



MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

Approval of Extension of Contract for External Legal Support for Public Inquiry Team.

MOPAC Investment Advisory & Monitoring meeting - March IAM

Report by Tracey Tuffuor (DLS) on behalf
of the T/Chief Legal Officer Jenny Leonard (DLS)

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC

EXECUTIVE SUMMARY

The Designated Lawyer Team is a core participant in the Undercover Policing Inquiry. It represents over 100 police officers called as witnesses to give evidence in the Inquiry. Due to the demand on the services provided by the Directorate of Legal Services to the whole of the MPS, it was not feasible to continually extract lawyers and administrative staff from DLS to staff the Designated Lawyer Team. Consequently, a contract with Browne Jacobson Solicitors was entered into on 1st September 2021 to provide lawyers to resource the team. The contract with Browne Jacobson will expire on 31 July 2024.

This report concerns the extension of the contract with Browne Jacobson up to 31st December 2026 to provide ongoing resources for the Designated Lawyer Team to enable the MPS to comply with its obligations in the Inquiry.

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

- 1. Approve the extension of the current contract with Browne Jacobson Solicitors for the period 1 August 2024 to 31 December 2026 in the sum of £1.622m. If approved, the current Browne Jacobson staff will remain in post with any replacement staff provided by Browne Jacobson if any should leave.**

Time sensitivity

Due to the restrictions on MOPAC activity as a result of the pre-election period and the consequent effect that this may have on completing contractual terms with Browne Jacobson Solicitors, a decision is required from the Deputy Mayor by 31 March 2024. This will enable contract terms to be adjusted and finalised prior to

services continuing from 1 August, 2024 and to ensure there is no break in legal support.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

1. The Designated Lawyer (DL) Team is a core participant in the Undercover Policing Inquiry. It is currently headed by a Senior Lawyer from the Directorate of Legal Services (DLS) who is assisted by a Legal Team Assistant also from DLS as well as two junior lawyers and a paralegal from Brown Jacobson Solicitors pursuant to a contract with Brown Jacobson agreed on 1st September 2021.
2. Prior to the current arrangement set out in paragraph 1 above, the Senior Lawyer heading the DL Team was assisted by seconded lawyers from different firms on short term contracts. This created instability in the team and impacted service delivery. The provision of lawyers from Browne Jacobson under the existing contract has provided a continuous and stable service to the officers supported by the DL Team. Browne Jacobson are required to replace any lawyers or paralegals who may leave ensuring that there is a significant hand over period so as to prevent any disruption to the service provided.

Issues for consideration

3. This information is contained in the restricted section of the report.

Contributes to the MOPAC Police & Crime Plan 2022-2025

4. The extension of the contract to provide specialist legal services from one firm, Browne Jacobson Solicitors is cost-effective in this long running Inquiry as opposed to the previous unstable model of sourcing lawyers from different firms for short periods of time. This more sustainable approach is in accordance with the objective in paragraph 6.1 of the MOPAC Police and Crime Plan that the MPS is effective in its work and efficient in the use of its budget.

Financial, Commercial and Procurement Comments

5. This information is contained in the restricted section of the report.

Legal Comments

6. This information is contained in the restricted section of the report.

Equality Comments

7. This business case has undergone an initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the continuation of the service proposed by extending the contract. As a result no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and those who are not.

Privacy Comments

8. The MPS is subject to the requirements and conditions placed on it as a 'State'

body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

The proposal for the extension of the contract to continue to supply specialist legal advice for the Inquiry Team will not use personal data of members of the public any more or differently to that currently used so there are no additional GDPR issues to be considered.

Real Estate Implications

9. No changes to the Metropolitan Police's estate will be made as a consequence of the approval of the proposal.

Environmental Implications

10. There are no environmental implications as a result of the proposal to extend the contract with Browne Jacobson Solicitors.

Background/supporting papers

11. None provided save for the Part 2 Exempt report.

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Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE (COMMERCIAL).

Part 2 of the Application for Funding for External Legal Support for a Public Inquiry Team is exempt from publication for the following reasons:

- Exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).
- The relevant sections under the FOIA that would exempt this information from disclosure, for example:
 - Commercial Interest Section 43
 - Legal Professional Privilege Section 42

The paper will cease to be exempt 6 years after the completion of the contract on 31st December 2032 in accordance with the MPS Records Management Policy. The paper will be exempt for a further period commensurate to any necessary extension of the contract.