

Police powers increased by new London mayor

By Marcus Morgan
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The new Conservative mayor of London, Boris Johnson, has announced sweeping measures to ramp up police powers. After a series of highly publicised knifings in central London last month, the mayor called for a policy of “zero tolerance” and “immediate operational response.” This announcement neatly dovetailed with the launch of a £3 million public relations campaign funded by the Home Office.

The measures introduced include an extension of the existing “stop and search” procedures, the introduction of metal detectors at Underground tube stations across 10 London boroughs and scanning of suspects with hand-held devices.

“Operation Blunt” was launched barely days after the attacks with 4,277 stop and searches around the capital over two weeks. Young people are being singled out for particular attention under the new initiative, with police taking their pictures even if they are found to be innocent of any crime.

Since the beginning of 2007, 68 people aged under 25 have been killed in London, including 13 teenagers. But the new policing measures have been enforced with little attention to the actual levels of violent crime that have been recorded in recent years. There was in fact a sharp fall in knife crime in 2007 and overall knife crime has fallen by 19 percent since 2004.

The increases in violent crime that have been recorded this year have been amongst the young—from teenagers up to people in their early twenties. But civil rights campaigners in the capital have urged caution instead of this knee-jerk and heavy-handed response to the recent incidents. They have called attention to the fact that historically the use of “stop and search” has discriminated against black minorities and, more recently, Asian and Middle-Eastern ethnic minorities. Government figures suggest black people are six times

more likely to be stopped and searched than white people, while Asians are almost twice as likely.

Peter Herbert, a barrister and a member of the Metropolitan Police Authority, was also critical of the plan.

“It will undoubtedly lead to more stop and search, and more racist stop and searches where people are stopped on the basis of their appearance or ethnicity,” he said. “The MPA was not consulted and it should have been. It is another example of policy being manufactured on the hoof for political expediency.”

The Newham Monitoring Project, a group that works against racial discrimination, police misconduct and on civil rights issues, gave a cautionary statement on the mayor’s response:

“If Boris Johnson wishes to address gun and knife crime, he needs to first carefully examine why current police powers, which are some of the toughest in Europe, are failing to deal with this issue effectively. If the police do not have to apply reasonable suspicion, what grounds will they use to determine who they stop and search? Selecting individuals based on appearance and ethnicity is fundamentally flawed, will criminalise and alienate communities and is ultimately likely to fail like the hated Sus laws that were abolished in the 1980s.”

Under the “Sus” laws police were able to stop and search based on suspicion alone, using the precedent of sections of a Vagrancy Act of 1982, making it illegal to “loiter in a public place” with “intent” to “commit an arrestable offence.”

The police singled out young people in the impoverished areas of the city, stoking tensions between youth—particularly poor black youth—and the police in the early 1980s.

In 1981, police launched “Operation Swamp,”

involving stop and searches across large swathes of the poorest working class regions. This was a major factor in provoking the Brixton riots in London, and those in St. Pauls, Bristol and Toxteth, Liverpool.

Under pressure from the public backlash, the 1984 Police and Criminal Evidence Act introduced new rules for stop and search. Officers would now require “reasonable suspicion” that an offence had been committed.

Stop and search powers were again curtailed in 1999, after a public inquiry into the murder of Stephen Lawrence found the police guilty of “institutional racism” and negligence in the case.

After the terrorist attacks in New York in 2001, the powers were again extended under Section 44 of the Anti-Terrorism Act. Under the previous laws, people stopped for the purpose of a search must have the reason explained to them if they request this from the police. The police are then obligated to explain “reasonable grounds for suspicion”—for example, a recent violent crime in the area or the person stopped matching the description of a suspect.

Under Section 44, the exception to this rule is in cases associated with terrorism, in which case the police have no obligation to give a reason for the stop. In other words, the “clause of exception” gives the police powers to stop, search and detain anyone arbitrarily. Similar powers to detain arbitrarily have been given under Section 60 of the Public Order Act.

The official “Stop and Search” web site produced by the Home Office states that these powers “help to deter terrorist activity by creating a hostile environment for would-be terrorists—ensuring it is not easy for them to carry or use explosives.”

It then explains how this “hostile environment” is created: “Police can search anybody anywhere under this law, and they do not need reasonable suspicion to do so. It is under this law that police conduct random searches in train and tube stations.”

The extremely low efficiency of the stop and search laws in combating street crime is revealed by official statistics: In 2004-05, when 100 people were stopped each day, only 455 arrests were made out of 35,776 searches.

In line with Johnson’s ratcheting up of police powers, the opposition Conservative leader David Cameron called on Prime Minister Gordon Brown to

scrap forms officers must fill in when they stop someone. This would effectively enable police to carry out a far greater number of stops with even less accountability for their actions.

Cameron’s call to cut “red tape” reflected views expressed in the Flanagan report, published the following week. Ronnie Flanagan, the chief inspector of constabulary in England and Wales, said police were afraid to use their own judgment because of bureaucracy and form filling.

The Conservatives were competing with Labour in backing Flanagan’s report. Home Secretary Jacqui Smith responded with an official letter of endorsement, urging immediate action to cut down on “needless bureaucracy” and extend police powers to stop and search.

Johnson has also held a highly publicised meeting with the billionaire mayor of New York, Michael Bloomberg, in early May, announcing a “new partnership” between the two capitals.

Bloomberg has presided over a city that has experienced an unprecedented disparity of earnings between workers and a parasitic financial aristocracy on Wall Street. His administration has made drastic cuts in social services, including health and education, while increasing police powers.

In Britain, over the last decade policing has seen major increases in funding, rising by 39 percent to £5 billion. The overall police workforce has increased by 25 percent in the same period.

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