CABINET

RESPONSE TO THE REPORT ON POLICE/IMMIGRANT RELATIONS
BY THE SELECT COMMITTEE ON RACE RELATIONS AND
IMMIGRATION: DRAFT WHITE PAPER

Note by the Secretary of State for the Home Department

I attach for the information of my colleagues the text of a White Paper, for
publication on 10 October, in response to the Report on Police/Immigrant
Relations published last September by the Select Committee on Race
Relations and Immigration. The text has been agreed in draft by the
Home and Social Affairs Committee.

R C

Home Office

20 September 1973
POLICE/IMMIGRANT RELATIONS IN ENGLAND AND WALES

OBSERVATIONS ON THE REPORT OF THE SELECT COMMITTEE ON RACE RELATIONS AND IMMIGRATION

1. The need to foster good relations between the police and the immigrant communities is a matter of great importance to all who wish to see a just and harmonious society in Britain: it is not a matter of concern to the police alone. The Government therefore welcome the Select Committee's report, which constitutes a notable and constructive contribution to discussion of a topic which, regrettably, tends to give rise to more emotion than illumination. Apart from the report itself, the volumes of evidence contain a unique collection of views and attitudes from a wide variety of sources. In this field, what people believe to be the truth may be as important as the truth itself. Prejudice, as the Committee observe, feeds on myth and rumour, whether it be against immigrants or on the part of immigrants.

2. The arrival over the last couple of decades of significant numbers of immigrants settling in this country has confronted the police, as it has other bodies, with a novel situation. The police are the first to admit that difficulties have arisen and that areas of tension continue to exist. The Select Committee's report makes it clear, however, that in many respects the challenge is being successfully met. The Government are glad to note and to endorse the tributes paid by the Committee to what the police service has achieved. The Government will also make renewed efforts to tackle
the problems in those areas where the Committee have pointed to persisting difficulties. The Committee's report has been carefully studied in the police service, and account is already being taken of the Committee's recommendations in the planning of future police activity.

3. The report rightly stresses that immigrants are not in themselves a problem to the police. There is absolutely no evidence to support suggestions that the great majority of immigrants are anything other than hard-working, law-abiding citizens.

One source of difficulty has inevitably been the unfamiliarity to newcomers of the ways of this country and its institutions. Misunderstandings arise through misconceptions about the position of the police here — about the extent of their duties and the limitations on their powers; and equally, on the police side, misunderstandings arise through difficulties of communication with new immigrants.

4. Experience and understanding acquired with the passage of time will help overcome these difficulties. The police pride themselves on their record of impartiality towards all sections of the community regardless of distinctions of background, and would rightly resist any suggestion that there should be special treatment for immigrants. This is not to say, however, that the police can afford to ignore the special circumstances of different groups. This applies throughout society and not just to police relations with immigrant groups. There is an increasing recognition of the need for policemen to have a sophisticated grasp of the nature of
modern society. It is not enough — and no doubt never was — for the police merely to know and enforce the law. They need an adequate understanding of the aspirations and frustrations of the different sections of the community in which they move if they are to establish the mutual trust on which successful policing depends. Immigration has been an important phenomenon in recent years and special attention has to be given by the police to its consequences. Such measures as the appointment of police community liaison officers to promote understanding and establish links with the immigrant communities are examples of this. They in no way imply that immigrants are singled out for specially favourable treatment: they are no more than a recognition that police/immigrant relations are a matter on which specific attention is necessary.

5. Heavy demands are made of the police in the modern world, and the Committee rightly stress that they cannot be expected to carry these responsibilities without adequate training. Increasing attention is now devoted to broadening the content of the training given to the police and the restructuring of courses has taken account of the need to include adequate time for police/immigrant relations.

6. The police need an understanding of the backgrounds of the different immigrant communities and the factors involved in immigration. They need an understanding, too, of the situation in which immigrants find themselves in this country — the economic and social factors which have led to immigrant concentration in inner city areas with their problems of social deprivation. The problems
of these areas lie right outside the power of the police to affect but inevitably, as visible representatives of authority, they find themselves held in some sense responsible.

7. Problems such as bad housing and lack of leisure facilities are problems which government, local and central, and society at large, have to tackle, but they form an important element in the context in which the police have to work. The Government recognise this. Social improvements benefit police work, while the persistence of intractable social problems creates difficulties which the police are powerless to solve by their own efforts.

8. It would be idle and dangerous to pretend that relations between police and immigrants create difficulties only for those immigrants who are new to this country and that time will necessarily solve all the problems. Difficulties arise with young coloured people in particular, and many of these were born here or came here as small children and have spent their formative years here. These, the second generation, who are not immigrants at all, have their own difficulties, growing up in two cultures, that of their parents and that of the larger society around them. But as British born and bred they rightly expect to be accepted on the same terms as others regardless of colour. This is a challenge to society as a whole and we cannot yet claim that we are meeting it as well as we should. The police are of course only one element of the society which is confronted by this challenge. While part of the test is the extent to which coloured people are treated by the police on the same terms as white people, any failure of the rest of society, in
employment, in housing and elsewhere, to accept coloured citizens on equal terms would undermine the efforts made by the police and leave them facing forms of discontent which spring from causes outside their control.

9. It is worth remembering that the police have over the years had difficulties with different groups of young people - who have often been easily identifiable by dress or appearance and whose collective behaviour has given cause for offence to the public at large. Only a small minority of young coloured people are affected by this confrontation with the police. Some groups, apparently anxious to imitate behaviour amongst the black community in the United States, themselves provoke the difficulties. It is important to ensure that the problems created for the police in dealing with groups of this sort do not affect police attitudes to the majority of law-abiding coloured youngsters.

10. It is quite clear from the evidence gathered by the Select Committee that great efforts are being made both by the police and by the immigrant communities to improve mutual understanding. The Government welcome and support these efforts. It is particularly heartening to note that they also have the full support of the Police Federation, which has itself taken a number of valuable initiatives in this field. The report rightly emphasises that there can be no quick or easy solution to all problems, that only constant constructive effort on both sides can succeed. Bad news will catch headlines and become exaggerated, good news is all too often inconspicuous and only brought out into the open by
investigation such as that carried out by the Select Committee. The police have a long tradition of involvement in the affairs of the community, both on and off duty. It is this involvement, outside the immediate stresses and frictions of law enforcement, which fosters understanding and confidence between the local police and their community. It is indispensable to attempts to improve police/immigrant relations. It would not be right, however, to give the impression that the onus rests only on one side. The Select Committee leave no doubt about the need for immigrants themselves to make their contribution, as indeed a great many do.

OBSERVATIONS ON THE RECOMMENDATIONS OF THE SELECT COMMITTEE

The recommendations made by the Select Committee are set out in paragraph 343 in Chapter 15 of its report. They are reproduced below with comment on each.

(1) "The facts about immigrant crime rates should be brought firmly to the attention of all police officers" (paragraph 243).

Comment - The Government have noted with interest the evidence from several police sources given to the Select Committee that crime rates in the immigrant community are no higher than, and in some cases significantly lower than, those for the indigenous population and will draw it to the attention of chief officers of police.
(2) "Local authorities should be urged to make use of statutory powers to assist in the construction of licensed clubs and community facilities" (paragraph 246).

(3) "Pending possible changes in the licensing laws, present police policy of "containment" of shebeens should be continued" (paragraph 246).

Comment - There is no evidence that local authorities are reluctant, in appropriate circumstances, to use their powers to assist in the construction of clubs and community facilities. Licensing of such facilities is a matter for local magistrates' courts or licensing justices, who will normally take local circumstances into account in dealing with applications. It is not clear, however, that an increase in the provision of licensed premises would significantly ease the problems presented by "shebeens". The attraction of "shebeens" or any other party held on private premises would appear to lie largely in the facilities they offer well into the night and early hours of the morning, as paragraph 245 of the Committee's report recognises. It would seem doubtful whether a club with a conventional drinking licence and rules about noise, music and entertainment would be seen as an attractive alternative.

The enforcement of the existing law is a matter for the chief officer of police concerned.
"Lost or mutilated passports are too easily replaced. The issue of replacement passports should be discussed between the Foreign and Commonwealth Office, the Home Office and the High Commissions in London" (paragraph 248).

Comment - The Government are very well aware of the potential evasion of immigration control which this practice can foster. But the consular function of issuing passports referred to in Article 5, paragraph (d) of the Vienna Convention on Consular Relations 1963 is not subject to any restriction, and the representatives of foreign and Commonwealth Governments in the United Kingdom are not under any duty to the host Government to refrain from issuing passports in certain circumstances, or to consult that Government before doing so for fear of inhibiting its administration of the immigration laws. We for our part would not wish our missions and consulates to be under any such obligation.

Furthermore, possession of a passport issued in this country does not absolve a person admitted on conditions from the need to comply with those conditions, nor does it make him immune from prosecution for breach of them or make a person who has entered illegally immune from prosecution for that offence or immune from removal.

The Home Office and the Foreign and Commonwealth Office have discussed this problem with the Diplomatic Missions in London of the countries concerned, and they will continue their efforts to see whether the risk of evasion of control can be reduced.
(5) "The police should get fuller and quicker information about persons overstaying their entitlement" (paragraph 2h9).

Comment - The Government accept that cases calling for police investigation should be brought to the attention of the police promptly when departmental enquiries have failed. The procedure is being reviewed to see whether it can be speeded up. When a person is known to be in breach of the conditions governing his stay, enquiries are usually made by the Home Office at the address last known to them and subsequently at other addresses which these enquiries may suggest. In some cases enquiries are made overseas before the police are asked to try to trace the person. Many cases are cleared up by these departmental enquiries without the police having to be troubled.

(6) "A requirement should be placed on relatives in this country to act as guarantors for persons coming for a restricted stay at their invitation, provided that an effective system of sanctions can be devised to prevent abuse" (paragraph 2h9).

Comment - The Government have carefully considered the suggestion that relatives should be required to act as guarantors for people coming at their invitation for a limited stay in the United Kingdom. But a guarantee of this kind would be likely to be of little value; experience has shown that a relative cannot ensure that he is kept informed of the movements of a person he is sponsoring. Such an undertaking, even when entered into in good faith, would be most difficult, if not impossible, for the sponsor to honour and for the Home Office to enforce.
"The Home Office, the Department of Health and Social Security and the Department of Employment—after consulting local authority and voluntary associations, should jointly sponsor a special inquiry in London and the provinces by a social unit to measure the size of the problem of homeless black youths and to recommend ways of dealing with it" (paragraph 253).

Comment—On 22 November 1972 the Home Secretary asked the Community Relations Commission to enquire into the incidence, causes and consequences of both adolescent unemployment and adolescent homelessness among ethnic minorities in this country and to report on the policy implications of their findings.

This request was made under Section 25(3)(b) of the Race Relations Act 1968, which provides for the Commission to advise the Secretary of State on any matter referred by him to the Commission.
(8) "Section 6 of the Race Relations Act 1965 should either be repealed or occasionally brought to bear against publications and speeches manifestly seeking to stir up racial hatred" (paragraph 259).

Comment - The Government are aware that the provisions of section 6 of the Race Relations Act 1965 have been criticised partly on the grounds that these provisions are not appropriate to the rest of the Act. It can, however, be argued that the provisions are in themselves unobjectionable: they in no way inhibit private discussion, nor do they inhibit reasonable public discussion; what they do is to forbid public abuse motivated by actual intent to stir up hatred and likely to stir up hatred against any section of the public distinguished by colour, race or ethnic or national origins.

Prosecutions under the section may be instituted in England and Wales only by or with the consent of the Attorney General. There have been prosecutions in only 7 cases, involving a total of fifteen people, since the Act came into force. The small number of prosecutions may indicate that the section has a deterrent effect: the Attorney General would not hesitate to prosecute or give his consent to a prosecution if he believed that it would be in the public interest to do so.

On balance, the Government doubt whether anything would be gained by repealing the section at the present time, and whatever deterrent effect it has would be lost.
(9) "Community and youth leaders should do more to counter distortion and exaggeration" (paragraph 261).

Comment - The Government share the Committee's views on the importance of a constructive examination of the social issues created by immigration, which can do much to counter the misconceptions which abound in this field. The Community Relations Commission will therefore continue to encourage community relations councils to provide objective information to all sections of the public on the facts of a multi-racial society and their implications. In addition, the Commission advocates and assists with instruction about minority groups as part of the training of various types of social workers.

(10) "Police and immigrant organisations should seek to encourage community liaison" (paragraph 271).

Comment - The police and particularly the police community liaison officers seek informal contacts, since they recognise that this is the best way to increase mutual understanding. The Government fully accept the great value of the work which the police and immigrant organisations do in this field, and will continue to do everything possible to encourage it.
Chief officers of police should realise the importance of appointing the right person to be a community liaison officer and then of making sure that the post is not allowed to become a dead end. Women have a special contribution to make in such appointments" (paragraph 274).

All senior police community liaison officers should have access to senior officers, including chief officers of police, when they want it" (paragraph 275).

Chief Officers of police should consider to what extent they should appoint assistant community liaison officers of junior rank, including women, perhaps part-time, at subdivisions and stations" (paragraph 276).

Comment - The Government agree with these recommendations, which reflect general police attitudes and practice, and will bring them to the attention of chief officers of police, so that existing liaison arrangements can be reviewed in the light of the Select Committee's comments.

The police already pay a good deal of attention to the role of the community liaison officer. As the Select Committee have recognised, for example in their recommendations on police training, good relations between the police and the community depend not only on the specialist community liaison officers but also on the day to day contacts between the generality of police officers and members of the public. The home beat police officer (the "neighbourhood policeman"), who is well placed to build up confidence between the police and the people who live in his area, may also have a special part to play.
It is essential that the community liaison officers should be of the personality and standing to ensure that the contacts are fruitful. It is the general practice for community liaison officers to have access to senior officers, including chief officers of police, and the contribution that women police officers can make in this field is recognised. Appointments of assistant and part time community liaison officers have been made where circumstances warrant them.

(14) "Regular meetings of community liaison officers should be held, regionally and nationally" (paragraph 277).

Comment - The Government agree that further opportunities for community liaison officers to exchange views and experiences would be fruitful. The Home Office are in touch with the Association of Chief Police Officers with a view to implementing this recommendation.
(15) "The Community Relations Commission should review the establishment of community relations councils in relation to operational areas" (paragraph 283).

Comment - Community relations councils in the larger cities have, for the most part, already appointed teams of community relations workers. In other places community relations councils have appointed specialist community relations officers, for example for employment, housing or education. The Community Relations Commission is continuing to keep under review ways of maintaining and improving contact with local communities, and is particularly aware of the need for closer contact with communities within conurbations. The Commission, however, has always been conscious of the need to involve local authorities in its work and hence community relations councils have been established on a basis of local authority area and this will remain the general pattern.

(16) "the Home Office and the Department of Education and Science should hold discussions between themselves, and with appropriate bodies, including the police, with a view to encouraging and expanding police work in schools and among teachers in training" (paragraph 266).

Comment - The Government accept this recommendation and will continue to stimulate local initiative in this field.
(17) "The Home Office should implement the views and recommendations of the Working Party on Police Training in Race Relations in local training and see that they are put into effect" (paragraph 293).

Comment - The implementation in local training of the recommendations of the Report of the Working Party on Police Training in Race Relations is a matter for each chief officer of police. Copies of the report have been sent to them by the Home Office with a letter endorsing the recommendations. A Working Party on Police Probationer Training took these recommendations into account in framing its proposals for training probationers both in Home Office training centres and in forces. The Home Office are taking steps to see that these proposals, which have been agreed by the Police Training Council, are implemented according to the needs of the individual force.

(18) "Not only should police officers be encouraged to apply for awards for visits to immigrants' countries of origin but statutory bodies should provide for this where the funds available from voluntary bodies are insufficient" (paragraph 294).

(19) "There should be exchanges for longer periods of police officers of lower ranks with those of appropriate countries" (paragraph 294).

Comment - Visits and exchanges between police officers of different countries have certainly proved to be valuable, and police officers will continue to be encouraged to apply for awards for visits to immigrants' countries of origin. Inevitably only a minority of officers can participate in such schemes, but if necessary assistance from public funds will certainly be considered.
"A booklet should be issued to all police officers about the backgrounds of immigrant communities, the reasons why they came to this country, their cultures, religions and attitudes and an outline of the immigration laws" (paragraph 295).

Comment - The Government agree that information on these matters should continue to be given to all police officers as part of their training, but doubt whether it could usefully be summarised in a centrally produced booklet for practical use by all police officers. Some forces have already produced booklets, which have proved valuable, for local use. The recommendation of the Working Party on Police Training in Race Relations that more written material should be made available to police students and that every force should have a selection of suitable books easily available for study and reference was commended to chief officers of police.

"There should be a greatly increased use of visual aids" (paragraph 295)

Comment - Visual aids of many kinds are already widely used in police training, and this recommendation will be brought to the attention of chief officers of police.
"Training in race relations should be kept up to date for all policemen at all stages in their careers, not simply for the current intake of recruits" (paragraph 296).

Comment - The Working Party on Police Training in Race Relations made some detailed recommendations on the training of officers throughout their careers, and these recommendations have been brought to the notice of chief officers of police. Attention will be drawn to them again in the light of this recommendation. They will also be taken into account in a general review of sergeants' training which is shortly to be undertaken and, to the extent that this is not done already, in planning future courses at the Police College for more senior officers.

"Experiments with more flexible types of training should be continued and extended (paragraph 296).

Comment - Within the limits of manpower and resources available to each force, experiments in this field are desirable, and the Home Office will draw this recommendation to the attention of chief officers of police.
"The Home Office should study again the recruitment of coloured police
officers to see what encouragement could be given" (paragraph 306).

Comment - The Government readily accept the recommendation that the Home Office
should study again the recruitment of coloured police officers. The study
will take into account the evidence given to the Committee and the effects
of applying other relevant recommendations as they become apparent.

At the end of August 1973 there were 65 coloured police officers serving
in police forces in England and Wales, an increase of 24 over the 41 serving
when the figures given in the report were prepared. The Government welcome
this small, though marked, increase and would welcome larger increases in
future years.

The Department of Employment arranges pre-training courses in English
and arithmetic for people intending to undergo subsequent training for the
public service, including the police. These courses are of particular benefit
to immigrants.

"Any recruiting campaign for special constables should include an appeal
to coloured people" (paragraph 307).

Comment - The recruitment of special constables is the responsibility of
chief officers of police and has always been a local matter. A Home Office
circular which was issued on 28 November 1972 quoted paragraph 307 and
recommendation 25 of the Report and asked police authorities and chief
constables to bear the recommendation in mind. Some posters and recruiting
leaflets relating to the Special Constabulary are supplied by the Home Office
and new ones were produced during 1972. When fresh designs are required, the
Home Office will have regard to this recommendation.
(26) "Police forces outside London should pay attention to the benefits of recruiting coloured traffic wardens and the Home Office should take them into account in their study" (paragraph 308).

Comment - Recruitment of traffic wardens outside the Metropolitan Police District is a matter for police authorities, and the Committee's view will be conveyed to them. The considerations and problems involved in the recruitment of traffic wardens differ in many respects from those arising on police recruitment and it is doubtful whether recruitment of traffic wardens can usefully be included in the study suggested by recommendation 24. If, however, any matters relevant to traffic wardens arise in the course of the study, they will be passed on to those concerned with recruitment.

(27) "All police forces in which it is appropriate should consider the award of special allowances to those becoming proficient in Asian Languages" (paragraph 312).

Comment - The Police Council for the United Kingdom, whose responsibility this is in the first instance, have been asked for their views.

(28) "All police forces whose members are likely to have contact with Asians should make provision for all their officers to learn a few simple words of Hindi/Urdu" (paragraph 312).

Comment - The Government will bring this recommendation to the attention of chief officers of police, and will be ready to give chief officers any assistance they may require. Some police officers do in fact already study immigrant languages.
"All police forces should seek the co-operation of community relations councils and/or immigrant organisations in drawing up lists of official interpreters" (paragraph 313).

Comment - The Government have no evidence that the police experience difficulty in obtaining interpreters, but the recommendation will be brought to the attention of chief officers of police.

"All police forces should immediately make widely available clear, concise pamphlets in English and Asian languages about the police role and functions" (paragraph 314).

Comment - The Select Committee refer in paragraph 314 to the draft pamphlet issued by the Home Office in 1971. Some forces have issued such pamphlets, and the Government will invite all chief officers of police to consider doing so.

"Information about making complaints against the police and the rights of citizens on arrest or at a police station should be available in all appropriate languages" (paragraph 315).

Comment - The Government will make leaflets on these subjects available to chief officers of police in appropriate languages.
(32) "The police should do more to make known the work they do to improve community relations" (paragraph 318).

Comment - The Government agree that it is desirable that the effort the police devote to community relations should be widely known and will draw this recommendation to the attention of chief officers of police.

(33) "Lists of names of persons who could be contacted on arrest should be drawn up in consultation with community relations councils and made available on request at police stations. But it should be made clear that provision of the list does not automatically confer on an arrested person the right to telephone anyone on it" (paragraph 322).

Comment - This recommendation will be drawn to the attention of chief officers of police. The Government agree with the Select Committee's comment (paragraph 323) that an individual should not, by virtue only of being on such a list, be entitled to be present when a person is charged or questioned at a police station.

(34) "The Home Office should issue fresh guidance on the best way of giving information about the rights of individuals in their dealings with the police" (paragraph 324).

Comment - The Judges' Rules and Administrative Directions to the Police (published by H.M. Stationery Office, 1964, price 10p) not only require that persons in custody should be informed orally of the rights and facilities available to them but also that notices describing them should be displayed at convenient and conspicuous places at police stations and that the attention of persons in custody should be drawn to these notices. Attention is drawn to these requirements in the draft pamphlet sent to chief officers of police by the Home Office and referred to in the comment on recommendation 30 above. Subject to what is said in the comment on recommendation 31, the Government doubt whether any fresh guidance to police forces is necessary.
(35) "The Home Secretary should take urgent steps to introduce a lay element into inquiries into complaints against the police, possibly by setting up independent tribunals to consider appeals by complainants or police officers dissatisfied with police inquiries into complaints (paragraph 333)."

Comment - Consultations are in progress with the police representative bodies about the possible introduction of an independent element into the arrangements for dealing with complaints against the police.

(36) "All police forces should adopt the practice of sending, where appropriate, a senior officer to discuss with a complainant the result of his complaint (paragraph 334)."

Comment - It has already been suggested to chief officers of police in a Home Office circular that in appropriate cases a senior police officer might see the complainant and explain why the officer complained of took a certain course of action, what was his duty, what were his police powers and what were the circumstances in which he acted.