

Mayor of London
City Hall
The Queen's Walk
London
SE1 2AA

Date: 14 February 2014

Via email: watercannonengagement@mopac.london.gov.uk

Dear Boris,

Re: Public Engagement on Police Use of Water Cannon

I am responding to your public engagement on behalf of the London Assembly Liberal Democrat Group.

We have serious concerns about the proposal to enable the police to use water cannon on the streets of London, and write to lodge our objection to their introduction. We request that you do not fund the purchase of water cannon and call on the Home Secretary not to authorise the use of water cannon.

We are concerned about water cannon for a number of reasons:

- **Risk of injury:** the Association of Chief Police Officers (ACPO) briefing on water cannon acknowledges that "serious injuries have been sustained by people subjected to the force of water cannon jets" and that "the term 'less lethal' (as opposed to non-lethal) accepts that water cannon are capable of causing serious injury or even death."¹ Online images show a man bleeding from the eyes as a result of the use of water cannon on protestors in Germany.² It is also not clear whether the particular risks of using water cannon in the London street environment have been evaluated, including London's narrow streets the impact of street furniture.

We note that the Defence Science and Technology Laboratory report "The medical implications of vehicle-mounted water cannon" from July 2013, referred to in the ACPO briefing is not publicly available. We believe that this should be published, as the public should be able to see the medical reports which underpin your and the Home Secretary's decision making.

- **Hinder the right to peaceful protest:** we are concerned that water cannon could be used against people exercising their democratic right to protest.³ The Met's review of the August 2011 disorder identified three public order incidents where water cannon could have potentially been deployed: the Countryside Alliance march on Parliament Square in 2004; the Gaza protests outside the Israeli Embassy in 2008/9; and the student protests in 2010. We are very concerned that in situations, such as the student protests of 2010, where the vast majority of protestors are peaceful, the use of water cannon would be **indiscriminate** and **disproportionate**.

The precedent for the introduction of water cannon has been based on their use in Northern Ireland where they were used to keep identifiable factions apart or protect certain buildings or spaces. No clear explanation has been given as to how water cannon would be of use in more mobile public order situations.

¹ ACPO, Water Cannon Briefing Document, 8 January 2014 – Appendix A

http://www.london.gov.uk/sites/default/files/ACPO%20Water%20Cannon%20Briefing%20Document%2C%20Jan%202014_0.pdf

² <http://www.spiegel.de/international/germany/the-world-from-berlin-germany-shocked-by-disproportionate-police-action-in-stuttgart-a-720735.html>

³ <http://www.yourrights.org.uk/yourrights/the-right-of-peaceful-protest/>

- **Potentially inflammatory** in public order situations. Liberty have argued that water cannon are inflammatory and “liable to cause panic”, potentially making public order situations worse.⁴
- **Militaristic:** we believe that the use of water cannon runs contrary to the tradition of intelligence-based community policing in London and is potentially more akin to the use of military force.

You yourself said in 2010:

“The Commissioner has made it clear and the Home Secretary has made it clear – and it is certainly my view – that we are not instinctively in favour of ratcheting up the panoply of implements of crowd control in this city. This is a free city which has a great tradition of free speech. We do not want to see any kind of arms race with protestors. At the moment, there are no plans to go, for instance, for water cannon.”⁵

- **Undermines policing by public consent:** the second of Robert Peel’s principles of policing is that the power of the police to fulfil their functions and duties is dependent on public approval of the police’s actions.⁶ As you yourself have recently said the tradition of policing by public consent is a very important principle:

“if you look at the way that the London police behave and the trust in which their role, their relations with the public, it is still the case that the public are the police and the police are the public and that is the most important thing. They are not different from us, they are not Carabinieri, they are a public police force who do not have a different arms status and that is very important.”⁷

The use of water cannon and of excessive force has the potential to undermine this basis of the relationship between the public and the police.

- **Impact on public confidence** in policing: we are concerned that using water cannon could potentially further undermine public confidence in the police.
- **Unnecessary:** we do not believe that an adequate case has been made to support the introduction of water cannon this summer. We note that one of the consultation questions on the MOPAC website is “Do you think water cannon would be a useful addition to the tools available to the Metropolitan Police in managing rare cases of serious public disorder?” to which our answer is no.

The Met have given **no adequate justification** for why they need water cannon now. The ACPO briefing states that “There is no intelligence to suggest that there is an increased likelihood of serious disorder” except that “it would be fair to assume that the ongoing and potential future austerity measures are likely to lead to continued protest”.⁸ This is no basis for introducing water cannon onto London’s streets.

- **Ineffective:** water cannon would not be a useful tool to manage serious public disorder. They are heavy and slow. The Met’s review of the August 2011 riots noted the “tactical limitations” of water cannon “such as manoeuvrability in an urban environment” and that water cannon were “unlikely to have been an appropriate and practical option owing to the speed and agility of the disorder”.⁹ Kit Malthouse (then Deputy Mayor for Policing and Crime) was quoted as saying “the truth is water cannon does not stop a riot”.¹⁰

⁴ <https://www.liberty-human-rights.org.uk/news/2014/Water-cannon-in-London.php>

⁵ Mayor’s Question Time, 15 December 2010

http://questions.london.gov.uk/QuestionSearch/searchclient/questions/supplementaryquestion_15900

⁶ <http://www.civitas.org.uk/pubs/policeNine.php>

⁷ Mayor’s Question Time, 22 May 2013 http://questions.london.gov.uk/QuestionSearch/searchclient/questions/question_46280

⁸ ACPO, Water Cannon Briefing Document, 8 January 2014 – Appendix A

http://www.london.gov.uk/sites/default/files/ACPO%20Water%20Cannon%20Briefing%20Document%2C%20Jan%202014_0.pdf

⁹ ‘4 days in August’, Metropolitan Police Service Strategic Review into the Disorder of August 2011, Final Report (March 2012), p.121. Available [here](#).

¹⁰ Police and Crime Committee, 2 February 2012,

http://questions.london.gov.uk/QuestionSearch/searchclient/questions/supplementaryquestion_16415

- **Expensive:** the purchase of water cannon would be significant expenditure on something which you have said would be *“very rarely used, if ever”*.¹¹ We note that the ‘interim solution’ currently proposed of the Met purchasing old German water cannon is likely to cost up to £200,000;¹² and that you have said that you are *“happy to make the necessary funds available to the MPS”* and *“would expect to do this in February, following the engagement”*.¹³ However, the consultation documents online state that these *“water cannon are 23 years old and, though in good mechanical condition, it can only be anticipated that they will have a working life of two to three years.”*,¹⁴ and that there are plans to purchase new water cannon. These new water cannon cost around £600,000 to £1 million each and it is suggested that forces will *“contribute proportionately”* to the procurement of these.¹⁵

We are concerned that the public engagement has not been clear about the total likely cost of acquiring water cannon to the Met Police. We assume that it is planned to purchase multiple water cannon for use in London, and that there would be additional costs of storage, maintenance and training. We note that five of the six largest forces in England and Wales have said they were against deploying water cannon on their streets,¹⁶ and assume that would have implications on sharing the cost of purchasing water cannon. The Commissioner of the Metropolitan Police has previously said about water cannon *“who wants to pay for something that is never used if it is very expensive?”*.¹⁷ The cost of purchasing water cannon cannot be justified.

- **Operational Protocols:** whilst we do not wish to see water cannon on the streets of London, if they are to be deployed there need to be much clearer protocols in place about when and where water cannon can be deployed, and regarding who makes the decision authorising their use. We note that the Metropolitan Police presentation on water cannon states that it is the “Mayor’s authority to purchase” water cannon, and then “The authority to make water cannon available for operational purposes in the MPS is by an Assistant Commissioner or above” followed by “Post event scrutiny by Mayor and Deputy Mayor for Policing and Crime and PCC”.¹⁸ We would welcome clarification of whether and how the Mayor and MOPAC would be involved in the decision to deploy water cannon on London’s streets given the concerns we have outlined above with regards to the potential for serious injury, impact on crowds and public opinion.

We hope that you will listen to the concerns raised in your public engagement and call on the Home Secretary not to authorise the use of water cannon in England and Wales.



Caroline Pidgeon MBE AM

Deputy Chair, London Assembly Police and Crime Committee
Leader of the London Assembly Liberal Democrat Group

¹¹ Police and Crime Committee, 29 January 2014

<http://www.london.gov.uk/moderngov/documents/b9914/Minutes%20-%20Transcript%20-%20Appendix%201%20Wednesday%2029-Jan-2014%2012.10%20Police%20and%20Crime%20Committee.pdf?T=9>

¹² Letter from Stephen Greenhalgh to Joanne McCartney, 16 January 2014

http://www.london.gov.uk/sites/default/files/DMPC%20to%20PCC%20engagement%20plan%2016%20Jan%202014%20USE_0.pdf

¹³ Letter from Boris Johnson to Theresa May, 6 January 2014

http://www.london.gov.uk/sites/default/files/Letter%20from%20Mayor%20Johnson%20to%20Home%20Secretary%2C%206%20Jan%202014_0.pdf

¹⁴ Letter from AC Rowley to Stephen Greenhalgh, 17 September 2013

http://www.london.gov.uk/sites/default/files/Letter%20from%20AC%20Mark%20Rowley%20to%20DMPC%2C%2017%20Sept%202013_0.pdf

¹⁵ ACPO, Water Cannon Briefing Document, 8 January 2014

http://www.london.gov.uk/sites/default/files/ACPO%20Water%20Cannon%20Briefing%20Document%2C%20Jan%202014_0.pdf

¹⁶ <http://www.theguardian.com/uk-news/2014/feb/04/police-forces-opposed-to-water-cannon>

¹⁷ Bernard Hogan-Howe, Police and Crime Committee, 2 February 2012

http://questions.london.gov.uk/QuestionSearch/searchclient/questions/supplementaryquestion_16415

¹⁸ http://www.london.gov.uk/sites/default/files/140131%20-%20MPS%20Water%20cannon%20Presentation%20FINAL_0.pdf