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FAO: The Rt Hon Priti Patel MP

Secretary of State for the Home Department
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CC:

1. Government Legal Department by email only: thetreasurysolicitor@governmentlegal.gov.uk
2. The Rt Hon Kit Malthouse MP, Minister of State (Minister for Crime and Policing), by email only: kit.malthous.mp@parliament.uk

15 October 2021

Dear Secretary of State

Inquiry into issues arising from the conviction of Wayne Couzens – Urgent Correspondence – Response Requested by Friday 29th October 2021, 4pm

We write to you as the leading legal charity focused on improving State responses to male violence against women and girls in the UK.

On 5 October 2021, as part of your speech before the Conservative Party Conference, you announced that there will be a public inquiry “into issues raised by the conviction of Wayne Couzens.” You specifically recognised that recent events have exposed “unimaginable failures in policing” and you stated:

“The public have a right to know what failures enabled his continued employment as a police officer... I can confirm today there will be an inquiry to give the independent oversight needed to ensure something like this can never happen again.”

We welcome this announcement and your stated commitment to a public inquiry in order to repair trust in policing and ensure that serving police officers are never again able to abuse their positions of power and authority to commit such crimes. Notwithstanding that many of the issues are not new to those who, like us, work in this field, we also recognise the speed at which this announcement was made following

the sentencing of Couzens which resulted in reports of abuse of women and misogynist behaviour by other officers being highlighted, and on the back of the inadequacy of the Metropolitan Police response.

We note that simultaneously to your speech of 5 October, further detail was published online by the Home Office about the planned public inquiry, regarding its scope and approach:

“The inquiry will be made up of two parts. The first part will examine Wayne Couzens’ previous behaviour and will establish a definitive account of his conduct leading up to his conviction, as well as any opportunities missed, drawing on the Independent Office for Police Conduct’s (IOPC) investigations, once concluded.

The second part will look at any specific issues raised by the first part of the inquiry, which could include wider issues across policing – including vetting practices, professional standards and discipline, and workplace behaviour.

Additionally, the Home Secretary will write to the independent police inspectorate HMICFRS to commission a thematic inspection of vetting and counter-corruption procedures in policing across England and Wales – including forces’ ability to detect and deal with misogynistic and predatory behaviour. She has asked for initial findings by the end of 2021, and these will be used to inform the inquiry into Couzens.

The inquiry will also draw on the conclusions of current investigations by the IOPC into various allegations and incidents throughout Couzens’ career.

Given the need to provide assurance as swiftly as possible, this will be established as a non-statutory inquiry, but can be converted to a statutory inquiry if required.

The Chair and Terms of Reference for the inquiry will be confirmed in due course.”

While we welcome your stated commitment to: speedy action being taken; “*independent oversight*,” and ensuring that “*something like this can never happen again*,” we are concerned that the detail released by the Home Office on the same day does not meet these objectives. We now write to you to ask you to take the following **four urgent steps**, further to your announcement:

- 1) Commit to taking immediate steps to address the problem of police treatment of women, in particular to act upon the recommendations in the report of 17 September 2021 from HM Chief Inspectorate of Constabulary and Fire and Rescue Services (“HMICFRS”) for all police forces.**

On 5 October 2021 you stated that you wanted to address the problem of the police treatment of women without delay. To that end, we remind you that some of these issues have already been considered in HMICFRS’s recent report, ‘Police response to violence against women and girls: final inspection report.’ Their conclusions were damning and they made recommendations which we ask you implement as a matter of urgency. Delaying taking those steps while any form of inquiry is ongoing would place women and girls at continuing risk. There are many examples of urgent, life-saving actions being taken whilst inquiries are ongoing, and we urge you to commit to taking such an approach here. The HMICFRS report is recent, dated only four weeks ago. It makes a series

of detailed recommendations to make women and girls safer. There should be no delay in implementing these recommendations. As you know, HMICFRS have no enforcement powers. However, it is within your power to ensure these recommendations are followed, and are followed now.

2) Exercise your power under Section 1 of the Inquiries Act 2005 (“the 2005 Act”) and confirm that this will be an inquiry held under the 2005 Act.

We welcome the recognition within your announcement of 5 October 2021 that it may be appropriate to put this Inquiry onto a statutory footing. The 2005 Act, s. 1 provides that:

*“A Minister may cause an inquiry to be held under this Act in relation to a case where it appears to him that—
(a) particular events have caused, or are capable of causing, public concern, or
(b) there is public concern that particular events may have occurred.”*

It is clear that this is a situation in which both of these limbs under s. 1 are satisfied. Indeed, your statement of 5 October 2021 recognised this. There is deep and widespread concern regarding police conduct in respect of women and girls, and in particular police-perpetrated abuse of, and violence towards, women and girls. We see no reason for you not to immediately exercise the power which Parliament has given you under the 2005 Act to institute a public inquiry on a statutory footing from the start.

Indeed there are compelling reasons that this step must now be taken as a matter of urgency. This is vital in order to ensure that: (a) the Inquiry is fit for the purposes you have set out; (b) it has the confidence of those for whom it is intended to deliver, including the wider public; (c) from the outset, the inquiry has the necessary legal powers to obtain disclosure, compel witnesses and protect whistleblowers, victims and survivors; and (d) that the Inquiry meets the State’s legal obligations, including in particular its obligations under the European Convention on Human Rights (“ECHR”) and the Human Rights Act 1998 (“HRA”). As a Minister, you have the power under the 2005 Act to immediately put the Inquiry under a statutory footing and ensure the above is met. A detailed legal framework exists to govern the conduct of public inquiries which arise from matters of grave public concern. There is simply no rational basis upon which to depart from the statutory procedures and protections provided under the 2005 Act.

3) Clarify that the scope of the inquiry will be broader than you indicated in your initial announcement. In particular, it must at a minimum encompass consideration of issues arising from the perpetration of violence against women by officers of the Metropolitan Police service generally (and not limited solely to abuse perpetrated by Wayne Couzens). This cannot, and should not, focus solely upon a single officer, nor should it focus upon a single victim. Adopting the approach set out in the Home Office’s online announcement would restrict the inquiry to considering all issues solely through a Wayne Couzens’ lens and miss the discovery of other failings. This would be a fundamental error and would render the Inquiry not fit for purpose. In particular it would fail to address key issues concerning race and intersectionality. From our experience, we are aware that the treatment of victims of colour and/or with disabilities by the

police is a real concern and this is a vital issue which must be at the heart of this Inquiry if it is to result in real change.

At a minimum, we ask you to broaden the scope in this Inquiry in relation to the Metropolitan Police. However, we urge you to exercise your discretion and go further, and ensure that the Inquiry is not London-centric and instead addresses the intrinsic and systemic problems that exist in all police forces concerning the way in which violence against women and girls is policed.

Again, we welcome your recognition of the need for independent oversight of systemic issues which permit appalling and damaging abuses of power by police officers, of which the crimes committed by Wayne Couzens provide a high-profile (but not isolated) example. This inquiry cannot be effective in meeting the important aims you have set out (including restoring trust, and preventing future abuses by officers) if the scope limited solely to wrongdoing by Couzens alone. In our view, this has a wider purpose also: victims of such crimes by private citizens can have no faith in reporting abuses if they fear the police are unable to tackle those issues within their own ranks and in circumstances where they may no longer trust male officers with whom they come into contact.

- 4) **Confirm that the Inquiry will be undertaken by a Panel, and that the Panel to be appointed will include at least one person with established expertise in the area of violence against women and girls.**

Under the 2005 Act, s. 3, a statutory Inquiry may be conducted by either a “*chairman*” alone, or by a Panel. We consider it is imperative that the decision-maker(s) have the requisite expertise. In the absence of such a person it is very difficult to see how the Inquiry Panel can have the confidence of key stakeholders, including the women whose trust it is intended to restore, and the wider public.

We provide more detail regarding the background facts, the context and the reasoning underpinning these four requests in the annex to this letter.

Recent events have exposed “*unimaginable failures in policing,*” as you rightly accepted in your speech last week. Those events include the conduct of Wayne Couzens and the horrific death of Sarah Everard, but also many other shocking recent cases, including the dehumanisation of Nicole Smallman and Bibaa Henry, photographed for ‘selfies’ by officers and denied dignity in death. But there have also been “*unimaginable failures*” in the response to the many previous reports, and the failure to tackle long-standing, systemic failures. The concerns raised in the wake of the Couzens case and subsequent reporting about women’s safety, misogyny in policing, and the approach of police to violence against women, are not new. There have been myriad investigations and claims of ‘lessons learnt’ in previous years but we are concerned that very little appears to have been learned and few, if any, changes have been implemented to ensure future abuse is prevented. That is why we ask you to take action now, to ensure that women and girls are not failed again. We urge you to agree to take the four steps outlined in this letter, in order to ensure that women and girls are safer, and meet the laudable aims of your 5 October 2021 speech.



We ask that you respond to this letter as soon as possible, and in any event no later than **4pm on Friday 29 October 2021**. Please send any response to H.Wistrich@centreforwomensjustice.org.uk and copy in my colleague Debaleena Dasgupta at D.Dasgupta@centreforwomensjustice.org.uk.

Yours sincerely

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Harriet Wistrich
Director
Centre for Women's Justice

**ANNEX TO THE LETTER FROM CENTRE FOR WOMEN'S JUSTICE TO THE HOME SECRETARY,
15 OCTOBER 2021**

This Annex provides additional detail which supplements the summary provided in the letter from the Centre for Women's Justice dated 15 October 2021.

FACTUAL BACKGROUND

The conviction of Wayne Couzens

On 30 September 2021 Wayne Couzens was sentenced to a whole life term, having pleaded guilty to the abduction, rape and murder of Sarah Everard on 3 March 2021. Couzens was, at the time of the murder, a serving Metropolitan Police Officer working in the Parliamentary and Diplomatic Protection Command ("PADP") as an authorised Firearms Officer. Prior to joining the PADP Couzens transferred to the Metropolitan Police (the "Met") from Kent Police where he had worked as a member of the Special Constabulary and later the Special Nuclear Constabulary.

The evidence set out before the sentencing judge made clear that Couzens had made specific use of his position as a police officer and deployed legal powers of coercion and control as a police officer to perpetrate his crimes against Ms Everard, including by purporting to arrest her pursuant to powers afforded under Covid-19 Regulations in force at the relevant time. For obvious reasons Ms Everard offered no resistance to her arrest presumably believing he was acting lawfully, and that passers-by who witnessed her abduction failed to intervene having trusted that Couzens was legitimately exercising his police powers. He also used items provided to him as a serving police officer to ensure such arrest appeared legitimate, such as his police ID and police issued handcuffs. These items were used to facilitate Ms Everard's kidnap.

In sentencing Couzens to a whole life order¹ Fulford LJ observed that:

"In my judgment the police are in a unique position, which is essentially different from any other public servants. They have powers of coercion and control that are in an exceptional category. In this country it is expected that the police will act in the public interest; indeed, the authority of the police is to a truly significant extent dependent on the public's consent, and the power of officers to detain, arrest and otherwise control important aspects of our lives is only effective because of the critical trust that we repose in the constabulary, that they will act lawfully and in the best interests of society. If that is undermined, one of the enduring safeguards of law and order in this country is inevitably jeopardised. In my judgment, the misuse of a police officer's role such as occurred in this case in order to kidnap, rape and murder a lone victim is of equal seriousness as a murder carried out for the purpose of advancing a political, religious, racial or ideological cause. All of these situations attack different aspects of the fundamental underpinnings of our democratic way of life. It is this vital factor which in my view makes the seriousness of this case exceptionally high."

Since Couzens' arrest, further information has emerged which suggest that there were systemic failings and multiple missed opportunities to apprehend Couzens and/ or to prevent the abuse of power eventually resulting in Ms Everard's murder. Reports indicate that he was known by the

¹ <https://www.judiciary.uk/wp-content/uploads/2021/09/Wayne-Couzens-Sentencing-Remarks.pdf>

nickname 'the rapist' amongst police colleagues and that he was part of a WhatsApp group with five other officers wherein they reportedly exchanged misogynist, homophobic and racist content. Couzens had also been reported for other sexual offences including indecent exposure in 2015 (and possibly as early as 2008) while serving with Kent police, none of which had prevented him from continuing to serve as an officer or to obtain promotion to specialist firearms units. There were further reports of another indecent exposure by Couzens just days before Ms Everard's disappearance.

Further reports of police abuses of power and violence against women and girls

In her initial public responses to Couzens' conviction in June 2021 the Metropolitan Police Commissioner ("the Commissioner") suggested that he represented no more than an isolated "bad-un"², and appeared to deny any systemic failings or concerns in relation to sexism or misogyny within the Met. At CWJ we were already aware that this was sadly a far from unique case, even if a more extreme and horrific outcome. Further information has since emerged which has fuelled more widespread concerns for women's safety and has precipitated an unprecedented breakdown in trust between women and police officers, whose role it is to protect them. This information includes, but is not limited to:

a) Further reports of serious criminality, abuse, or predatory behaviour perpetrated by Police officers (including officers within the Met). Non-exhaustive examples include:

1. Revelations that there have been 530 reports of sexual misconduct against Met Police officers since 2017;
2. The appearance of PC Carrick (another officer from the same unit as Couzens) in court charged with rape on 4th October 2021;³
3. A court ruling on 30th September 2021 that the Met had previously committed sustained and egregious breaches of women's rights under Articles 3 and 8 of the ECHR by deceiving women into sexual relationships with undercover officers. Failings were found to be systemic, and culpability identified up to the highest levels within the Met with the Tribunal indicating a "*lack of interest in protecting women from [inhuman and degrading treatment]*";⁴
4. In the five months between Couzens' charge and sentencing at least six other serving or former Met officers have been reportedly convicted of serious criminal offences involving serious sexual abuse or violence against women:
 - a. DI Neil Corbel, a serving Met officer within the "Continuous Policing Improvement Command" (which is responsible for upholding professionalism and standards in policing) was convicted of 19 offences of voyeurism against vulnerable women he had targeted, in September 2021⁵;

² <https://www.theguardian.com/uk-news/2021/jun/08/cressida-dick-admits-there-are-bad-uns-in-the-metropolitan-police>

³ <https://www.telegraph.co.uk/news/2021/10/03/met-police-officer-unit-wayne-couzens-charged-rape/>

⁴ <https://www.ipt-uk.com/judgments.asp>

⁵ <https://news.met.police.uk/news/officer-pleads-guilty-to-voyeurism-offences-433580>

- b. Serving Met officer PC Ben McNish (who worked in a unit investigating child sexual abuse) found guilty of filming women whilst they were in the shower in June 2021;⁶
 - c. Former Met officer Paul Lamb was convicted of 19 sexual offences including rape and sexual assault of children in May 2021;⁷
 - d. Serving Met officer DC Paul Allgood was convicted of possessing indecent images of children in April 2021;⁸
 - e. Met officer PC Benjamin Hannam pleaded guilty to possession of prohibited images of children in May 2021;
 - f. Former Met Officer DC Mark Collins pleaded guilty to attempting to incite a child into sexual activity in April 2021;⁹
5. Reports of Met officers using their position to target victims of crime for sexual relationships. For example, DCI James Mason was found guilty of gross misconduct (but allowed to remain in the force) after repeatedly making sexual advances towards a female complainant in a robbery case;¹⁰
 6. Two Met police officers were found guilty of misconduct in public office having taken selfies with the bodies of murdered women Nicole Smallman and Bibaa Henry whilst on duty at the scene of their murder and circulated them amongst other police colleagues on social media platforms;¹¹
 7. The IOPC has indicated that 16 other officers are being investigated by the IOPC in connection with Couzens' crimes;
 8. A Met Officer referred to the IOPC for sharing graphics relating to abducting women whilst working on the investigation into Ms Everard's disappearance;¹²
 9. Reports that a woman arrested at a Vigil for Sarah Everard, and whose picture was subsequently widely published, was subsequently targeted by police officers who contacted her en-masse (approximately 50 officers) via a dating app;¹³
 10. Over 150 women have reported abuse at the hands of police officers to our organisation alone in the last 18 months - many of whom had been fearful of reporting such crimes because of fears that police could not be trusted to investigate¹⁴.

⁶ https://www.itv.com/news/london/2021-06-10/met-police-officer-guilty-of-spying-on-woman-in-shower-at-london-flat?fbclid=IwARIV8xkhfGuGN_wBZiYLB1eugMPIbbXpdZ8FoZTBSe6faCvtJplf-T2jFfk

⁷ <https://www.hulldailymail.co.uk/news/hull-east-yorkshire-news/former-policeman-thought-hed-away-5388663>

⁸ <https://www.parentsformeganslaw.org/met-police-officer-admits-possessing-indecent-images-of-children-dc-paul-allgood-also-admitted-outraging-public-decency/>

⁹ https://www.bbc.co.uk/news/uk-england-london-56949986?fbclid=IwAR0yx5kpE4LW4bNBUTdupYbqy_bhyf8ulVFBfo2ptHZinNAgSyaS8AoYNSI

¹⁰ <https://news.met.police.uk/news/met-officer-given-final-written-warning-after-misconduct-hearing-434974>

¹¹ <https://www.thesun.co.uk/news/15082019/cops-court-selfies-bodies-murdered-sisters-wembley/>

¹² <https://news.sky.com/story/met-police-officer-removed-from-duties-after-inappropriate-graphic-shared-during-sarah-everard-search-12247124>

¹³ <https://www.independent.co.uk/news/uk/home-news/patsy-stevenson-vigil-police-officers-tinder-b1933143.html>

¹⁴ <https://www.centreforwomensjustice.org.uk/news/2021/9/30/statement-regarding-wayne-couzens-sentencing-hearing>

11. Earlier this week, on Monday 11th October 2021, Channel 4 Dispatches screened a documentary, 'Cops on Trial,' highlighting approximately 2,000 cases of sexual misconduct by police officers, and detailed a number of these cases further.¹⁵

b) **Reports highlighting manifest inadequacies in the Met's handling of serious allegations against its officers regarding sexual violence and domestic abuse.** Non-exhaustive examples include:

1. Reports that an unnamed Met officer accused of raping two colleagues was not suspended from duty;
2. Information obtained under the Freedom of Information Act showed that between 2017 and 2020 more than half of Met Officers found to have committed sexual misconduct kept their jobs and that only 1 in 18 officers accused of sexual assault ever face formal action;
3. Alarming levels of early discontinuance and 'no further action' being taken in relation to reports of domestic abuse perpetrated by police officers (over 75%);
4. Disproportionately low criminal conviction rates in relation to reports of domestic abuse perpetrated by police officers (4.9% by comparison with 6.2% in relation to the general public);
5. Reports of unfair treatment of female officers who raise concerns about their colleagues' behaviour, to the point of being forced to resign or move force;
6. Reports on 14 October that an officer who was reported after sending explicit pictures of his genitals to a female colleague was not subject to criminal investigation or subject to suspension and permitted to remain on full active duties for many months (despite the complainant having alerted the Commissioner herself) until contacted by journalists for the *Times* newspaper;¹⁶ and
7. Reports raised by a whistleblower in an email to the Home Secretary on Saturday, 2 October 2021 at 11:46, into which the Centre for Women's Justice was copied, outlining grave concerns over the Met's handling of complaints against officers. We do not provide further details herein, but the Home Secretary will be aware of the content, and we ask that this is also borne in mind when considering our requests.

Public concern

The Couzens case has been widely covered in the media and has catapulted the issue of violence against women and abuse of police powers in engagement with female members of the public, to the forefront of public discourse. The revelations about Couzens, together with information which has subsequently been reported, has triggered a deep public concern in relation to systemic problems in British policing of violence against women and undermined the trust of women in particular.

The extent of the current public mistrust in policing is vividly illustrated by public admissions by a former senior figure within the HMICFRS, Zoe Billingham, that she would have concerns and reservations over whether she would feel able to approach a police officer at night.¹⁷ She has also confirmed that she has ongoing fears that crimes such as those perpetrated by Couzens could well

¹⁵ <https://www.channel4.com/programmes/cops-on-trial-dispatches>

¹⁶ <https://www.thetimes.co.uk/article/policeman-kept-job-after-sending-explicit-photo-j2fb2fwf3>

¹⁷ <https://www.mylondon.news/news/uk-world-news/sarah-everard-police-watchdog-head-21723151>

happen again given the failures of the police to heed previous warnings in relation to the risks of abuse by their officers.¹⁸

Previous reports

The concerns raised in the wake of: the Couzens case and subsequent reporting about women's safety; misogyny in policing; and the approach of police to violence against women, are not new. There have been myriad investigations and claims of "lessons learnt" in previous years but we are concerned that very little appears to have been learned and few, if any, changes have been implemented to ensure future abuse is prevented. Indeed, worsening rape charging and convictions figures confirm things are going backwards.

Previous reports raising similar concerns have included (again, this is a non-exhaustive list):

- a) Reports by HMICFRS in October 2017, May 2019 and September 2019 repeatedly highlighted concerns about the abuse of position by police officers for sexual purpose and the lack of progress being made to tackle this problem. While the numbers of officers engaging in such behaviour is proportionately small (or at least the numbers where the victim has felt able to report appears proportionately small), the scale of the problem has been identified as significant. The IOPC received 415 referrals from police forces in the three years up to March 2019 and almost a quarter of all referrals to the IOPC anti-corruption unit during that period relate to sexual abuse of a vulnerable person. Nearly all forces reported such cases, and reporting is increasing. The full scale of such abuse is unknown and we fear is much higher than reported. Women naturally fear reporting police officers to their colleagues. Based on our experience we consider this fear is likely higher among victims of colour, migrant women and women with disabilities.

The HMICFRS report of 27 September 2019¹⁹ specifically found that *"Police forces need to do more to ensure they are able to detect and root-out 'abuse of position for a sexual purpose' by officers and staff"*. The lead author of that report, Zoe Billingham, further stated that:

"We have been urging the police to act on this issue for some years now. Many forces have listened and are already making changes. But I've been deeply disappointed to find that others have, after all this time, still not put some basic measures in place. Forces should reflect on the findings of this report and take action: to maintain the legitimacy of the police and, most importantly, to protect the public from predators who have no place in policing."

- b) On 17 September 2021 HMICFRS published its final inspection report, 'Police response to violence against women and girls,'²⁰ following an interim report published in July 2021 intended to *"inform work on the Government's revised VAWG strategy"*.²¹ The September 2021 final report identified several recommendations for immediate improvements to police practices, but also concluded that *"fundamental cross-system change is urgently needed to tackle an epidemic of violence against women and girls (VAWG)"*. Zoe Billingham stated that the final report had allowed the inspectorate, *"to set out a way*

¹⁸ <https://www.mylondon.news/news/uk-world-news/sarah-everard-police-watchdog-head-21723151>

¹⁹ <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/shining-a-light-on-betrayal-abuse-of-position-for-a-sexual-purpose/>

²⁰ <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-response-to-violence-against-women-and-girls/>

²¹ <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/interim-report-inspection-into-how-effectively-the-police-engage-with-women-and-girls/>

forward which, if acted on, will give women and girls the confidence that there is not only the will but also the power to end this epidemic.”²²

- c) The Independent newspaper published data in 2019²³ obtained under the Freedom of Information Act showing that over the previous six years 562 officers in the Metropolitan Police were accused of sexual assault, of whom only 43 had formal or informal action taken against them, and the vast majority, 420, faced no sanction. 313 victims were members of the public and 249 were themselves police officers. There were three times as many sexual misconduct complaints in 2017 as in 2012, reflecting a general rise in reporting of such offences. As above, we believe this is likely to be under-reported so the real figures are likely higher, possibly considerably so.
- d) A police super-complaint we lodged in March 2020 (which is currently being investigated) set out numerous specific case studies to highlight serious concerns about the way policing systems operate where police officers are accused of domestic abuse. We identified concerns in relation to *“lack of integrity [...] officers manipulating the system and acting in bad faith in a variety of ways[...] we conclude that there is such a risk of policing systems being abused, that this should be reflected in special arrangements for such cases.”* The super-complaint identified various common themes amongst the cases raised, including:
- i. Difficulties in initial reporting;
 - ii. Failures in investigation
 - iii. Improper manipulation of police processes;
 - iv. Improper responses to complaints / concerns;
 - v. Accused officers’ use of links with others in the force;
 - vi. Accused officers using their police knowledge, status and powers;
 - vii. Improper decisions on criminal charges;
 - viii. Inadequate approach to misconduct investigations and decisions;
 - ix. Use of arrest to silence or discredit abused women;
 - x. Employment difficulties for women who are police officers;
 - xi. Workplace victimisation of women who are police officers.

The Met’s Response to Wayne Couzens’ Conviction

Despite knowing the full details of Couzens’ offending for some five months prior to his sentencing hearing, it appears that no steps were taken internally to address the clear deficiencies within the Met which enabled his conduct. No announcements were made by the Met’s leadership immediately after Couzens’ sentencing recognising the need for review or reform in order to ensure women’s safety and to prevent officers abusing their power. It should have been clear that once the full details were known, faith and trust in policing, especially by women, would be severely undermined. In our view, the only competent response would have been an immediate statement setting out how trust was to be restored.

²² <https://www.justiceinspectorates.gov.uk/hmicfrs/news/news-feed/cross-system-approach-needed-to-end-violence-against-women-and-girls/>

²³ <https://www.independent.co.uk/news/uk/crime/sexual-assault-harassment-metropolitan-police-metoo-london-a8845811.html>

Following an outcry over the failure to respond, the following day the Met published guidance²⁴ as to how women could take responsibility for protecting themselves from abuse by police officers. Official advice included proposing that women in fear for their safety should resist arrest, refuse consent to be arrested in the absence of uniformed officers, run away from police and/or seek to flag down buses for assistance. It still made no mention of any steps the Met had taken or would take to protect women from abusive officers.

The Met's statements also consistently referred to Couzens' as an "*ex police officer*" or "*former police officer*," in contexts which gave rise to public concern that the Met was attempting to distance itself from his conduct.²⁵

The Met's response was the subject of extensive criticism²⁶, and has itself done significant damage to public trust and undermined any confidence that police have a genuine understanding of the failings within the Met which enable abusers within its ranks, and the action needed to address such risks.

Eventually, on 4 October 2021, after mounting calls for her resignation, the Commissioner announced that she would order an 'independent' internal review of 'standards and culture' within the Met²⁷. It was announced on 9 October 2021 that such review is to be led by Baroness Louise Casey who will report directly to the Commissioner. It remains unclear whether the report will be made public, despite the need for increased public confidence in policing. In any event, whether public or not, given that this is a Met-initiated and Met-managed process, it is inevitable that there will be public concern that this is simply an example of the Met 'marking their own homework.' This internal review plainly does not deliver the independent, robust oversight which is required, and is no substitute for an independent Public Inquiry.

Announcement of an Inquiry

On 5 October, as part of a speech before the Conservative Party Conference, you announced that there will be a public inquiry "*into issues raised by the conviction of Wayne Couzens*". This announcement followed various public calls for an inquiry from journalists and commentators which had previously been dismissed by the Prime Minister.²⁸ You specifically recognised that recent events have exposed "unimaginable failures in policing" and stated:

"The public have a right to know what failures enabled his continued employment as a police officer... I can confirm today there will be an inquiry to give the independent oversight needed to ensure something like this can never happen again."

Further information was simultaneously published by the Home Office, stating²⁹ *inter alia* that:

"The inquiry will be made up of two parts. The first part will examine Wayne Couzens' previous behaviour and will establish a definitive account of his conduct leading up to his conviction, as

²⁴ <https://www.independent.co.uk/news/uk/home-news/met-police-sarah-everard-couzens-b1930331.html>

²⁵ <https://inews.co.uk/opinion/wayne-couzens-sarah-everard-killer-former-police-officer-let-met-off-hook-1225799>

²⁶ https://www.huffingtonpost.co.uk/entry/sarah-everard-met-police-wayne-couzens-women-safety_uk_6156db15e4b099230d21fbce

²⁷ <https://www.independent.co.uk/news/uk/home-news/cressida-dick-sarah-everard-met-police-b1931877.html>

²⁸ <https://www.independent.co.uk/news/uk/politics/boris-johnson-sarah-everard-women-b1931374.html>

²⁹ <https://www.gov.uk/government/news/inquiry-launched-into-issues-raised-by-couzens-conviction>

well as any opportunities missed, drawing on the Independent Office for Police Conduct's (IOPC) investigations, once concluded.

The second part will look at any specific issues raised by the first part of the inquiry, which could include wider issues across policing – including vetting practices, professional standards and discipline, and workplace behaviour.

Additionally, the Home Secretary will write to the independent police inspectorate HMICFRS to commission a thematic inspection of vetting and counter-corruption procedures in policing across England and Wales – including forces' ability to detect and deal with misogynistic and predatory behaviour. She has asked for initial findings by the end of 2021, and these will be used to inform the inquiry into Couzens.

The inquiry will also draw on the conclusions of current investigations by the IOPC into various allegations and incidents throughout Couzens' career.

Given the need to provide assurance as swiftly as possible, this will be established as a non-statutory inquiry, but can be converted to a statutory inquiry if required.

The Chair and Terms of Reference for the inquiry will be confirmed in due course."

LEGAL AND POLICY FRAMEWORKS

The Inquiries Act 2005 sets out a detailed framework for the conducting of public inquiries, including their institution; the appointment of a Chair or Panel; procedures to be followed for the securing and disclosure of evidence; the conduct of hearings; and the involvement of Core Participants.

The Explanatory Notes to the 2005 Act describe it as follows, at para. 3:

"The Inquiries Act is intended to provide a comprehensive statutory framework for inquiries set up by Ministers to look into matters of public concern."

Section 1 concerns the power to establish an inquiry under the 2005 Act. It provides:

1. Power to establish inquiry

(1) A Minister may cause an inquiry to be held under this Act in relation to a case where it appears to him that—

- (a) particular events have caused, or are capable of causing, public concern, or*
- (b) there is public concern that particular events may have occurred.*

(2) In this Act "Minister" means—

- (a) a United Kingdom Minister;*
- (b) the Scottish Ministers;*
- (ba) the Welsh Ministers;*
- (c) a Northern Ireland Minister;*

Section 3 concerns the inquiry panel, and section 4 the appointment of the inquiry panel. Section 3 provides that:

3. The inquiry panel

- (1) An inquiry is to be undertaken either—
 (a) by a chairman alone, or
 (b) by a chairman with one or more other members.
- (2) References in this Act to an inquiry panel are to the chairman and any other member or members.

Section 8 addresses the suitability of the inquiry panel. It provides:

8. Suitability of inquiry panel

- (1) In appointing a member of the inquiry panel, the Minister must have regard—
 (a) to the need to ensure that the inquiry panel (considered as a whole) has the necessary expertise to undertake the inquiry;
 (b) in the case of an inquiry panel consisting of a chairman and one or more other members, to the need for balance (considered against the background of the terms of reference) in the composition of the panel.
- (2) For the purposes of subsection (1)(a) the Minister may have regard to the assistance that may be provided to the inquiry panel by any assessor whom the Minister proposes to appoint, or has appointed, under section 11.

Section 9 makes clear the requirement of impartiality.

Section 5 concerns the terms of reference and setting-up date, and section 14 the end of the inquiry.

Sections 15 and 16 concern the conversion of other inquiries into statutory inquiries under the 2005 Act. Section 15(2) mirrors section 1, referring again to the two key limbs.

European Convention on Human Rights

We note also that the State has a number of relevant obligations under the European Convention on Human Rights (“ECHR”). Under Articles 2 and 3 of the ECHR, the State has a positive obligation to protect life and to prevent people being subjected to inhuman or degrading treatment or punishment. Each of these articles also imposes a duty to investigate where these duties have arguably been breached.³⁰ Under Article 2, the State’s obligations also include a duty to have in place systems which will detect and remedy individual failings and errors before harm is done.³¹ Article 14 also prohibits discrimination in the enjoyment of other ECHR rights, including those protected by Articles 2 and 3, but also Article 8 (right to private and family life).

International Standards

In addition to the above, the UK is a signatory to the Convention on the Elimination of Discrimination Against Women (“CEDAW”) and the Istanbul Convention on Violence Against Women (the “Istanbul Convention”). These international commitments to safeguard women and girls from violence require the State to exercise “due diligence” and “take all appropriate measures” to prevent gender-based violence.

³⁰ *R (Middleton) v West Somerset Coroner* [2004] 1 AC 182 (“Middleton”), at [2]-[3]; *R (Amin) v Secretary of State for the Home Department* [2004] 1 AC 653 (“Amin”), at [31], per Lord Bingham.

³¹ *Öneryıldız*, at [89]-[95]; *Kolyadenko v Russia* (2013) 56 EHRR 2, at [158]-[159]

THE NEED FOR A STATUTORY INQUIRY

We have summarised in the letter of today's date the key basis for our request that there be a statutory Inquiry. We provide further detail herein, to supplement the letter.

As a Minister, the Secretary of State for the Home Department has the power pursuant to s.1 of the Inquiries Act 2005 to "*cause an inquiry to be held under this Act*". We have set out the relevant test above, which contains two limbs, both of which focus upon "*public concern*."

It is submitted that both limbs of s.1 arise in the present case.

First, you have already recognised that deep public concern has arisen as a result of particular events. These events include the crimes committed by Wayne Couzens, but also encompass:

- a) the further revelations indicating systemic failings and perpetration of abuse by police officers more widely;
- b) the inadequate response of the Met and inappropriate statements made in the face of widespread public concern and loss of trust.

Second, the information reported (and highlighted since Couzens' conviction) have given rise to broader public concern about the extent to which abuse has been (and continues to be) perpetrated by police officers, and the extent to which women can have trust seeking help from police, and likely systemic failings within the Met which both permit and enable abuse as well as fail to address it.

While the decision whether and how to exercise the power under s. 1 is discretionary, such decisions are subject to judicial review by the courts and refusal to exercise that power may be quashed where they are underpinned by inadequate reasoning (see for example *R (Litvinenko) v Secretary of State for the Home Department* [2014] EWHC 194 (Admin) in which the court found that "*deficiencies in the reasons [given by the Secretary of State] are so substantial that the decision cannot stand*".)

Guidance previously published to assist in the decision to establish an inquiry include proposals within the Report of the Public Administration Select Committee 2005 by Lord Howe³². This report set out various factors which indicate that an inquiry is likely to be appropriate - including the following factors which plainly apply in this matter:

- high and continuing levels of public concern;
- administrative and/or managerial failings are likely to be a factor;
- there is likely to be an adverse impact on public confidence in the relevant area which cannot otherwise be satisfactorily resolved;
- internal/external regulatory systems have been exhausted or cannot provide an adequate alternative.

We note your recognition that the public concern arising from recent events, and the need to ensure there can be no repetition of such abuse of power by police officers in future can only be met by the establishment of an independent inquiry (i.e., one that is not conducted by police or policing oversight bodies). We strongly agree with this, as a matter of principle.

However, having properly identified the compelling basis for an inquiry, it is imperative that it be established under the Inquiries Act 2005, rather than on a non-statutory footing for the Reasons set out below.

³² <https://publications.parliament.uk/pa/cm200405/cmselect/cmpublicadm/51/51i.pdf>

First: There is no rational justification for the Inquiry to be non-statutory.

An Inquiry has already been announced on the basis of recent events and public concerns which clearly engage your powers under s.1 of the 2005 Act.

The Act provides a clear and detailed framework to ensure the smooth, efficient and robust conduct of Inquiries into matters of public importance. Given that this framework is available to you as the Home Secretary (unlike many other bodies who are required to set up non-statutory inquiries in the absence of s.1 powers) it is wholly unclear why the framework provided for by Parliament (with its associated powers and protections for victims and other key stakeholders – including the police) should be circumvented. Indeed, sidestepping the “*comprehensive statutory framework for inquiries set up by Ministers to look into matters of public concern,*” to use the words of the Explanatory Notes to the 2005 Act, could give rise to public concern itself.

As set out by Lord Faulks (then Minister of State) in 2015, the 2005 Act should always be the starting point for Ministers deciding whether and how to establish a public inquiry, with consideration then given to the question of whether another vehicle would be more appropriate.³³ Guidance published by the House of Commons library indicates that the 2005 Act sought to make statutory inquiries the default position (seeking to replace and avoid problems associated with the Tribunals of Inquiry Evidence Act 1921). We suggest there is simply no rational basis in the circumstances of this Inquiry to depart from the statutory framework provided by Parliament.

Second: we note that the reason given for suggesting a non-statutory Inquiry, rather than a statutory Inquiry, in your initial announcement was the need “*to provide assurance as swiftly as possible*”. We invite you to recognise that, on reflection, the appropriate expediency can be achieved just as well (if not better) by means of an Inquiry under the 2005 Act:

- a) We note that in the absence of statutory powers to compel disclosure and production of evidence other inquiries have been severely delayed or hampered in their work;³⁴
- b) Further, establishment under the 2005 Act at the outset ensures that the inquiry has a ready-made procedural framework and rules both under the Act itself and by virtue of the Inquiry Rules 2006. This enables the substantive work of the inquiry to commence without delay, and avoids the need for complex and often lengthy preliminary proceedings (often involving lengthy argument) to determine/construct bespoke framework and set of rules;
- c) There is no reason in principle why a statutory inquiry should take longer. The length of an inquiry is determined principally by its terms of reference. Further, particular need for expedition in relation to specific aspects of the Inquiry’s work can be met by adopting a staged approach (akin to that already envisaged by the SSHD in her announcement);
- d) We note that the SSHD’s announcement envisages that the Inquiry will be informed by the finding of the IOPC investigation into Wayne Couzens and newly announced HMICFRS investigation into vetting and counter-corruption procedures. Clearly, awaiting the conclusion of the IOPC report in order to determine the proper scope of the Inquiry will inevitably lead to some delay in commencement and/or completion in any event;

³³ [https://hansard.parliament.uk/Lords/2015-03-19/debates/15031934000836/InquiriesAct2005\(SelectCommitteeReport\)#contribution-15031934000257](https://hansard.parliament.uk/Lords/2015-03-19/debates/15031934000836/InquiriesAct2005(SelectCommitteeReport)#contribution-15031934000257)

³⁴ Examples include the Child Sexual Abuse Inquiry, the Barnard Lodge Inquiry; Inquires into the deaths of Billy Wright and Robert Hamill; Mid-Staffordshire NHS Trust Inquiry; and the Infected Blood Inquiry.

- e) Finally, we note that there are numerous examples of recent Inquiries in which it has become clear part-way through proceedings³⁵ (or even after the conclusion of a non-statutory process³⁶) that a statutory inquiry was necessary all along - particularly where there continue to be high levels of public concern. These experiences have illustrated that the transition to a statutory inquiry partway through proceedings itself creates delays and complications – none of which are necessary or advantageous to any party in this Inquiry.

Third, the 2005 Act contains powers to compel witnesses and documents, appropriate sanctions for non-compliance as well as measures designed to ensure efficiency and control costs. In order to achieve its stated aims, **the Inquiry needs to have these statutory powers:**

- a) If it is to be effective in restoring trust, the Inquiry panel will need to have the confidence of all stakeholders and in particular female survivors of violence and sexual abuse;
- b) Further, if it is to be effective in providing the independent oversight and scrutiny necessary to ensure officers are prevented from perpetrating abuse of women and girls in future, the Inquiry must be assured it has unfettered access to relevant material, that necessary information will be available without delay, and that its work will not be hampered by reluctance to engage, lack of trust, or lack of candour on the part of relevant parties.

There is compelling evidence to suggest that in the absence of such powers, the Inquiry will be both hindered in its task and will lack the confidence of key stakeholders in light of the following matters:

- a) A recent report by the Daniel Morgan Independent Panel³⁷ (“DMIP”) made findings of institutional corruption within the Met and reported a concerted lack of candour and cooperation with the Independent Panel throughout (despite promises of “exceptional cooperation” at the outset). The Panel made damning findings in relation to the Met’s leadership and emphasised the extent to which their work had been delayed and frustrated as a direct result of their inability to compel disclosure of information from the police. The Panel found that the Met had an entrenched culture of defensiveness, consistently prioritising reputation over transparency, accountability and improvement in its services to the public;
- b) The concerns expressed by DMIP were also echoed in the recent findings by the Investigatory Powers Tribunal³⁸ which expressed significant concerns in relation to the conduct of the Met during the course of that litigation. The panel noted that the Met had consistently failed to provide information and/or to assist the Tribunal in relation to issues which “*cried out for an explanation*”. The Court’s findings suggested similar tendencies for the Met to withhold relevant information, and found that aspects of the Met’s conduct during the litigation (i.e., up until 2021) were likely to have actively contributed to the distress and anxiety experienced by the Claimant;
- c) Recent reports from former senior Met police officers who have spoken out in the wake of Couzens’ sentencing further corroborate the existence of a “*culture of institutional denial*”,

³⁵ Examples include the Child Sexual Abuse Inquiry, the Barnard Lodge Inquiry and Inquires into the deaths of Billy Wright and Robert Hamill

³⁶ See for example Mid-Staffordshire NHS Trust Inquiry, and the Infected Blood Inquiry.

³⁷ https://www.danielmorganpanel.independent.gov.uk/wp-content/uploads/2021/06/Media-Briefing-statement-Final-NOL-09.06.21-printing_-_version.pdf

³⁸ *Wilson v Commissioner of Police of The Metropolis* [2021] UKIPTrib IPT_11_167_H (see paras 21-30)

and resistance to engage in genuine self-reflection and reform.³⁹ Particular lack of cooperation has been reported in relation to sexism and misogynistic cultural practices which “enable people like Couzens to flourish” such that previous attempts in relation to reform of the PADP unit (which Couzens and Carrick worked in) was actively prevented;

- d) The vital importance of being able to provide proper support to witnesses, many of whom are likely to be vulnerable, and proper protection to whistleblowers, who are likely to have relevant evidence to give and whose ability to engage effectively is contingent upon provision of the appropriate safeguards.
- e) Public trust in the Met’s ability (and/or willingness) to disclose, identify and undertake reform in relation to systemic failings have also been undermined by the action (and inaction) taken following Couzens’ arrest. Indeed, the Met’s publication of deeply inappropriate advice and the further damage this has done to trust in the Met is itself a matter of public concern which engages the Secretary of State’s power under s1 of the 2005 Act and arguably compels it be undertaken on a statutory footing.

The SSHD has already recognised that the need for an Inquiry arises in large part as a result of the fact that the nation has had its faith in the Metropolitan Police shaken and that independence of the police is therefore key (both in substance and in form). Public trust is unlikely to be regained if there is a perception that the Police are able to decide which matters and information are reviewed and how thoroughly. Conversely, if the Police are genuinely committed to co-operation and transparency with the Inquiry, they can have no legitimate complaint about the existence of powers to ensure such co-operation and should surely welcome the reassurance such powers would provide for the public.

If the Inquiry is to achieve its stated aim - part of which must be the restoration of public confidence in the Metropolitan Police Force - then it is vital that the Inquiry into the death of Sarah Everard is conducted (and seen to be conducted) to the highest possible standard and in a manner designed to ensure public confidence. The only proper way of doing so is by means of a statutory inquiry.

Fourth: in the absence of a statutory footing the Inquiry cannot comply with the positive obligations to ensure effective investigation under the ECHR. Having regard to the factual background and the matters set out and reports mentioned above there are plainly arguable violations of the ‘general’ or ‘systemic duty’ to have in place appropriate safeguards to prevent State agents from perpetrating gender-based violence and their ability to investigate such actions by police officers and private citizens. In respect of the systemic duty, there appear to be inadequate processes for vetting of officers, for investigating claims of abuse by officers, for ensuring that recommendations for reform are implemented, and for ensuring appropriate disciplinary outcomes which are capable of retaining public confidence. Incidents of sexual abuse and / or domestic violence perpetrated by police officers (particularly where such abuse is facilitated by the exploitation of the offender’s knowledge, status, and power as an officer) is likely to be treated as a matter of particular gravity engaging Article 3.

As set out above, the Inquiry’s effectiveness and expedition risks being jeopardised by the absence of statutory powers. Articles 2 and 3 specifically require that investigations be both prompt and thorough, and that investigatory bodies are given the necessary tools to ensure that they may secure relevant evidence.

³⁹ <https://www.theguardian.com/uk-news/2021/oct/11/uncooperative-officers-blocking-met-police-reform-says-ex-superintendent>

The ability of the Inquiry to achieve these fundamental requirements can only be met if it is afforded the powers and protections envisaged and intended by Parliament under the 2005 Act.

SCOPE OF INQUIRY

Further, for the Inquiry to achieve the aims which you set out in your statement of 5 October 2021, to fulfil the positive obligations arising under the ECHR, and to address the public concern which has arisen, it is vital that the scope cannot be limited to consideration of Wayne Couzens' offending alone.

At the heart of the current loss of trust in policing is the public revulsion at the extent to which police officers may themselves represent a risk to women. It is therefore vital that abuses of police power and the perpetration of violence against women by police officers is comprehensively addressed, if the Inquiry is going to be capable of restoring trust and reassuring women that they can feel safe seeking the help of police.

This cannot be addressed by the second part of your proposed inquiry alone. It is plain that Couzens is not the only officer who has abused his powers to commit violence against women and girls, and/or avoid proper detection as a result of his status as an officer. Scrutiny of his case alone at the first stage of the inquiry risks missing other significant problems and will thus fail to address all the problems which led to not only his offending but offending by other officers.

The duties arising under the ECHR are not limited to establishing the events which led to the murder of Sarah Everard alone. There is clear evidence of arguable breaches of Article 3 including by the commission of violence and sexual abuse of women by other police officers, as well as powerful evidence to suggest that future risks of such treatment continue to exist as a result of operational failings (including inadequate systems of prevention, accountability, and oversight.)

You have specifically set out that the principal function of this Inquiry is to provide the independent oversight necessary to ensure that egregious abuses of police power cannot be repeated. This is a laudable aim, but for the Inquiry to be genuinely effective in achieving this aim the scope must include, at a *minimum*, consideration of systemic issues which enable abusers to enter and remain in the force, and which encourage or facilitate the abuse of women and girls by Metropolitan perpetrated by police officers generally.

We therefore request that you ensure that the Inquiry has a wider scope, focused upon abuse of women and girls perpetrated by Met police officers (of which the Couzens case is clearly an important but not isolated example). We suggest that this should include (at least) the following matters:

- a) The scale and extent of gender-based violence and abuse of women perpetrated by Met police officers, its causes and consequences;
- b) Use by officers of knowledge, status and police powers to perpetuate abuse;
- c) Use by officers accused of abuse of personal links with others in the force;
- d) Responses to reports of abuse and/or inappropriate behaviour by police officers (including investigative failings, disproportionately low criminal conviction rates⁴⁰, and inadequate disciplinary processes);
- e) Police culture, including enablement/ encouragement/ facilitation of abusers within police ranks;

⁴⁰ 4.9% by comparison with 6.2% in relation to the general public

- f) Police vetting processes;
- g) Approach/ responses to whistle-blowers – including female officers who feel unable to report inappropriate behaviour by colleagues and/or victimisation of those who speak out.

The terms of reference could, and should, expressly refer to Wayne Couzens, and the matters identified in your public statement of 5 October for the proposed ‘part one’ of a non-statutory inquiry should be encompassed in the expanded terms of reference.

The above is plainly the minimum that is required to meet the Inquiry’s purposes, and investigative obligations under the HRA. However, we emphasise that we would of course be open to a broader scope, beyond this minimum threshold. Later stages of the Inquiry could be broadened further, in light of clear and compelling evidence (including the already published previous reports by both HMICFRS, and the IOPC) of systemic failings both by the Met and by other police forces nationwide to properly investigate, prosecute and protect women and girls from gender-based violence generally.

In any event, regardless of the approach to be taken in respect of these concerns, this Inquiry must *at the very minimum* consider the full extent of the commission of abuse by police officers themselves (including the failings which enable the continued recruitment and employment of abusers). Public trust in policing cannot begin to be rebuilt unless there is re-assurance that robust steps are being taken to ensure that, at the very least, police officers from whom women and girls are entitled to seek protection will not go on to abuse them. If the Inquiry successfully deals with what appears to be institutional misogyny in the force overall, then there is hope that this could address the more general fears of women who would like to report such crimes by private citizens, but do not trust the Metropolitan Police Service to handle such reports fairly or adequately. Indeed we consider rooting out such problems will likely lead to more charging decisions and convictions. This is an opportunity not to be missed, given that such figures are at an all-time low.

CONSTITUTION OF PANEL

Finally, we recognise that the Inquiry Chair has yet to be appointed, although from the announcement of 5 October 2021 it may be inferred that only a single Chair is likely to be considered. However, we ask that you agree to exercise your power under s. 3 of the 2005 Act to appoint a Panel; and that you confirm, as a matter of urgency, that the Panel will include at least one woman with expertise in male violence against women and girls.

The inclusion of such appointees is vital in order to meet the aims of the Inquiry, including in particular the need to consider the matters set out under s.8 of the 2005 Act.

We suggest that the inclusion of such appointees will be advantageous in:

- a) Ensuring (and maintaining) the confidence of key stakeholders – including women;
- b) Ensuring that relevant issues are thoroughly explored and understood;
- c) Dealing with matters expeditiously (by permitting the Panel to start from a position of knowledge and understanding).

RESPONSE REQUIRED AND TIMEFRAME

For the above reasons, we ask that you confirm that you will take the following **four urgent steps**, as detailed in our letter of today’s date:

- 1) Commit to taking immediate steps to address the problem of police treatment of women, in particular to act upon the recommendations in the 17th September 2021 HMICFRS report.
- 2) Exercise your power under Section 1 of the Inquiries Act 2005 (“the 2005 Act”) and confirm that this will be an inquiry held under the 2005 Act;
- 3) Confirm that the scope of the Inquiry will include at least consideration of the scale and extent of gender-based violence and abuse of women perpetrated by Met police officers, its causes and consequences (including the particular matters set out above); this is essential, as the existing scope is overly narrow and not fit for purpose.

We ask, further, that you consider widening the scope beyond London, to consider gender-based violence and abuse of women perpetrated by police officers across the country and not only within the Metropolitan Police. It would be a matter for the Chair and Panel to determine how to consider this issue in a proportionate manner, and we recognise that this could include considering a number of case studies of individual forces.

- 4) Agree to exercise your power under s. 3 of the 2005 Act to appoint a Panel; and that the Panel will include at least one woman with expertise concerning violence against women.

We are conscious that the Government is extremely busy at this time but given the stated emphasis on urgency we would appreciate a response within two weeks, that is, no later than **29 October 2021**.

Of course, should you intend to make decisions in respect of the Chair or terms of reference of the Inquiry prior to that date, it is essential that you first consider the issues raised in this letter. Should you proceed to appoint a Chair and make arrangements for the Inquiry to proceed on a non-statutory footing, that would likely, regrettably, lead to us writing to you formally pursuant to the pre-action protocol for judicial review, a step which we hope can be avoided.

If there is any further information you wish us to provide, please do not hesitate to contact us. We look forward to hearing from you.