

The use of section 60 powers in Brent

Patrick Jacobs considers the targeting of stop and search in the London borough

The hard man attitude to stop and search is making a comeback in Brent. With the change in top rank officers comes a completely new (although some would say old and personal) view of how a community should be policed. Brent for the past four years up until 2010 had a Borough Commander who came from the area and knew it well. He knew where the so-called gangs were located, where to target and when to invoke a section 60 (under the *Criminal Justice and Public Order Act 1994*) stop and search. This power, originally used for large gatherings such as football matches and allowing stop and searches to take place without any requirement of reasonable suspicion, is now routinely rolled out in Brent if there is a stabbing or a shooting, or if there is intelligence that an incident could take place.

Impact of section 60

If the police have a he-man type of attitude to policing, this can have a devastating effect on the section of the community directly affected by the stop and search power. Section 60 has a disproportionate effect on the young and disaffected. A Superintendent or Borough Commander can invoke a section 60 in Brent at short notice. The problem that we have in Brent is that, even though the section 60 is borough-wide in application, the focus seems to be on areas that are historically African Caribbean, such as Harlesden, Willesden, South Kilburn,

Stonebridge, Church End and Wembley.

The London Borough of Brent (bordering Camden, Kensington and Chelsea, Hammersmith and Fulham, Westminster, Barnet, Ealing and Harrow) has extremely complex policing issues. However, instead of looking at the root causes of the issues behind the majority of the problems, which are attributed to the mostly African Caribbean youth (problems such as cross-border gang violence between south Kilburn and Mozart, which are two areas that straddle Brent and Westminster), the police resort to over-zealous stop and search initiatives. They throw out a net and pull everyone in, and then check the catch.

Criminalising the innocent

The problem with such a method is that you will unintentionally net the 'good' with the 'bad'. The criminalisation of the next generation of youth is being achieved by accident, or is it design? This is due mostly to lazy policing and the lack of good detective work. It is evident, when it comes to stop and search, that it has simply become a numbers

Section 60 has a disproportionate effect on the young and disaffected

game – the more you pull in, the more chance you have of finding a criminal.

However, the problem that the police have is how they are treating the youth who are not criminals. What steps are the police taking to make sure they are not

doing long-term damage to community relations by normalising negative police–youth interaction? Most people are used to living their whole lives without ever coming into contact with the police; at one point that was the norm, and in some communities it still is. However, now, being stopped and searched by the police if you are African Caribbean is the norm. What if the innocent person objects to the continuous stops and searches and responds with negativity? We can say purely from our experience as members of the Brent Stop and Search Forum that the innocents become criminalised by default, simply by going about their lives without the knowledge that a section 60 power has been invoked, for whatever period of time and for whatever reason.

Involving the community

Our organisation, Not Another Drop, worked tirelessly over a period of

years to come to an agreement with the previous Borough Commander to send us notification when

The innocents become criminalised by default

a section 60 was invoked, in order that we could send out emails to schools and community groups around the borough alerting them that this power was in place. The aim was to ensure that, if youth were stopped, they would have prior warning of the situation, be prepared and in turn not respond negatively or aggressively, therefore reducing the possibility of them being arrested.

The police in Brent were on the road to what we thought was better policing, where they would consult the community, inform the community and become almost part of the community. The previous administration understood that the ill feeling towards the police stopped communication, so they worked with the community to improve relations. High-ranking officers would bring their children out on marches against gun and knife crime and felt safe and comfortable walking with all members of the community. The powers that be need to be wary of

complacency as some parts of the community have a way of biting when it is least expected.

Further thoughts following the riots

It is quite amazing that this article was originally concluded with the words 'The community has a way of biting when least expected'. You would not believe that it was written before the riots in August 2011, which were triggered by the shooting of Mark Duggan by officers from the Metropolitan Police CO19 special unit, whilst supporting an investigation under Operation Trident in the Borough of Haringey.

Adding my ten pence worth to the debate is almost like pouring a cup of water into the ocean, but to ignore the riots and subsequent looting is impossible, because deep in the innards of the crowds of multiracial, multi-aged looters and rioters are people with genuine grievances around increased stops and searches and use of section 60. As indicated

above, the blanket use of these powers is targeted disproportionately on groups of disaffected youths who are subject to regular speculative searches.

Nor is it only stop and search that is at issue here. We know that, for each stop that results in a search, there are many more where the police stop, detain and question innocent people before deciding not to search them. However, the government announced earlier this year that the police would no longer be required to record such incidents, known as stop and accounts. What

Deep in the innards of the crowds of multiracial, multi-aged looters and rioters are people with genuine grievances

effect this change is having on the feeling of harassment amongst the younger generation remains to be seen. Maybe some of the resentment and feeling of being badgered has already been intensified by the knowledge that it will no longer be possible to show a record of the number of encounters some people have with the police. This might have contributed to the intensity of the frustration shown by the people who were out on the

streets over those days of civil disobedience. Perhaps the hard man attitude of stop and search is not restricted to only one or two boroughs and is having a negative effect on more people than we thought.

My only disappointment is that the possibility of a good argument over police stop and search tactics could be lost owing to the delight of the media when they saw buildings being burned to the ground and people who seemed to be looting high-end consumer goods. The good fight seemed to melt away right in front of our eyes. Yet this is only a momentary pause as far as we are concerned, because the police have a habit of not being able to distinguish the good from the bad when it comes to certain communities, and they will trip up at some point. When the criminal element of the riots has been weeded out and the people who were there just because the social network told them to go and get free trainers are left, we will be able to ask the key questions, 'why are you so angry?', 'why do you have so much aggression towards the police?' ■

Patrick Jacobs is Chief Executive of Not Another Drop Community Network

Take a look at the new and improved
www.worksforfreedom.org.

We champion practice that meets people's needs whether in or outside of the criminal justice system. Now in its third year, we've given the site a major overhaul.

Give it a try today.

Worksforfreedom
supporting practice that empowers