they were actually only responsible for 23% of the serious youth violence in that occurred in the city. Similarly they were able to prove with the use of MOPAC’s statistics that in London BAME youth were responsible at most for 50% of the serious youth violence that occurred in the capital.

Furthermore, the report states “it is clear that the label is disproportionately attributed to BAME people, when compared to both the size of BAME populations within each of the cities presented and the number of white British people flagged or registered as involved with gangs. From Manchester through to Nottingham and London the gang construct is racialised to black and brown men.....The response to gangs was racialised in their inception. The Metropolitan Police’s Trident Unit, like Xcalibre was conceived as being a response to ‘black on black’ crime within BAME communities.

They were established on the basis that police perceived that they were unable to engage with communities in their response to violent crime.....Yet, the gang databases created by such police units have a policy and operational significance that develops over time potentially failing to respond to nature of the defined problem”

MOPAC’s Operation Shield pilot - Collective punishment in action?

In January 2015 The Home Office sought to ‘clarify’ and extend the definition of the gang “to make it less prescriptive and more flexible” The changes to the gang definition were accompanied by legislative change that widened the scope for the use of (super) gang injunctions. There was no longer any mention of geographical territory or gang emblems. Now a ‘gang’ is any group that commits crime and has one or more characteristics that enable its members to be identified as a group. Most notably new powers are created including for the first time the use of collective punishment.

In the same month MOPAC announced a budget of £200K had been set aside for a tough new anti-gang initiative entitled “Operation Shield”. It was also revealed that Shield was to be trialed in the London Boroughs of Haringey, Lambeth and Westminster. The Evening Standard stated “Operation Shield will enable the Met’s Trident unit and local authorities to bring civil or criminal sanctions to ‘known gang members’ if any gang member commits an assault, stabbing or serious crime. The penalties will range from recall to prison, gang injunctions banning them from parts of the capital or from mixing with their associates, mandatory employment training or possible eviction from social housing. The offender who commits the crime will be fast tracked through the criminal justice system for swift sentencing.” In other words if one member of the gang commits a violent crime then that person will be sent to prison and the other gang members will also face a range of civil or criminal proceedings against them. This clearly unfair practice of collective punishment goes a step further than even the doctrine of Joint Enterprise would allow, as the other ‘gang members’ do not have to any knowledge of the crime whatsoever. As stated in the, heavily redacted, Shield Operating manual “From this point on, police, partners and community representatives will pay special attention to the entire gang when a single member commits a violent act.”

There were three key elements that defined Operation Shield

1. **Community Voice** – Mobilising local communities and key moral voices to reinforce the message that the community wants gang involved individuals to be safe, alive and out of prison and that violence will not be tolerated.

2. **Consequences of Violence** – Future violence will be met with swift and certain action, with police and partners paying special attention to the entire group through available and proportionate legal and civil sanctions when a member commits a violent act.

3. **Help for those who ask** – providing individuals with a route out and the opportunity to exit from the criminal lifestyle.

Fundamental to the approach was a supposed communication of a unified message from police, partner agencies and community representatives that:

- the violence must stop;

- there will be swift and certain consequences across the entire group if it does not; and there is help available to those who wish to exit the gang.

- One of the mechanisms for delivering this is to ‘call-in’ influential gang members to speak to them directly. In reality

The other official ‘partners’ in the Operation Shield partnership were **Her Majesty’s Court Service** (HMCS), the **Crown Prosecution Service** (CPS), **Community Rehabilitation Company** (CRC), **National Probation Service** (NPS), **Department of Work and Pensions** (DWP) **Youth Justice Board** (YJB), and the local **Safer Communities Partnership**. Yet again Governmental departments mobilise to defeat the scourge of the gangs. It must be remembered that they too are all working from the mis-information that is contained within the Gang Matrix.

Case study – How to waste £200,000 of public money in a time of austerity.

Professor David Kennedy, director of the National Network for Safe Communities at John Jay College of Criminal Justice, New York City, who designed the GVI programme and was commissioned, to the tune of £50,000, to provide support to the pilot boroughs in London said at the launch of Operation Shield “The ‘Shield’ pilot represents a major advance in addressing the small number of people driving serious violence in London. The approach behind ‘Shield’ works: it has a long track record, in many different settings around the U.S., of effectively reducing violence, and it will work in London. It has unparalleled results in **formal evaluations** and its impact is dramatic when it takes hold on the streets. ‘Shield’ will focus on preventing violence and incarceration among those most likely to be touched by both; helping law enforcement to do their job in a way that does not harm, and instead strengthens, the communities they serve; making a genuine offer of help to gang members who want a way out; and supporting the community to step forward, stand together with

law enforcement, and reset its own public safety standards.”

How well did the Shield pilot’s score in the formal evaluation of the 3 pilot areas?

The MOPAC funded evaluation Group Intervention London: An Evaluation Of the Shield Pilot was published in December 2016. It is almost un-locatable on the MOPAC website, I therefore presume It is un-locatable for a reason. MOPAC squandered £200, 000 of tax payers money on it. They are culpable along with all of the partners previously identified throughout this chapter. Operation Shield was expensive, ineffective and seriously harmful to the grassroots section of the black community. For the avoidance of any confusion all of the following text, unless in italics, comes directly from the ‘Group Intervention London: An Evaluation Of the Shield Pilot’ report that was written by Tom Davies, Lynne Grossmith and Paul Dawson.

- A total of 19 gangs and 321 individuals were selected across the three boroughs:
- Lambeth - 8 gangs, 132 individuals.
- Westminster - 6 gangs, 90 individuals.
- Haringey - 5 gangs, 99 individuals (The youth from BWF Youngers that was discussed previously in this article is listed. Operation Shield recognised they could not have a gang of one listed. However the individual is still listed and named on the Haringey Gang Matrix 2018. “
- Individuals selected were exclusively male.
- The average age of the total cohort was 21.5 years, with a minimum age of 13 (Lambeth) and a maximum age of 44 (Haringey).
- Lambeth had the youngest cohort (average age 20.1), similar to Westminster (average age 20.4). Haringey had an older average age of 24, with a greater proportion of individuals in the 25-34 bracket (31%,=31).
- In terms of ethnicity, the overall cohort was 85% (272) Black African-Caribbean and 94% (300) Black and Minority Ethnic (BAME). Haringey had the greatest proportion of African-Caribbean individuals (96%, =95). Westminster had the most diverse cohort with one quarter Arabic/North African (28%,= 25).
- Out of the 321 individuals who were targeted as part of the Operation Shield pilot only 28 individuals actually attended a Operation Shield ‘Call-in’
- Collective Enforcement (CE) was initiated three times across the pilot boroughs, twice on Lambeth (against two different gangs) and once on Westminster. On two occasions (once on Westminster and once on Lambeth)

- The balance between Community Voice and enforcement was raised as an issue, with some practitioners highlighting the sheer number of visible police (and observers) at several of the call-ins as unhelpful. It was felt police input into call-ins could have at times been better planned, with some police speakers perhaps under prepared, although this varied between boroughs. The use of both Trident and local officers for message delivery at one call-in was seen as overkill. Officers with local ties to the estates and areas where the gang members lived may have been able to better engage attendees.

Operations Shield Outcomes;

Impact on Offending?

“In terms of impact analysis it has only been possible to review data relating to the primary aim of Shield; reducing violent offending. Analysis first looked to comparing offending levels of the **a) Shield boroughs to the MPS average** and then **b) offending of the selected cohort** against a matched control.

Shield Borough Level Offending?

Overall, there was no clear indication that MOPAC’S Operation Shield has had any influence upon borough level violent offending.

i. Violence and Wider Criminality?

When exploring the overall effect on offending (all notifiable offences), there was no significant difference between the Shield cohort and the comparison group.

When exploring overall effect on violence against the person offending only, there was also no significant difference between the shield cohort and the comparison group:

ii. Borough Level Analysis?

In terms of exploring effect across specific boroughs, the low numbers of individuals who are suspected/arrested/charged makes analysis difficult. The above analysis was replicated for each borough; **only one statistically significant difference between Shield group and control was found:**

Lambeth had a statistically significant greater proportion of individuals (54%, n=65) charged for any offence than the control (40%, n=43)

iii. Custody Analysis?

The research also looked at the number of the Shield cohort that had been identified as changing Matrix status from 'live to 'custody' at least once during the period of analysis (a proxy for receiving a custodial sentence); **there was no difference in proportion of Shield and control** (30% Shield vs. 30% control)

iv. Serious and Gang Flagged Violence?

When exploring serious violent offending there was no significant difference between the shield cohort and the comparison group:

When exploring overall effect on gang flagged violence only, there was also no significant difference between the shield cohort and the comparison group:

Overall Conclusion of the MOPAC funded Operation Shield pilot programme

AS A RESULT, THERE IS NO CLEAR NARRATIVE IN TERMS OF AN IMPACT UPON EITHER OVERALL OFFENDING, OR ON THE VIOLENT OFFENDING OF THE SPECIFIC SHIELD NOMINALS IN THE 13 MONTHS SUBSEQUENT TO DELIVERY

It really is unsurprising that there would be no impact on violent offending because the entire Operation Shield pilot was based on a bogus presumption that the Gang Matrix was populated with the most violent gang members, when clearly this is not the case.

The only positive aspect to emerge from the evaluation came from the Local Authorities who stated they found engaging with community members and representatives to have been beneficial. The report authors commented that through this engagement an "increased level of trust developed between the LA's, police and the community".

MOPAC has chosen not to share the Shield evaluation report with the community members and representatives from those boroughs, who gave their time freely to engage with the Local Authorities, the MPS and in some cases misguidedly participated in the 'Call - Ins'.

However the failure to share the report exposes the contempt and utter disrespect that MOPAC and the MPS have for the communities from which these representatives came. It also illustrates that MOPAC and the MPS viewed the engagement as merely a tick box exercise. This cannot instill us with much confidence in the proposed MOPAC evaluation of the Gang Matrix that is meant to be being conducted within the next 12

months.

Conclusion

The use of the word 'gang' in a policing and crime context has become wholly racialised through the processes identified above and others. History has always reinvented and racialised a word in order to describe black young men and link them with criminality. The term 'mugger' was used prevalently and was racialised during the 1970's. The word 'rioter' was the racialised word of the 1980's. The word 'gang' been used to whip up hysteria and moral panic among those who have little or no contact with the targeted gang, neighbourhood or community. It is used within the criminal justice system as a means of stereotyping, stigmatising and criminalising large swathes of disaffected young black children, black youths and black people. It is also systemic as it has impacted the policies and practices across the entire system. This is evident from the education system, to the courts and the criminal justice system and every institution in between.

The Metropolitan Police Service initially through Operation Trident and its 'pyramid of risk' and then through its use of The Gang Matrix, 'infected' the thinking of its statutory partners. The MPS has instilled within them a mind-set that encourages them to view all young black children with suspicion and 'concern' that they will become violent gang members. In practice they should be encouraging these institutions to demonstrate empathy and pastoral care for those who may come from homes and communities that have been impacted by unrelenting and destructive racism for generations. This racism has never been fully acknowledged or properly understood by politicians and policy makers.

One only has to examine appendix 1 to see how pernicious and insidious this stereotyping and criminalising process has become. This is an example of racial profiling at its very worst. The presentation is not about the Gang Matrix it is about the Gang Risk Matrix. It is not looking at those already categorised as gang members or convicted of having committed a criminal offence, it is looking for the next swathe of youths to populate the Gangs Matrix in the future. It is worth noting the author of this loathsome presentation is a member of the London Borough of Barnet's Senior Family Services Management Structure – she is Head of Youth & Family Support – has management responsibility for (Family Support team of 26 staff) Youth team (35 staff including boroughs youth workers) Youth Justice team (12 staff including YOS and YOT staff) Her staff teams are the local authorities 'front line' staff, those that come into contact with the targeted groups and their families on a daily basis. They are meant to provide support services to some of the borough's most disadvantaged

families. This presentation demonstrates they are being taught and instructed to view young black children with suspicion and caution!

Before the presentation goes into specifics it describes the most horrifying scenarios, including gang torture and the sexual abuse of girls by members of other gangs, as though these are everyday occurrences.

However, detailed below (Following a FOI), the Information Rights Unit provides statistics that shows these allegations as being over stated and over hyped for the purpose of causing moral outrage and panic.

Equally shocking are the comments contained within the presentation

“Don’t assume that if police haven’t charged a young person with supplying drugs that this means that they weren’t dealing. The standard of proof for prosecution is high and is NOT as reliable indicator of a young person’s actual behaviour or motivation”.

What chance does any BAME child, youth or adult stand when a Head of Service presents such racist material to their subordinates who are then charged with identifying children and adolescents who fit the narrative? On page 5 of the same document there is some acknowledgment of the disastrous impact that being sent to a Pupil Referral Centre, PRU, can have on young peoples behaviour. Those who understand the ‘streets’ will tell you from experience that the youths who are placed in such provision are the ones who are most likely to form or want to be in a gang and are often the most violent. Knowing this to be the case one would have hoped that this acknowledgment had been written within the context of the service seeking to keep young people out of such establishment.

However, this is written in a document which, if followed, will ultimately lead some of Barnet’s less fortunate kid’s right into the PRU’s and possibly the gangs that they profess to be seeking to protect these children from. Some might view this as a ‘self fulfilling prophecy’ but it is much more than that. This is a **set-up** because before the end of the presentation Kate Malleson goes on to make the inevitable link with young people (without evidential basis) and their peers. Finally, to ensure everyone is clear who is being targeted Malleson reveals the postcodes where these gangs are to be found; thereby stereotyping the entire neighbourhood to her colleagues.

The ‘Ending Gang and Youth Violence’ report (HM Government, 2011b) makes a number of references to girls, and when published the Home Secretary, Theresa May was keen to stress the strategy would have a ‘new focus’ on girls and young women ‘caught up in gang related rape and abuse’ (Hansard, 2011).

Reporting in the Telegraph, political correspondent Rowena Mason wrote “Violence against girls connected to gangs was another key problem identified in the report. Mrs May said it was a “chilling” development that girls are being raped during disputes between rival gangs. “They would be the partners of gang members,” the Home Secretary said. “They would find themselves being abused and sometimes being used as weapons - raping a rival gang leader’s girlfriend to get back at that gang.” She said the Home Office would provide £1.2 million of extra funding for an estimated 10,000 victims of sexual violence by gangs”.

By Rowena Mason, Political Correspondent

01 Nov 2011

But in response to a FOI the Information Rights Unit has revealed that they are unable to provide statistics prior to 1st October 2014 as the matrix had not been automated before this point. This effectively means that politicians including Cameron, Johnson and May were able to make wild allegations without an evidential base upon which it could be proven or challenged. Hence they and the police have developed a method where they have an example or two of an event happening and they then inflate the risk and project this risk onto all of the so-called ‘gangs’. It is standard practice within their risk management processes, which was also partly developed by academics and criminologists. This in turn creates the moral panic that Stuart Hall wrote about.

Fortunately the Gangs Matrix is now automated and although the MPS, Trident Gang Command and MOPAC are reluctant to share information in the public domain there is much to glean from the Information Rights Units responses to FOI’s.

In response to a question on the number of female juveniles who have been recorded as victims of either rape or another sexual offence during the time periods (2014, 2015, 2016 to date) The IRU provided the following table showing a snapshot of females and juvenile females on the gangs matrix.

Date	Females on matrix	Juvenile females on matrix	Juvenile females victim of rape or sexual assault	Suspects of these on matrix
July-16	31	12	3	0
April-16	27	9	4	0
Jan-16	26	8	3	0
Oct-15	30	9	2	0
July-15	30	6	0	0
April-15	31	5	1	0
Jan-15	34	3	2	0
Oct-15	35	3	2	0

Whilst I can accept Theresa May was speaking about gang violence across the UK one only has to look at the figures provided by the IRU for London's Gang Matrix to recognise

a) that the PM has spoken of, and provided funding for work with, "10,000 victims of sexual violence perpetrated by gangs." **This is clearly not possible based on the number of female gang members who are known to the police.**

b. If such sexual violence is occurring then it is not those on the MPS Gang Matrix who are suspected by the police of committing the offence and therefore it is an outright lie to suggest otherwise.

This process of stereotyping, marginalising and ostracising swathes of the black community has been happening since the Windrush first docked and our parents set foot on these shores. Stuart Hall wrote about it in the 1980's but that did not change a thing on the 'streets' or in the racist institutions that he wrote about. There has always been a way for the police to maintain the status quo of us being target community. As black youths growing up in the 70's and 80's we were always policed in a different way to the rest of society, and its clear that the same is true for todays black youths. However, it isn't just the youths who are targeted. We are the community that is most likely to be stopped and searched, regardless of age; we are the community that is most likely to be tasered. We are the community that is most

likely to have a spit hood used on us, especially our black sisters.

18 years after the Lawrence Inquiry and the MacPherson report the MPS is as institutionally racist as it has ever been. Worse still it has infected the rest of the public sector with its unique brand of racism; that is the ability to stereotype and criminalise young black youths without the need for evidence or proof. If David Lammy wants an answer to the question of why it is that so many BAME people get caught up in the criminal justice system then he needs to ask those who are responsible for the institutionalised nature of the racism of their organisation. This is ultimately displayed in their own racist attitudes and practices. They will never acknowledge the institutionalised racism that continues to permeate the MPS and the public sector in spite of the decades of overwhelming evidence that it continues to exist.

Appendices

Gangs Risk Matrix - to identify children and young people who may be affected by gang activity

The purpose of this tool is to act as a prompt to enable statutory and voluntary agencies to identify at the earliest possible opportunity, those children and young people who may be affected by gang activity in order that the most appropriate action can be taken.

Tools such as this can assist in highlighting what to look for and can support decision making but they are no substitute for professional judgement. In some cases a single factor may be enough to warrant further intervention although in most situations a combination of indicators is more reliable. The more YES answers, the more likely the child or young person is to be at risk of, or already involved in, gang activity. The younger the age of the child or young person, the higher is their vulnerability. Older teenagers are also vulnerable and at risk of harm themselves and will experience victimisation and emotional and physical trauma not just from rival gangs but also from within their own gang. Young people in gangs will experience and witness serious levels of violence and intimidation including torture and sexual abuse. Girls who may be in a relationship with a gang member will be at risk from boys in rival gangs.

IF YOU ARE WORRIED THAT A CHILD OR YOUNG PERSON MAY BE AT RISK OF SIGNIFICANT HARM AS A RESULT OF GANG ACTIVITY YOU MUST REFER TO THE MASH

Gangs Risk Matrix

May 29, 2015

Vulnerability factor	Indicator	Why is this significant?	Points to consider	YES/NO
<p>1 Offending Behaviour</p>	<p>Possession of cannabis</p>	<p>Possession of cannabis is one of the earliest indicators of possible gang involvement and can be the “hook” used by gangs to influence a young person to join a gang (the so-called “pull”)</p> <p>Children and younger teenagers or more vulnerable older teens are used (as a “mule”) to carry drugs around and/or to sell them because they are less likely to attract police attention. They may be asked to do this in return for some “free” cannabis</p> <p>Don’t assume that if police haven’t charged a young person with supplying drugs that this means they weren’t dealing. The standard of proof for prosecution is high and is not a reliable indicator of a young person’s actual behaviour or motivation</p>	<p>How much cannabis is involved?</p> <p>Is it a small amount that could be just for personal use? On its own, this may not be significant in terms of gang affiliation but young people buying or using cannabis brings them into contact with people who may try and recruit them. If they are vulnerable in other ways, they will be at risk.</p> <p>Larger amounts in separately wrapped packages, perhaps with weighing scales, might suggest the child/young person is selling or carrying drugs? This behaviour is highly likely to be gang related behaviour</p>	<p>YES/NO</p>

Gangs Risk Matrix

May 29, 2015

	Robbery	This is a typical gang offence and sometimes used as a test of loyalty or initiation	The child or young person may not be the main perpetrator, they could be there to watch and learn. Any association with this type of offence is likely to be gang-related	YES/NO
	Possession of knife or other weapon	Children and young people carry knives or other weapons to protect themselves and to threaten and intimidate others	This type of offence is likely to be gang-related	YES/NO
2 Family Circumstances <i>Children and young people can be "pushed" towards gangs if they are unhappy at home</i>	Missing or staying away from home or care for more than 24 hours	<p>Belonging to a gang requires a significant time commitment and often involves overnight activity or periods of absence</p> <p>A young person may have little or no choice about where they sleep, how they spend their time, who they are with, where they go and when they are allowed to return home.</p>	<p>Does the parent/carer know where the young person is and whom they are associating with? They may know who they are with but not be happy about it, or not know the address. Alternatively, they may have no idea where they are but have indirect contact through a friend or via social media.</p> <p>How often do they go missing? How long are the absences? How do they present when they return? Are they stressed, or do they look as though they have had fun? Longer periods of absence are of more concern.</p>	YES/NO

Gangs Risk Matrix

May 29, 2015

	Supervision and boundaries are inconsistent/parent (carer) is absent/ disinterested/or unable to exert control or influence over the child/young person	<p>Children and young people thrive on positive boundaries and supervision because this demonstrates care</p> <p>Gangs have lots of boundaries, rules, offer protection, help young people to feel “cared-for”, and give them a sense of belonging</p>	<p>Has the parent/carer actually reported the child or young person missing? Are they concerned about them?</p> <p>Is the parent/carer absent from the home for significant periods, through work or social activity, leaving the young person alone, perhaps even overnight?</p> <p>Has the parent/carer expressed concern that they are unable to control their child?</p>	YES/NO
	Children subject to abuse or neglect or from families experiencing domestic violence	Often there will be a history of referrals to/contact with social care	Is there a history of referrals to, or contact with, social care?	YES/NO
	Older sibling involvement in gangs – 8-13 year olds are the group most at risk	Younger siblings are often targeted/groomed by other gang members and can experience bullying and intimidation	All younger siblings of gang members are at risk of gang involvement or of being harmed or affected by their older sibling’s gang membership	YES/NO
3 School	Dips in educational attendance or attainment	Especially where previously attendance and attainment were not a cause for concern	Has the young person started missing school? Are they achieving less than they are capable of? Is this a different pattern of behaviour that previously?	YES/NO

Gangs Risk Matrix

May 29, 2015

	Young people placed in alternative education provision such as the Pupil Referral Unit	Gang activity can thrive in some kinds of alternative education provision but it also thrives in mainstream education provision where it is unrecognised, unacknowledged or unaddressed	<p>Is there evidence to suggest that gangs may be recruiting members in the school environment?</p> <p>Is the child or young person associating with known or suspected gang members?</p> <p>Are they wearing or displaying any signs of gang affiliation? Specific colours, clothing, symbols, hand gestures?</p> <p>Is the child or young person scared of going to school?</p>	YES/NO
	Increase in fixed term exclusions especially for physical and verbal abuse at primary school	Children with behavioural/conduct disorder in primary school are especially vulnerable to gang influence	Are the numbers of fixed term exclusions at primary school increasing? What is the reason for them? Are other pupils afraid/wary of this individual?	YES/NO
4 Peers	Associating with known gang members/predominantly pro-criminal peers	The influence of peer groups is well evidenced. Some young people are more able to resist peer influence than others. The more vulnerable an individual, because of other factors, the harder it will be for them to desist.	Are the majority of his/her friends involved in criminal activity? Does s/he spend most of her/his time with pro-offending peers?	YES/NO

Gangs Risk Matrix

May 29, 2015

	Girls who associate with male gang members	Girls may be coerced into sexual activity or be used to carry/hide drugs /weapons. They may be a target for other males.	Who is this girl associating with? Are her male friends protecting or abusing her? Does she understand what healthy relationships feel like?	YES/NO
5 Community	Children and young people charged with Possession of Class A Drugs / Possession with Intent to Supply Class A Drugs outside home areas	Gangs organised around the supply of high value drugs will use children and young people to sell drugs further afield. This is because they are less likely to attract police attention. Known as "county lines", Looked After Children are particularly susceptible.	Children and young people who are found or travel far away and are arrested in possession of heroin, cocaine and other Class A drugs, are highly likely to be involved with gangs.	YES/NO
	Living in an area of deprivation and poverty characterized by high level gang activity	There are some postcodes in the borough which carry a higher risk of gang involvement than others.	HA8 is an example of an area in which serious youth violence is more likely to occur. Gang members currently live in HA8, NW9, N3, N2, N12, N20, N11, N10	YES/NO
TOTAL (YES answers)				



Driver & Vehicle
Licensing
Agency

Driver and Vehicle Licensing Agency
Drivers Medical Group
Swansea SA99 1DF
Phone: 0300 790 6806 Fax: 0300 083 0083
Website:
www.gov.uk/driving-medical-conditions

REDACTED



Our Reference:

Date: 26 July 2017

Dear NAME WITHELD,

We have received information from the police which suggests that you have a medical condition that affects your ability to drive safely. As a result we must make enquiries into your fitness to drive. These enquiries may include asking you to attend an examination with an independent doctor or a driving assessment conducted by a specially trained driving assessor or a driving appraisal with the Driving & Vehicle Standards Agency.

However, before we start our enquiries you should consider the two options available to you. Please think about what you wish to do and choose either option one or two below and fill in the enclosed statement.

Option one – Give up driving

If you have been told that you do not currently meet the standards for driving or you do not wish to drive anymore you should surrender your driving licence. To do this you will need to:

- Sign and date option one on the attached declaration
- Return your driving licence with the declaration to DVLA.

If in the future you are well enough to resume driving and your doctor confirms this, you may re-apply using an application form D1 which is available from Post Offices that offer Driving and Vehicle services or you can order one from www.gov.uk/dvlaforms. You will also need to fill in a questionnaire relevant to your medical condition which you can download from www.gov.uk/health-conditions-and-driving. Alternatively, you can contact us and we will send the forms to you.

Option two – Medical investigations

If you do not wish to surrender your driving licence we will need to start confidential medical investigations into your fitness to drive. For this you will need to:

- Sign and date option two on the attached declaration.
- Fill in the enclosed questionnaire
- Sign and date **BOTH** the enclosed consent and declaration
- Return all of the above documents to DVLA.

What happens next

When we receive the **filled in forms** we may need to contact your doctor or specialist for a medical report. If we need to do this we will write to tell you.

When our medical enquiries are finished we will write to tell you of the outcome.

Important Note

If you **do not** respond **within 14 days from the date of this letter** your driving licence will be **revoked**.

Benefit of surrendering your driving licence

The benefit of choosing to surrender your driving licence means that if your condition improves and you are able to meet the medical standards for driving, you may be entitled to drive under Section 88 of the Road traffic Act 1988, whilst your application for a driving licence is being considered by the DVLA. Your own Doctor or Consultant will be able to advise you when this might be.

However, if your driving licence is revoked or refused for medical reasons (including non-compliance), you will not be entitled to drive under Section 88 of the Road Traffic Act. You must wait until we have made a decision to issue you a driving licence before you can begin driving again.

Rev Dec 14

The Law: Section 94(4)(5)(8) of the Road traffic Act 1988

Yours sincerely,

Driver Medical Group

Encs:

CONSENT POLNOTREP FEP1 DG1 ENV



CONSENT

Consent to the release of medical information

IMPORTANT: Please read the following information carefully and sign and date the statement below and return this consent form with your questionnaire. We cannot proceed with enquiries into your fitness to drive until we receive both your completed questionnaire and consent form

- We have asked you for your consent for the release of medical reports from your doctors as we may require further information.
- As part of the investigation into your fitness to drive, DVLA may require you to undergo a medical examination or some form of practical assessment. In these circumstances, those personnel involved will require your background medical details to undertake an appropriate and adequate assessment.
- Such personnel might include Doctors, Orthoptists, Paramedical Staff or officers of the Secretary of State. Only information relevant to the assessment of your fitness to drive will be released.
- Where the circumstances of your case appear exceptional, the relevant medical information would need to be considered by one or more of the Secretary of State's Honorary Medical Advisory Panels. The membership of these Panels conforms strictly to the principle of confidentiality.

All data held by DVLA is used for internal evaluation of the quality of our services.

This section must NOT be altered in any way.

Consent and Declaration

I authorise my Doctor(s) and Specialist(s) to release reports/medical information about my condition relevant to my fitness to drive, to the Secretary of State's medical adviser.

I authorise the Secretary of State to disclose such relevant personal and medical information as may be necessary to the investigation of my fitness to drive, to Doctors, Orthoptists, Paramedical staff or Officers of the Secretary of State.

I declare that I have checked the details I have given on the enclosed questionnaire and that, to the best of my knowledge and belief they are correct.

"I understand that it is a criminal offence if I make a false declaration to obtain a driving licence and can lead to prosecution."

Name: _____

Signature: _____

Date: _____

I authorise the Secretary of State to :

Inform my Doctor(s) of the outcome of my case

Yes

No

Release my medical information, and any other relevant information, to my doctor(s) by postal or electronic (fax or email) channels

Yes

No

If you would like to be contacted about your application by email or Text message (SMS), please tick the appropriate boxes (below). If not, DVLA will continue to contact you by post.

I authorise a representative of the Secretary of State to contact me via Email or SMS Text in relation to this application (Please Tick): Email Yes No SMS (Text) Yes No

If you tick either of these options, DVLA will contact you using an external service provider regarding this application only. Your email / mobile details will not be passed on to any other Third Parties, or used for marketing purposes.





Driver & Vehicle
Licensing
Agency

Reply Form POLNOTREP



3 4 4 0 2 3 4 0 P O L N O T R E P

LEVEL1ODL

Driver and Vehicle Licensing Agency
Drivers Medical Group
Swansea
SA99 1TU

RE: NAME WITHELD,
Case Reference:
Letter Reference:
Date: 26 July 2017

Please choose one of the options below, tick the appropriate box and sign and date the declaration.

1. I wish to give up driving and surrender my entitlement. My licence is;

- Enclosed
- Lost
- Stolen

Signed: _____

Date: _____

If you hold a photo card licence then both plastic and paper counterpart, (if applicable), must be returned.

2. I do not wish to surrender my driving licence and I have enclosed the medical questionnaire **and** the consent form. *(do not return your licence)*

Signed: _____

Date: _____

Rev Dec 14

<u>DVLA USE ONLY</u>





Questionnaire to assess your medical fitness to drive

If you are unsure of the answers, we advise you to discuss this form with your doctor

Please ensure all questions are answered in full

1. a. Have you used Cannabis in the last three years? Yes No

If Yes, please state quantity, frequency, the date first used and the date last used.

- b. Have you used LSD, Ecstasy or Amphetamine at any time in the last three years? Yes No

If Yes, please give the type, frequency, the date first used and the date last used.

2. Have you used Heroin at any time in the last three years? Yes No

Please give the quantity, frequency and the date last used.

3. Have you used Cocaine/Crack Cocaine at any time in the last three years? Yes No

If Yes, please give the quantity, frequency and the date last used.

- 4a. Have you used Benzodiazepines for example Diazepam/ Temazepam at any time in the last three years? Yes No

- 4b. Are the Benzodiazepines prescribed? Yes No

- 4c. Please give the type quantity, frequency and the date last used.

- 5a. Are you on a treatment programme for previous drug dependence e.g. methadone, buprenorphine? Yes No

If Yes, please give date started

Month Year



PART A: ABOUT YOU

Please answer the questions on this form in **BLOCK CAPITAL** letters using **BLACK INK**

Title: Surname: Date of Birth:
 (Mr, Mrs, Miss, Other?)

First Name(s): Driver No:
 (if known)

Address:

 Postcode

Telephone Number(s):
 Home
 Mobile
 Email

PART B: ABOUT YOUR GP AND YOUR CONSULTANT

GP's Name and Address		Consultants Name and Address	
Dr:	<input type="text"/>	Title:	<input type="text"/>
<input type="text"/>		<input type="text"/>	
<input type="text"/>		<input type="text"/>	
<input type="text"/>		<input type="text"/>	
Postcode: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		Postcode: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	

TEL No: *(Including dialling code)* TEL No: *(Including dialling code)*

Date last seen by GP Date last seen by Consultant
 (For this condition) (For this condition)

If you have more than one consultant, please give their name, department and address on a separate sheet.

GP email address *(if known)*

Consultants email address *(if known)*

NHS number *(if known)*

PART C: Please give details of other clinics you are attending below

Name of clinic & Department	Reason for attendance	Date last seen
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

DG1

5b. If Yes to Q5a, please give the name and address of your doctor/consultant at the Methadone clinic _____

6. Have you used non-prescribed Methadone or any other illicit/street drug, not previously mentioned, at any time in the last three years? Yes No

If Yes, please give the name of the drug(s), quantity, frequency and the date last used.

7. Please list all prescribed tablets/drugs or medication, including over the counter medication that you are currently taking, including the dosage and please specify the date it was last taken. _____

8. Have you suffered with alcohol problems/alcohol misuse in the last three years? Yes No

If Yes, have you needed treatment for this? Yes No

If Yes, please give the date and the type of treatment.

Month	Year
<input type="text"/>	<input type="text"/>

9. Have you suffered from fits/convulsions/seizures/any form of epileptic attack or aura? Yes No

If Yes, please give the approximate dates of the following:

	Awake	Asleep
Date of first attack	<input type="text"/>	<input type="text"/>
Date of last attack	<input type="text"/>	<input type="text"/>

10. Have you suffered with any mental health problems? Yes No

If Yes, please give the condition and the name and address of the doctor treating you.

DG1

11. Please give the date you were last seen by:

Your
Doctor _____

Your Consultant _____

Driver declaration: I declare that I have checked the details given and that to the best of my knowledge and belief, they are correct.

Please be aware that incomplete answers may result in delays.

Signed: _____

Date: _____



Driver & Vehicle
Licensing
Agency

Driver and Vehicle Licensing Agency
Drivers Medical Group
Swansea SA99 1DG
Phone: 0300 790 6806
Fax: 0300 083 0083
Website:
www.gov.uk/driving-medical-conditions

NAME WITHELD
Bindmans LLP Associate
236 Gray's Inn Road
London
WC1X 8HB

Date: 14 August 2017

Dear Sir/Madam,

Thank you for your Email dated 9th August 2017. This has been passed to the Drivers Medical Group and I have been asked to reply.

Your request is being handled under the Data Protection Act 1998 which allows us up to 40 calendar days to reply from date of receipt of the request.

Under Section 35 of the Data Protection Act please find enclosed copies of the information that was received as requested.

I can confirm that while enquiries are ongoing NAME WITHELD is entitled to continue driving under *Section 88 Road Traffic Act 1988*.

Rev May 16

Yours sincerely,

Wayne Davies
DM Customer Service Advisor
Drivers Medical Business Support

Enc: D751

RECEIVED

17 AUG 2017

From:
Sent:
To: EFTD@dvla.gsi.gov.uk
Cc:
Subject: NAME WITHELD

Hi

Please see the attached D751 for your consideration

Regards

- Police Constable
SNT Support - Haringey BOCU - Territorial Policing
Adv Autocrime / Vehicle Crime SPOC / Licensing Office
Metropolitan Police Service
MetPhone | Telephone | Mobile
Tottenham Police Station, 398 High Road, Haringey, N17 9JA

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

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Find us at:
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Twitter: @metpoliceuk
i½



Notification of possible medical condition driving incidents only

D751

A Personal details

License holder's full name

Date of birth:

Driver number: Full (with restrictions) Provisional LGV/PCV

DVLA OFFICIAL USE ONLY

CASP No:
PRIORITY: "1"
Coll. at wheel

DATE RECEIVED:

Expired licence

B Details of incident/accident/circumstances

1. DATE: _____ TIME: _____ TYPE OF VEHICLE: _____

ACCIDENT REFERENCE NUMBER _____

2. Type of incident. Please tick all relevant boxes

Collision Erratic driving Collapse at wheel

If Collision was it:

a. Single vehicle collision Driver taken to hospital
b. Multi vehicle collision Notified driver taken to hospital

Please provide hospital address

If the notified driver was not taken to hospital was he or she seen by

Paramedic Doctor Name and address (if possible) _____

3. Where did the incident happen? Please tick all relevant boxes

Straight road T Junction Pedestrian crossing
Bend Right turn Traffic signals
Roundabout Left turn

C Police details

Police Force/Constabulary: METROPOLITAN POLICE SERVICE

Contact name and address: TOTTENHAM POLICE STN

398 HIGH ROAD, TOTTENHAM LONDON N17 9SA

Phone number: _____ Email address: _____

D Information of medical conditions or details

1. Please tick medical condition(s) which appear responsible for the incident
Please provide further details, if any, at 2 below.

- Blackout Fit/Convulsion Confusion (give details at 2 below) Diabetes Drugs
 Heart Mobility Mental Health Stroke Alcohol
 Vision Other Please specify: _____

Was a roadside eye test carried out? YES NO If YES was it a: PASS FAIL
 Was the test carried out at the required distance of 20 metres
 (with glasses or corrective lenses if necessary) YES NO

2. If there is any other relevant medical information please give details below:

EPILEPTIC.

3. Drug/Alcohol of which the person is suspected to be a persistent misuser:

- (i) Class A, B or C drug (Misuse of Drugs Act 1971)
 Specify drug(s) CANNABIS
 (ii) Prescribed drug(s) Specify: _____
 Prescribing doctor's name and address if known: _____
 (iii) Over the counter preparation or other substance: Specify: _____
 (iv) Alcohol

E Additional details

1. Are witness reports available? YES NO If 'YES', send copies of any reports with this form
 2. Forensic Medical Examiner's report available? YES NO Do NOT send to DVLA with this report
 3. Has the driver voluntarily surrendered their Group 1 (cars and motorcycles) Driving Licence? YES NO
 4. Has the driver voluntarily surrendered their Group 2 (lorries and buses) Driving Licence? YES NO
 If "YES" to Q3 or Q4, please enclose a filled in and signed Declaration of Surrender Form with the driving licence and this form.

NB. Where the licence is valid.

These notifications are treated as priority by the DVLA as the individual has legal entitlement to continue driving pending medical enquiries. Please send the filled in forms immediately to:

DVLA
 Drivers Medical
 Swansea
 SA99 1DF

- Enclosure Checklist: Driving Licence _____ Witness Statements
 Declaration of Surrender _____ Incident Report _____

Please note that an anonymised copy of this form may be released upon request from the driver

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of

URN:

01

Age if under 18

Over 18.....

(if over 18 insert 'over 18')

Occupation:

Police Officer

This statement (consisting of: 2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

Date:

20th July 2017

Tick if witness evidence is visually recorded

(supply witness details on rear)

I am , a serving Police Officer of years with the Metropolitan Police Service. I am currently attached to Haringey Borough Police OCU, stationed at Tottenham Police Station, 398 High Road, Tottenham, London N17 9JA. I am an advanced police driver. I have been trained in the use of Automatic Number Plate Recognition, extensive capabilities on the Police National Computer and the borough lead on all matters of vehicle related crime. I am also an accredited Auto crime examiner.

I have completed and submitted a form D751 along with this statement to bring to the attention of DVLA a summary of relevant details relating to **NAME WITHELD** so that DVLA may consider revoking their licence.

Name: **NAME WITHELD**

Date of Birth:

Male

Address: 208 THE ROUNDWAY, TOTTENHAM, LONDON, N17 7DE

PNCID:

DVLA Driver Number :WITHELD

SUBSTANTIVE

PNCID

Warning Signals: None

Relevant Summary.

Signature:

Signature witnessed by: