

Rt Hon Priti Patel
Home Secretary
2 Marsham Street
London
SW1P 4DF
United Kingdom

CC: Home Affairs Select Committee and Health and Social Care Select Committee

13 September 2021

Dear Home Secretary,

We are a group of social, youth, education, healthcare, and charity workers. We are writing to express our concerns in connection with the proposed duty to prevent and reduce serious violence (Part 2, Chapter 1) and Serious Violence Reduction Orders (Part 10, Chapter 1) in the Police, Crime, Sentencing and Courts (PCSC) Bill. While this is not the focus of our letter, we stand in solidarity with those opposing the Bill's clampdown on protest, toughening of sentencing, and further criminalisation of Gypsy and Traveller communities' way of life.¹

Echoing the concerns voiced by human rights, privacy and technology, criminal justice, public health, and racial justice groups ranging from Stopwatch to Liberty, Unjust to Amnesty International UK, we believe that this Bill will hinder our ability as frontline workers to effectively support the people with whom we work by eroding relationships of trust and duties of confidentiality.² Most importantly, it will expand the criminalisation, surveillance, and punishment of already-overpoliced communities.

As frontline community workers who have made a professional and personal commitment to supporting and caring for people, including young people, we are appalled by these proposals, which we believe directly conflict with our duties and will actively put people we work with in harm's way.

Part 2

Part 2, Chapter 1 of the PCSC Bill as introduced establishes a duty on a wide range of agencies, including education and healthcare providers, to reduce and prevent serious violence.

Although touted as a public health approach, the Bill is fundamentally police-led, with the police being given the power to monitor different public authorities' compliance with the duty. By contrast, a true public health and evidence-based approach would seek to identify and address the root causes of violence, such as socioeconomic inequality and the underfunding of local services, and pave the way for transformational, community-led change.

¹ Liberty, *Mass petition shows scale of dissent as oppressive Bill returns to Parliament*, 5 July 2021, available at: <https://www.libertyhumanrights.org.uk/issue/mass-petition-shows-scale-of-dissent-as-oppressive-policing-bill-returns-to-parliament/>

² Stopwatch, Liberty, Justice, Amnesty International, Defend Digital Me, Big Brother Watch, Unjust, Open Rights Group, Medact, Fair Trials, Joint briefing for House of Commons ahead of report stage of the Police, Crime, Sentencing and Courts Bill, September 2021, available at: <https://www.libertyhumanrights.org.uk/wp-content/uploads/2020/04/Joint-Briefing-on-Part-2-and-10-PCSC-Bill-for-2R-HoL-Liberty-StopWatch-Amnesty-Fair-Trials-Big-Brother-Watch-Defend-Digit.pdf>

Part 2, Chapter 1 of the PCSC Bill authorises the disclosure of information between different public bodies seemingly without the usual safeguards afforded to personal data, for example assessments of necessity and proportionality. Notwithstanding the existing mechanisms and statutory powers and duties that allow for information disclosure between different agencies,³ clauses within Part 2, Chapter 1 hand the police powers to demand information from a wide range of public bodies, backed up by the power of the Secretary of State to make directions securing compliance in clause 17. Worse still, clauses 9, 15, and 16 allow information to be disclosed regardless of existing restrictions on disclosure - whether that's rooted in professional duties of confidence, statutory restrictions, or even contractual restrictions. At no point does the duty reference the importance of safeguarding or the best interests of the child - some of the cornerstones of our professions.

As frontline community workers, our priority is to support the people we work with. We are highly concerned that Part 2, Chapter 1 of the PCSC Bill will effectively force us to become complicit in processes of criminalisation, surveillance, and punishment. Effectively, we will be forced to hand over information to the police, including personal data, even if this conflicts with our professional duties, which are essential to protect people's dignity and privacy, foster relationships of trust, and deliver high quality care.

In a context where public services have and continue to be drastically underfunded, we are also worried that the duties within this Bill will create new burdens on frontline workers. We may soon be forced to betray the hard-earned trust and relationships we have built with young people, as well as our professional duties, in order to comply with police requests. This will only have the effect of fomenting alienation and exclusion and making young people and their communities less safe.

Most importantly, this expansion of surveillance and criminalisation is likely to prevent young people - especially young people of colour - from accessing vital services such as accommodation, healthcare, and education, replicating the well-documented harms of the Gangs Matrix.⁴ We have already seen the damaging consequences of such data-sharing in the context of the Prevent duty, where breaches of privacy of a similar kind and scale have seriously compromised relationships with services and pushed people away from seeking support.⁵

Part 10

Part 10, Chapter 1 of the PCSC Bill as introduced establishes serious violence reduction orders (SVRO). SVROs will effectively create an individualised, suspicion-less stop and search power, entirely untethered to a specific and objectively verifiable threat, thereby removing the minimal safeguards that currently exist for stop and search. These oppressive orders are designed to be imposed on people based on their previous convictions, and can be done on the basis of lower thresholds of evidence. People subject to SVROs are likely to face intrusive monitoring of their lives, and could face criminal penalties should they breach the order.

³ For example, the Police and Justice Act 2006 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009 (Regulation 5) made under the Act; Section 82 of the National Health Service Act 2006; Sections 13Z3 and 14Z23 NHS Act 2006 Restrictions; s.27 and s.47 of the Children Act 1989; s.10 and s.11 of the Children Act 2004; s.175 of the Education Act 2002.

⁴ Amnesty International, *Trapped in the Matrix: Secrecy, stigma and bias in the Met's Gangs Database*, May 2018, <https://www.amnesty.org.uk/files/reports/Trapped%20in%20the%20Matrix%20Amnesty%20report.pdf>; and Williams, P., *Being Matrixed: The (over)policing of gangs in London*, 2018, available at: <https://e-space.mmu.ac.uk/621731/1/Being%20Matrixed.pdf>

⁵ Open Society Justice Initiative, *Eroding Trust: The UK's Prevent Counter-Extremism Strategy in Health and Education*, October 2016, available at: <https://www.justiceinitiative.org/publications/eroding-trust-uk-s-prevent-counter-extremism-strategyhealth-and-education>

SVROs can only be imposed on people over 18. While not all of us work with people over the age of 18, we are all highly concerned that the SVRO regime will not only entrench, but deepen and expand, racial injustice. It is well-established that stop and search powers are used disproportionately against people of colour, and especially Black people. Between April 2019 and March 2020, Black people were 9 times more likely to be stopped and searched than white people.⁶ The harmful effects of being stopped and searched have been well-documented by organisations such as Stopwatch and 4Front - and we believe that this Bill as introduced will only give further powers to the police and exacerbate these harms.⁷

SVROs can be imposed on individuals regardless of whether they themselves have used a weapon. This is effectively a de facto joint enterprise measure - exacerbating an expansive, punitive, and racist doctrine that already disproportionately affects people of colour, especially Black people.

Conclusion

As frontline community workers, we are committed to supporting the people with which we work, especially young people. We reject the PCSC Bill's police-led approach to tackling serious violence. We know that the only effective approach is one that focuses on addressing root causes - such as poverty, racism, and other forms of structural oppression - and not one that hands the police more powers in ways that will further harm our communities.

For this reason, we strongly oppose Part 2, Chapter 1 and Part 10, Chapter 1 of the PCSC Bill, and urge you to reconsider these proposals.

Signed

(See attached)

⁶ Stop and search, *Ethnicity facts and figures*, 22 February 2021, <https://www.ethnicity-facts-figures.service.gov.uk/crime-justice-and-the-law/policing/stop-and-search/latest#main-facts-and-figures>

⁷ Williams, P., *Being Matrixed: The (over)policing of gangs in London*, 2018, available at: <https://e-space.mmu.ac.uk/621731/1/Being%20Matrixed.pdf>