

Release Consultation Response:

A Safer City for All Londoners, Draft Police and Crime Plan for London 2017 -2021

Introduction

Release is the national centre of expertise on drugs and drug laws, providing free and confidential specialist advice to the public and professionals. Release also campaigns for changes to UK drug policy to bring about an evidence-based and more compassionate legal framework to manage drug use in our society.

The organisation operates a legal outreach programme in drug projects across the Capital seeing in the region of 1500 clients a year, all of whom have a history of, or are currently experiencing, substance misuse problems. In the vast majority of cases their substance misuse is a symptom of deeper social and emotional problems, with inequality and deprivation exacerbating the issues they face. We also deliver legal advice to sex workers at drop-ins based in East London.

Release runs a youth-led stop and search project, [Y-Stop](#), in partnership with [Stopwatch](#). The project was developed after a year of consulting with young people across London about their experiences of stop and search, what tools they thought would be useful to reduce the risks of such police interactions, and developing mechanisms for complaining about a negative encounter with the police. The young people we spoke to came from areas of London that had suffered decades of negative relationships with police, they expressed serious disaffection, and felt disenfranchised by policing tactics. These experiences resulted in a complete lack of trust of police who they viewed as essentially being against them. In our view this fundamentally undermines the principles of policing by consent and can escalate problems of youth violence, as discussed below.

In recent years Release has been at the forefront of highlighting the racial disparity that exists in drug policing and prosecutions within the UK. In 2013 we published a report with the London School of Economics and Political Science ('LSE'), ['The Numbers in Black and White: Ethnic Disparities in Drug Policing and Prosecutions in England and Wales'](#), as part of the research for this paper we offered an extensive analysis of the situation in London. We are currently updating this research and will be providing some initial findings in this response.

Release's research and our provision of services in London makes the organisation well placed to provide an insight into the issue of drugs policing, which we hope will help inform the Mayor's Police

and Crime Plan for 2017 – 2021. We will not address all aspects of the consultation, only those that are relevant to the policing of low level drugs offences, in particular, possession of drugs for personal use.

In addition, we are also members of the following: British Transport Police ('BTP') Stop and Search Community Consultation Group; College of Policing Stop and Search Strategic Scrutiny Group; Her Majesty's Inspectorate of Constabulary ('HMIC') Police External Reference Group on Stop and Search and Legitimacy; the Home Office Working Group on the Best Use of Stop and Search and the Home Office Working Group on the use of strip search by police forces.

Drugs Policing in London

Stop and Search

The research we undertook in 2013 with LSE analysed stop and search data for 2009/10 at a time when the use of the power was at egregious levels, with approximately 1.2 million 'reasonable suspicion' searches carried out by police in England and Wales¹. In that year the Metropolitan Police Service ('MPS') carried out nearly 600,000 searches, 50 per cent of which were for drugs, meaning that over a quarter of a million people in the Capital were searched for possession of a controlled substance. The arrest rate was 6 per cent (it was estimated that about 20 per cent of searches resulted in drugs being found, with about 14 per cent receiving a cannabis warning or penalty notice for disorder ('PND')) meaning the majority of people searched had no drugs on them.

It is important to remember that stop and searches for drugs are more often than not targeting possession of drugs for personal use. This was confirmed by the 2013 report on stop and search by HMIC who stated that in respect of the records they examined 'the majority of searches were for low level possession'². Drug policing, as well as being the driver for stop and search, was also driving racial disparity in London, with black people being three times more likely to searched for drugs and Asian people twice as likely; this is despite drug use being lower in both ethnic groups.³

¹ Home Office (2012), *Stop and Search Tables (Police Powers and Procedures England and Wales 2010/11)*, UK Government, <https://www.gov.uk/government/statistics/tables-police-powers-and-procedures-england-and-wales-2010-to-2011>

² HMIC (2013), *Stop and Search Powers: Are the police using them effectively and fairly?*, Pg. 25, <https://www.justiceinspectors.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf>

³ Eastwood, Shiner & Bear (2013), *The Numbers in Black and White: Ethnic Disparities in Drug Policing and Prosecutions in England and Wales*, Release and LSE, Pg. 22, <http://www.release.org.uk/publications/numbers-black-and-white-ethnic-disparities-policing-and-prosecution-drug-offences>

Our report also demonstrated higher intensity of drug stop and searches in inner city areas such as Brent, Tower Hamlets, Southwark, Newham, Camden, Islington and Hackney.⁴ This reflected our experiences of providing legal advice to young people from these areas, who came to us after being subjected to such police interactions several times a month, or even a week. Many reported that drug stop and searches, especially for cannabis, were the reason for them being stopped. At the same time, our research also demonstrated that whilst rates of drug stop and searches were lower in affluent areas of the city, the levels of racial disparity were predominantly higher. Kensington & Chelsea⁵, Kingston Upon Thames, Hammersmith & Fulham and Wandsworth saw black people being stopped by police at four to five times the rate of white people; in Richmond this rose to six times.⁶ It is important to remember, as stated, that in the vast majority of cases no drugs were found. In our organisation's view the issue of policing low level drug offences is less about the drugs themselves and more about the drug laws being used as a tool of social control by police on the ground.

In the last few years there has been a significant fall in the number of stop and searches in London and this is certainly welcomed. However, drugs policing still dominates the MPS' stop and search figures - in the period February 2016 to January 2017 142,467 searches have been carried out under reasonable suspicion powers; 63 per cent of these searches were for drugs.⁷ This is despite the fact that senior management at the Metropolitan Police have tried to create a target system which encourages police officers on the ground to focus on crime that is more important to the public. This target states that 20 per cent of all stop and searches should be for weapons and 40 per cent for key crimes (this focuses on property crime and excludes drugs) - by default drug searches should account for no more than 40 per cent of all searches.⁸ The MPS have consistently failed to meet these targets. In 2016 the 20 per cent target for weapons searches was only met once in August, for every other month it hovered between 13 and 15 per cent. For key crimes the 40 per cent target is nowhere near

⁴ Ibid at pg. 23

⁵ Although rates of stop and search were also high in Kensington and Chelsea for the period analysed.

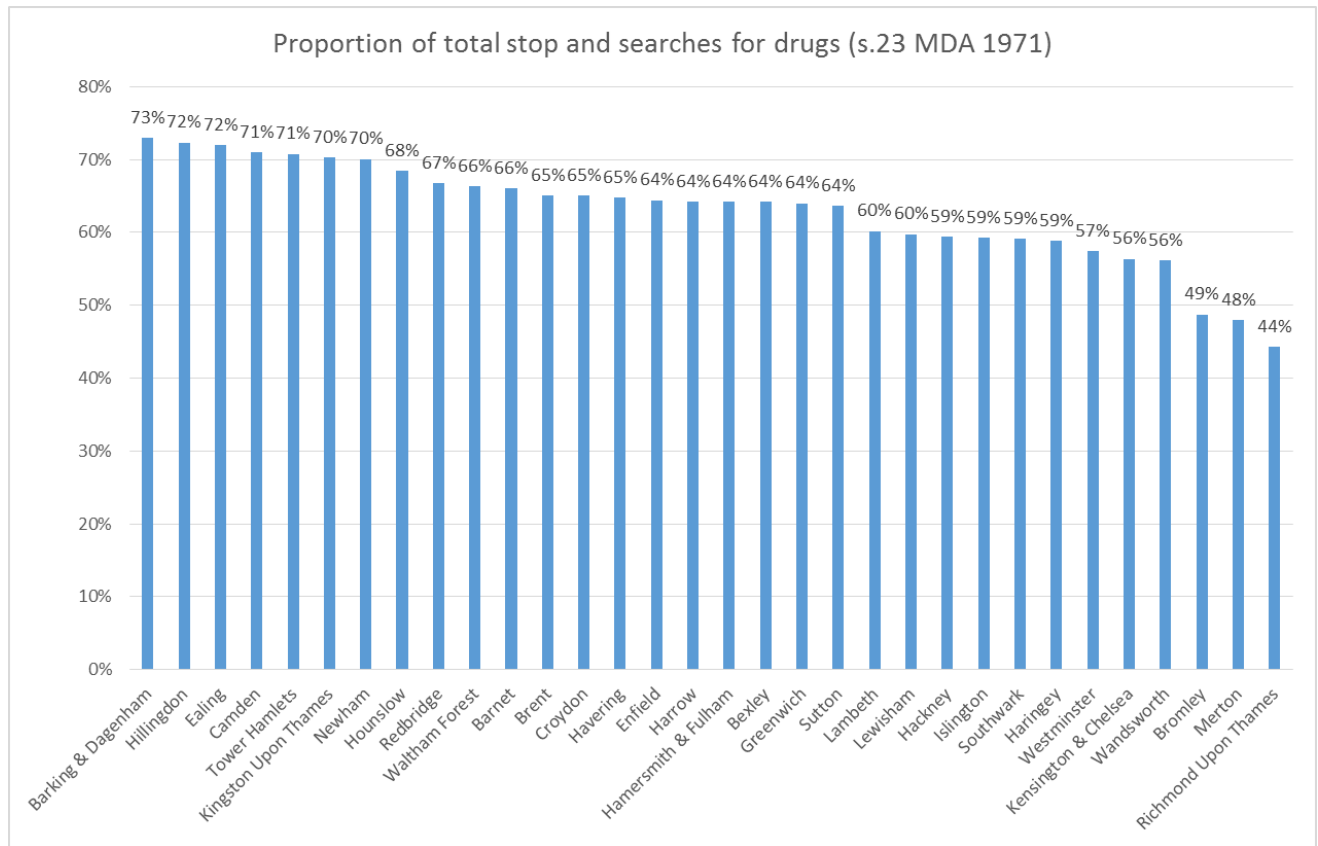
⁶ Eastwood, Shiner & Bear (2013), *The Numbers in Black and White: Ethnic Disparities in Drug Policing and Prosecutions in England and Wales*, Release and LSE, Pg. 25, <http://www.release.org.uk/publications/numbers-black-and-white-ethnic-disparities-policing-and-prosecution-drug-offences>

⁷ Metropolitan Police Service (March 2017), *MPS Stop and Search Monthly Report: S&S R12 Summary* <https://public.tableau.com/profile/metropolitan.police.service#!/vizhome/MPSStopandSearchMonthlyReport/SSR12Summary>

⁸ Metropolitan Police Service (2017) *How We Use Stop and Search, MPS*

<http://content.met.police.uk/Article/How-we-use-stop-and-search/1400022268811/1400022268811>

being met, with it fluctuating between 17 and 24 per cent over the last 12 months.⁹ In some parts of London the proportion of searches for drugs exceeds 70 per cent of all searches carried out by police.



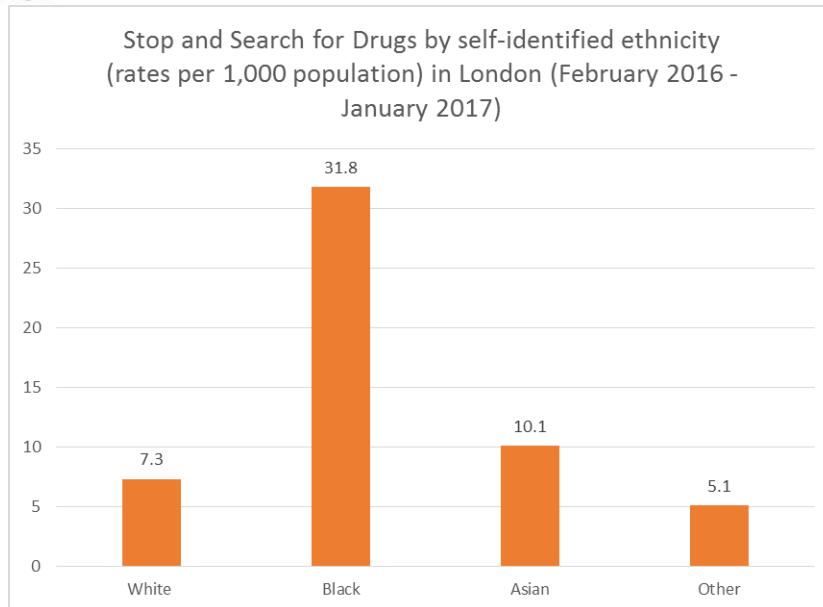
The use of this power is not disrupting the drugs trade, rather it focuses disproportionately on those from Black and Minority Ethnic ('BAME') communities, young people and those from deprived areas, all in pursuit of small amounts for personal use. The damage caused by this type of policing could undermine the Mayor's goal of 'restoring real neighbourhood policing'¹⁰.

The rates of racial disparity for drug searches have increased since our 2013 report, an analysis of the most recent Met data against Mid-2015 population estimates (Office for National Statistics) shows that black people are now stopped and searched at almost 4.5 times the rate of white people.¹¹ So whilst the overall number of searches has significantly decreased the racial disproportionately has significantly increased.

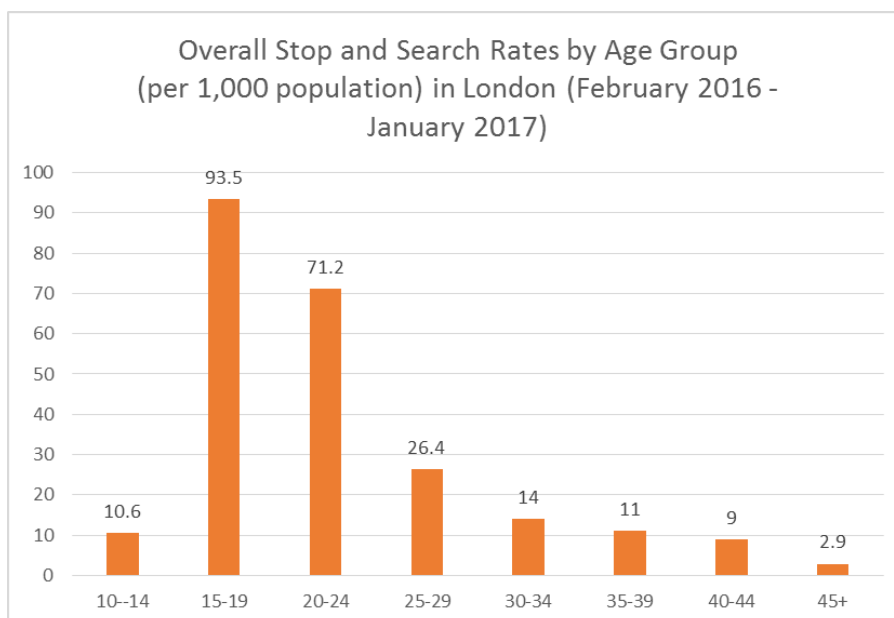
⁹Metropolitan Police Service (March 2017), *MPS Stop and Search Monthly Report: Weapon, ASB & key Crime* <https://public.tableau.com/profile/metropolitan.police.service#!/vizhome/MPSStopandSearchMonthlyReport/SSR12Summary>

¹⁰ MOPAC, (2016), *A Safer City for All Londoners: Draft Police and Crime Plan for London 2017 – 2021 – Consultation Document*, Mayor of London, Pg. 4

¹¹ Metropolitan Police Service (March 2017), *MPS Stop and Search Monthly Report: Search Proportionality* <https://public.tableau.com/profile/metropolitan.police.service#!/vizhome/MPSStopandSearchMonthlyReport/SSR12Summary> - the table below is based on data from this source.



The age of those being searched is also of concern with the rate of searches for 15 - 19 year olds far outstripping any other age category. Of the total number of stop and searches carried out in the last 12 months, 61 per cent were aged under 24 years old (34 per cent were under 19 or younger).¹² The consultation paper highlights that overrepresentation of young BAME males in stop and search can affect their confidence in the police.



¹² Metropolitan Police Service (March 2017), *MPS Stop and Search Monthly Report: Search Demographics* <https://public.tableau.com/profile/metropolitan.police.service#!/vizhome/MPSStopandSearchMonthlyReport/SSR12Summary> - the table below is based on data from this source.

The detection rate has improved with one in three searches for drugs yielding a drug or other prohibited item being detected. However, we would counter that this still means two in three people are being stopped where no offence has occurred. A detection target undoubtedly still exists in policing regardless of whether it is formalised or not, and policing of drugs, especially cannabis, is certainly a feature of what is considered an easy detectable crime. The question also needs to be asked at what point is stop and search seen as effective, what level of detection rate is acceptable and at what cost? If young people are being unnecessarily stopped and searched this can negatively impact on their relationship with the police, having significant consequences for themselves and for policing more generally, as we discuss below.

Lastly, in relation to drugs stop and search, the College of Policing have identified that the 'smell of cannabis' should not be a sole ground for stop and search. This is largely based on an analysis of the success of such searches and the legal requirements for a lawful stop and search. The College rightly states that reasonable grounds for suspicion involve the likelihood that the object being searched for will be found. The College analysed stop and search data and found in most cases where 'smell of cannabis' is the ground it did not result in an arrest and therefore failed the likelihood test.¹³ The College's Authorised Professional Practice ('APP') training guidance on stop and search explicitly states that this ground is not sufficient reasonable suspicion for a search to be carried out.¹⁴

The MPS' own Policy toolkit on stop and search states that 'smell of drugs' is not a sufficient ground to establish 'reasonable suspicion' however the toolkit states that that 'circumstances/conversation with the individual/their appearance, actions, behaviour', together with smell may be enough to establish grounds to search someone.¹⁵ It is our view that this could be open to abuse. We urge the Mayor and MOPAC to ensure the MPS monitors their stop and search records for searches where 'smell of cannabis' is the sole basis and searches where 'smell of cannabis' with some other factor is the grounds for 'reasonable suspicion'. This is particularly important as it is estimated that a third of all stop and searches are for cannabis.¹⁶ Furthermore, through our work with young people on the

¹³ College of Policing (2016), *Stop and Search: Legal Basis*, <https://www.app.college.police.uk/app-content/stop-and-search/legal/legal-basis/>

¹⁴ College of Policing (2016), Authorised Approved Practice Stop and Search, <http://www.app.college.police.uk/app-content/stop-and-search/?s=stop>

¹⁵ Metropolitan Police Service (2016), *Stop & Search Policy Toolkit - Questions and Answers (Q&As)*, http://www.met.police.uk/foi/pdfs/priorities_and_how_we_are_doing/corporate/stop_search_qa_2016.pdf

¹⁶ Shiner M. (2015), *Drug policy reform and the reclassification of cannabis in England and Wales: A cautionary tale*, *International Journal of Drug Policy* Volume 26, Issue 7, Pages 696–704 at Pg. 701

issue, many have reported that they believe that 'smell of cannabis' is being abused by police to stop and search them based on the colour of their skin.

As highlighted above, the MPS have tried to influence police behaviour on the ground through the 20 per cent target for weapons searches and 40 per cent for key crimes. It is clear that this has had little impact on police behaviour as evidenced by the scale of drug searches. In order to ensure that officers are adhering to best practice, there must be proper scrutiny of the grounds for stop and search by both the MPS and community monitoring groups. Where police officers have misused the power they should be held accountable.

Negative impact of stop and search on young people and the police

In our 2013 report we highlighted both the negative impact stop and search can have on young people and the fact that the use of this power can, in fact, undermine police as communities no longer trust the police or see them as a legitimate force.¹⁷

In respect of young people who are repeatedly stopped and searched, and whose family members have experienced the same treatment by police for generations, they are unlikely to report a crime to police either as victims or as a witness. This applies equally to communities who have lost faith in their police force. There is also evidence that there is an increase risk of young people engaging in 'self-help violence'¹⁸ when they perceive the police as lacking legitimacy. This is obviously negative for policing, especially in terms of intelligence gathering and having to tackle more serious crime, as people take the law into their own hands. Balancing these outcomes against searches for low level personal possession of drugs should clearly demonstrate the futility and damage of such searches.

Disposals for drug possession offences

The 2013 report also highlighted how black people were treated differently from white people when caught in possession of drugs. The analysis of the data from the MPS showed that black people were twice as likely to be charged for possession of cannabis as white people caught in possession of the drug. When it came to cocaine 78 per cent of black people caught in possession were charged for the

¹⁷ Eastwood, Shiner & Bear (2013), *The Numbers in Black and White: Ethnic Disparities in Drug Policing and Prosecutions in England and Wales*, Release and LSE, Pg. 51, <http://www.release.org.uk/publications/numbers-black-and-white-ethnic-disparities-policing-and-prosecution-drug-offences>

¹⁸ Bradford B (2011), *Assessing the impact of police-initiated stop powers on individuals and communities: the UK picture*, Pg.7 <http://citeseerx.ist.psu.edu/viewdoc/download;jsessionid=E468A63DB00093E9C85CD1FC6C14E0EB?doi=10.1.1.367.9021&rep=rep1&type=pdf>

offence, the remaining 22 per cent received a caution, whilst of white people caught 44 per cent were charged and 56 per cent cautioned.¹⁹ The Mayor's Draft Plan clearly highlights the racial disparity in the criminal justice system, as demonstrated by the interim findings of the Lammy review²⁰, and the severe burden on the court system in the Capital. It is clear that the racial bias that exists in charging people for possession of drugs – which in practice is a police decision – resonates with Lammy's findings. If the Mayor is serious about tackling discrimination in our justice system and reducing the burden on the court system we would propose that an alternative approach is considered when dealing with simple possession cases.

Alternative approaches and effect on health, social, economic and reoffending outcomes

Release has published research into the impact of decriminalisation of drug possession offences²¹ in countries and jurisdictions that have adopted such an approach. To date we have highlighted 25 countries that have ended criminal sanctions for drug possession offences (some for cannabis only, others for all drugs) - some have implemented diversion systems, administrative fines or in a few jurisdictions they have decided that there should be no penalty. None of these jurisdictions have seen increases in rates of drugs use and many have experienced positive health outcomes when coupled with funding for treatment and harm reduction.

Portugal ended the use of criminal sanctions for personal possession of all drugs in 2001 and increased health funding. Since then they have experienced a significant fall in drug-related deaths (318 deaths in 2000 to 22 in 2013).²² They have also witnessed significant falls in HIV transmission rates, increased numbers in treatment, and reductions in problematic use, including amongst young people.²³ There have also been reports from police officers and communities confirming improved relationships.²⁴ Finally, it is estimated that the policy has saved the State 18 per cent in social costs in the eleven years

¹⁹ Eastwood, Shiner & Bear (2013), *The Numbers in Black and White: Ethnic Disparities in Drug Policing and Prosecutions in England and Wales*, Release and LSE, Pg. 31, <http://www.release.org.uk/publications/numbers-black-and-white-ethnic-disparities-policing-and-prosecution-drug-offences>

²⁰ Lammy Review (2016), *Lammy review: emerging findings published*, UK Government, <https://www.gov.uk/government/news/lammy-review-emerging-findings-published>

²¹ Eastwood, Fox & Rosmarin (2016), *A Quiet Revolution: Drug Decriminalisation Across the Globe*, Release <http://www.release.org.uk/publications/drug-decriminalisation-2016>

²² EMCDDA & SICAD, *2014 National Report (2013 data) to the EMCDDA by the Reitox National Focal Point: Portugal New Developments, Trends*, Pg. 75

²³ Eastwood, Fox & Rosmarin (2016), *A Quiet Revolution: Drug Decriminalisation Across the Globe*, Release, Pg.28 <http://www.release.org.uk/publications/drug-decriminalisation-2016>

²⁴ Magson, J. (2014), *Drugs, Crime and Decriminalisation: Assessing the Impact of Drug Decriminalisation Policies on the Efficiency and Integrity of the Criminal Justice System*, Winston Churchill Fellowship, Pg. 27 http://www.wcmt.org.uk/reports/1200_1.pdf

after its implementation in 2001.²⁵ Other European countries which have ended the use of criminal sanctions for possession of drugs include Germany, Spain, Italy, the Netherlands, Switzerland and the Czech Republic.

When California decriminalised cannabis in 1976 the State saved in the region of \$1 billion dollars within the following ten years.

Research in Australia has highlighted that decriminalisation can also impact on re-offending rates. The experience of individuals in Western Australia, who were criminalised for possession of cannabis, was analysed against those in South Australia, who received an administrative fine - the study found that those who were criminalised suffered more negative outcomes in terms of accommodation, employment, relationships and were more likely to come into 're-contact' with the criminal justice system. We believe that there is some initial evidence to indicate that drug possession offences can act as a 'gateway' into the criminal justice system.

Whilst we are aware that the Mayor and MOPAC cannot change the law around possession of drugs, there are options in terms of implementing diversion schemes. This has already been done in Durham and Avon Somerset. In Durham the Chief Constable and the PCC have implemented a proper arrest diversion scheme, where those caught in possession of drugs are referred to an intervention that will look at their drug taking. In Avon and Somerset it is a street diversion scheme, those caught in possession of drugs (including those who have previously been caught for the offence) are referred to a drugs education and awareness course. In both cases engagement in the scheme ends the involvement of the criminal justice system. Other police forces are also interested in implementing such an approach, in growing recognition that drug use should not be a concern for the criminal justice system, especially at time of reduced resources.

Recommendations:

1. Implement a diversion scheme for those caught in possession of drugs for their personal use. The diversion scheme would apply to all drugs. In relation to cannabis the current National Police Chief Council's guidance on cannabis policing would be followed, but instead of arresting someone on a third occasion they would become eligible for the diversion scheme. Currently, it appears the

²⁵ Goncalves, R., Lourenc, A., & Nogueira da Silva, S. (2015), *A social cost perspective in the wake of the Portuguese strategy for the fight against drugs*, International Journal of Drug Policy, Volume 26, Issue 2, Pages 199–209, Pg. 207, [http://www.ijdp.org/article/S0955-3959\(14\)00231-X/abstract](http://www.ijdp.org/article/S0955-3959(14)00231-X/abstract)

guidance on cannabis policing is being applied in an ad-hoc manner in London - we would recommend that it is followed strictly by police officers in terms of issuing cannabis warnings for first offences and PND's for a second offence. This strict implementation of the guidance would reduce the discrimination faced by the BAME population in relation to charging decisions, and reduce the burden on the court system.

2. MOPAC instructs the Metropolitan Police Service must analyse the grounds for stop and search – in particular ‘smell of cannabis’ – to ensure that the power is not being abused and that ‘reasonable suspicion’ is being established. This information should be made public and available to community monitoring groups. Officers who ignore best practice and who carry out illegal searches must be held accountable.
3. Reduce the number of drug stop and searches. It is hard to understand why drug stop and searches so dominate the use of this power - the significant fall in the number of overall searches is welcomed but it inexplicable as to why almost two thirds of searches in London are for low level possession of drugs.

Tackling violence against women and girls

One of the groups most vulnerable to violence are sex workers. The All-Party Parliamentary Group on Prostitution and the Global Sex Trade reported “near pandemic levels of violence experienced by women in prostitution.”²⁶ Additionally, a recent research survey by Leeds University and National Ugly Mugs found that nearly half of women were very or fairly worried about crime²⁷, and the same proportion had been victims of crime.²⁸ We are therefore disappointed that the only reference within the Draft Plan to supporting sex workers is that “MOPAC will work with the MPS, local authorities and the voluntary and community sector to develop a better understanding of the prevalence of prostitution in London and to commission services to support women involved in prostitution to exit.”²⁹ This implies that no support will be offered unless women indicate a commitment to exiting, and ignores the varied reasons why women enter into and remain in the industry. Those include reasons commonly referred to as ‘survival sex work’ - related to: income and debt; housing; mental

²⁶ All-Party Parliamentary Group on Prostitution and the Global Sex Trade (2014), *Shifting the Burden - Inquiry to assess the operation of the current legal settlement on prostitution in England and Wales*, <https://appgprostitution.files.wordpress.com/2015/09/appg-prostitution-shifting-the-burden-inquiry.pdf>

²⁷ Connelly & Sanders (2014), *Working Conditions and Job Satisfaction in Sex Work Pilot*, University of Leeds and National Ugly Mugs, Pg. 41, <https://uknswp.org/um/uploads/Welcome-Trust-Working-conditions-and-job-satisfaction-survey.pdf>

²⁸ Ibid at Pg. 42

²⁹ MOPAC, (2016), *A Safer City for All Londoners: Draft Police and Crime Plan for London 2017 – 2021 – Consultation Document*, Mayor of London, Pg. 50

health; drug/alcohol dependency; family breakdown³⁰ - but women also cite positive reasons for choosing this work, including that it is flexible, fun and rewarding.³¹ Those who stay engaged in sex work will continue to be criminalised, enter into unsafe practices to avoid detection, and are exposed to increased risks violence.

As recognised within the Draft Plan, “sexual violence and domestic abuse have historically been underreported crimes. Victims and survivors have often been reluctant to come forward, concerned not only about whether they would be believed by the police, but also about proceeding through the criminal justice service.”³² For sex workers there is the additional fear that they will be criminalised for activities relating to the sale of sex and/or treated in a way that suggests they deserved the violence because of their profession – in the Leeds study 49 per cent were unconfident or very unconfident that crimes against them would be taken seriously by police.³³

The focus of policing on anti-social behaviour does nothing to allay these concerns. As identified by the Home Affairs Select Committee Inquiry into Prostitution “there is considerable variation in the policing approach to prostitution throughout the country, not all of which is consistent with national policy...Moreover, police forces often have to choose whether to enforce offences for soliciting or brothel-keeping in order to reduce negative impacts on the local community, or to focus on building up the confidence and cooperation of sex workers in order to protect them from crime”.³⁴ Our experience of the London boroughs where we operate is that the police and local authorities are over-using their powers under the Anti-social Behaviour Crime and Policing Act 2014, particular to disperse³⁵ outdoor sex workers on the basis that behaviour is *likely* to cause anti-social behaviour without any independent evidence of this. If the women return to the area – often where they live

³⁰ Inclusion Health, Department of Health & UCL Institute of Health Equity (2014), *A Review of the Literature on Sex Workers and Social Exclusion*, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/303927/A_Review_of_the_Literature_on_sex_workers_and_social_exclusion.pdf

³¹ Connelly & Sanders (2014), *Working Conditions and Job Satisfaction in Sex Work Pilot*, University of Leeds and National Ugly Mugs, Pg. 26, <https://uknswp.org/um/uploads/Welcome-Trust-Working-conditions-and-job-satisfaction-survey.pdf>

³² MOPAC, (2016), *A Safer City for All Londoners: Draft Police and Crime Plan for London 2017 – 2021 – Consultation Document*, Mayor of London, Pg. 47

³³ Connelly & Sanders (2014), *Working Conditions and Job Satisfaction in Sex Work Pilot*, University of Leeds and National Ugly Mugs, Pg. 43, <https://uknswp.org/um/uploads/Welcome-Trust-Working-conditions-and-job-satisfaction-survey.pdf>

³⁴ House of Commons Home Affairs Committee (2016), Third Report of Session 2016-17, *Prostitution*, Pg. 20, Para. 57, <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmhaff/26/26.pdf>

³⁵ Anti-social Behaviour, Crime and Policing Act 2014, Part 3, <http://www.legislation.gov.uk/ukpga/2014/12/part/3/enacted>

and/or have friends and family - within a specified time they risk arrest, prosecution and a sentence of a fine and/or up to three months in prison. This perpetuates the cycle of working to pay the financial penalty and potentially losing their accommodation whilst in custody.

Recommendation:

If the Mayor is serious that “violence against women and girls needs to be tackled as a matter of urgency”³⁶ then an approach which protects the vulnerable rather than further marginalises them must be adopted. Of course we recognise that MOPAC cannot change the law, but they are able to introduce measures which afford protection to sex workers whilst addressing residents’ concerns. The Government Response to the Home Affairs Select Committee Inquiry stated that “it is right that police forces and others are able to adapt their approach to take account of those complexities, supported by the National Police Chiefs’ Council’s guidance.”³⁷³⁸ Examples such as the Managed Approach adopted in the Holbeck area of Leeds, which allows sex workers to operate in a designated area during proscribed hours, without fear of criminalisation, demonstrate the potential successes of innovative methods. We recommend that pursuing the offence of soliciting be deprioritised, and resources deployed into exploring alternatives which focus on ensuring safety of women.

Other Issue Raised By the Draft Plan

Community Monitoring Groups (‘CMG’S) – the Mayor and MOPAC’s commitment to CMGs is very welcomed however it is our experience that in some cases in London those who volunteer for CMGs have no experience of being policed and often become ‘cheerleaders’ for the police themselves, rather than taking the role of critical friend. There are good examples of effective CMGs that involve those communities most impacted by stop and search, these should be replicated across the Capital. There is also a need for transparency - obtaining simple contact information for some of the groups has proved difficult. There is also a need for these groups to be properly resourced.

Safeguarding Children – whilst we are aware that the Met Police have taken steps to improve their safeguarding protocols for children, for too long the stopping and searching of children itself has not

³⁶ Ibid at Pg. 4

³⁷ Home Office (2016), *The Government Response to the Third Report from the Home Affairs Select Committee Session HC 26: Prostitution*, Pg. 4, <https://www.parliament.uk/documents/commons-committees/home-affairs/Govt-Response-Cm9361-Prostitution.pdf>

³⁸ National Police Chiefs’ Council (2015), *National Policing Sex Work Guidance*, Version 3, <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/prostitution/>

been seen as a safeguarding issue. This is an urgent issue that needs redress. Safeguarding policies must be internal as well as external.

Harm Reduction Interventions – we note that drug testing on arrest is mentioned in the Draft Plan in order to identify people who have allegedly committed offences and who may have used drugs. We would suggest that the Mayor’s Office has the chance to implement innovative and evidence-based approaches to drug dependency that focus on health responses rather than criminal justice ones. No one can ignore the growing homeless crisis in the city, many of those we work with are street homeless and have a history of problematic drug use - a drug consumption room which would allow people to use drugs safely, in a supervised setting that could save lives, increase engagement in health and social services and would quite simply be compassionate. There are more than 100 of these centres worldwide and again the evidence for positive health and social outcomes is overwhelming.³⁹

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1 March 2017

³⁹ European Monitoring Centre on Drugs and Drug Abuse (2016), *Drug consumption rooms: an overview of provision and evidence*, EMCCDA, <http://www.emcdda.europa.eu/topics/pods/drug-consumption-rooms>