

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

ETHICS, INTEGRITY AND COMPLAINTS COMMITTEE

PAPER MARKED

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Report of	CHIEF CONSTABLE
Subject	STOP AND SEARCH UPDATE
Date	TUESDAY 22 JUNE 2018 – 2.00 P.M.
Author	CHIEF SUPERINTENDANT ADAM STREETS

Purpose of Report

1. The purpose of this report is to provide the Ethics, Integrity and Complaints Committee with an update on Stop Search for the recording year 2017/18 and April 2018 to date.

Background

2. In HMICFRS's legitimacy report, of 2017, they recommended that all police forces across England and Wales should be regularly and frequently monitoring a comprehensive set of data and information on the use of stop and search powers to understand and identify disparities.
3. In addition they recommended that from July 2018 forces should publish analysis on identified disparities and any actions taken on at least an annual basis. This in conjunction with the expectations placed on forces under the Best Use of Stop and Search Scheme (BUSS), of which Leicestershire has voluntarily signed up to, means that there is enhanced scrutiny on Stop and Search and an expectation that Forces proactively publish data externally.
4. In meeting the requirements above, on a monthly basis, we publish a suite of stop search data on the force website and in April 2018 we published an annual report on the use of stop search during 2017/18.
5. At **Appendix A** is a copy of the annual report which in addition to meeting our obligations also provides a comprehensive overview to the committee in terms of the forces internal and external governance and

scrutiny arrangements and a general overview of the use of stop search during 2017/18.

Update April 2018 to date

6. Recent crime data has shown a rise in drug, violence and knife crime within specific geographical hotspots in certain Neighbourhood Policing Areas across Leicester, Leicestershire and Rutland. These areas have also seen the biggest increase in knife crime over a sustained period.
7. The Force has responded with Operation 'Viceroy' which has been created to provide additional officer activity in these areas at key times and is supported by up to date intelligence about four geographic areas that have high counts of knife crime, organised criminality and drugs supply that provides a basis for any officers deployed to or working in that area to consider the use of coercive powers including stop search in addition to other police tactics.
8. The operation has the stated aims of using available powers and legislation to disrupt, deter and detect serious violent crime and organised criminality. Six four day deployments have been planned during the next five months with one operation already completed on the West Leicester Neighbourhood Policing Area. This deployment alone resulted in seventeen stop and searches, five arrests and the recovery of a firearm, knives and controlled drugs.
9. The operation was well received by the local community and received positive coverage from the local media.
10. Operation 'Viceroy' is being supported by Stop and Search coaches and staff from the Professional Standards Department who together are seeking to instil confidence back into officers for the legitimate and proportionate use of stop and search powers which have been in decline for several years.
11. Other similar types of operations such as Operation Wham, which targets organised criminals crossing Neighbourhood Policing Area borders, also have a focus on the proportionate and proactive use of coercive powers.
12. In addition to proactive operations such as Operation Viceroy and Wham our Patrol and Resolution Teams (PRT) have been receiving training and coaching regarding key principles of proactive policing to include the utilisation of coercive powers. "Street craft" training is being driven by Superintendent Potter and will be delivered to all front line officers.
13. It is therefore anticipated that a combination of operational activity supported by further training will result in an uplift to the numbers of stop and searches being undertaken throughout 2018.

14. April 2018 has shown an increase in the use of Stop Search to the highest level since 2015 with 224 searches being carried out. The category showing the largest significant increase is for offensive weapons with 49 searches completed. During April 2018 the arrest rate increased markedly to 26% with 58 people being arrested, as a direct result of a stop search, which equates to a 46% increase on the previous month.

Ongoing Scrutiny

15. To ensure that any uplifts are proportionate and appropriate the internal and external oversight and scrutiny will continue to be applied via the mechanisms outlined within the report at **Appendix A**.

Recommendations

1. To note the contents of Appendix A
2. To note the progress made and direction of travel from April 2018 to date
3. To support the proportionate use of stop search in areas which face a significant threat from knife crime, drugs supply and serious violence whilst seeking to increase positive outcomes and building confidence that the police are safeguarding our communities.

Person to Contact

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Appendix A

STOP AND SEARCH ANNUAL REPORT APRIL 2017 – APRIL

Report of	CHIEF SUPERINTENDENT STREETS
Subject	STOP SEARCH
Date	MONDAY 16 APRIL 2018
Author	SARGENT GLEN ICETON

Purpose of Report

1. The purpose of this report is to provide an overview of the use of and scrutiny of Stop and Search powers in Leicester, Leicestershire and Rutland throughout the recording year 2017/18.

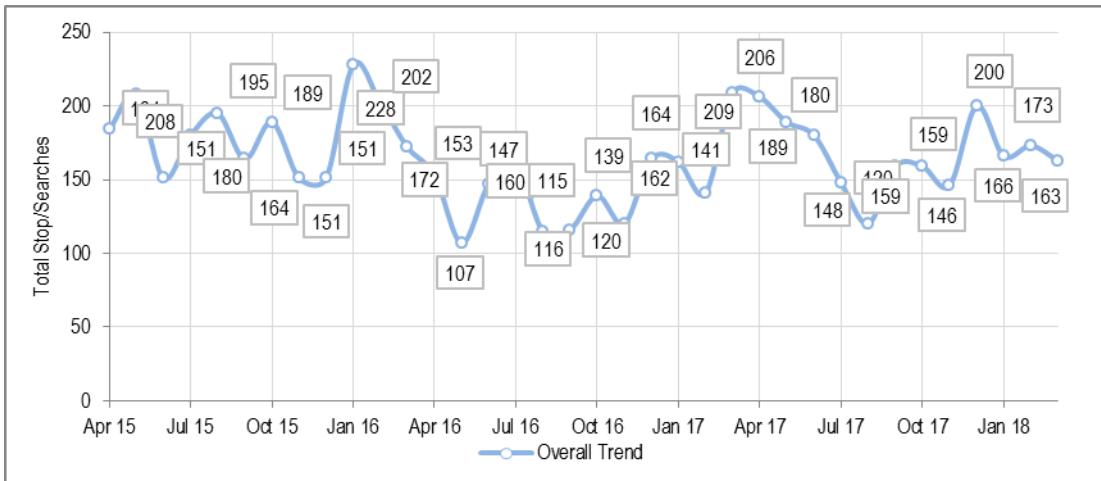
Introduction

2. The Police powers of stop and search have been with us, in their current form, since the introduction of PACE in 1984. The Government, College of Policing and HMICFRS have taken a more intrusive approach to the use of such powers by Forces, mainly via the Best Use of Stop and Search Scheme (BUSS).

3. Leicestershire Police has welcomed the extra scrutiny and increased public participation of the scheme. Stop and search remains an important and effective tool in safeguarding our communities and bringing offenders to justice and we fully support its proportionate and appropriate use by officers.

4. The chart below provides an overview of the volume of Stop and Search powers used dating back to 2015.

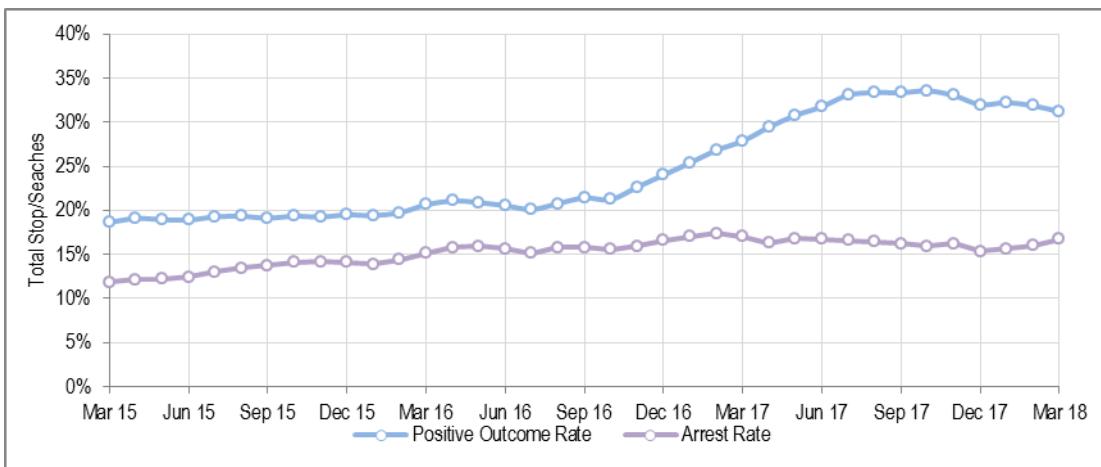
Stop Search Volume



5. The chart below provides an overview of positive outcome and arrest rates dating back to 2015. Positive outcomes include arrest, local resolution, drugs possession warning, caution, penalty notice and summons. The chart demonstrates that throughout 2015 and the first half of 2016 the positive outcome rate remained fairly static at around 20% but since then there has been monthly increases with the latest figure at 32%.

In addition, the arrest rate has increased steadily since April 2015 and for the past year has remained between 15 and 17%, with 16.8% recorded in March 2018.

Positive Outcome and Arrest Rates



Best Use of Stop and Search Scheme 1.0 and 2.0

We are current members of the voluntary Best Use of Stop and Search Scheme (BUSSS 1.0) and are committed to delivering the requirements of the revised BUSSS 2.0 scheme when it is published later this year.

6. We are currently driving activity to achieve compliance through the PILOT group (Police Intervention, Legitimacy and Organisational Transparency) chaired by a Chief Supt. The group was formed in January 2017 and meets monthly consisting of a cross section of senior police managers, training, equality and diversity officers and are charged with providing oversight and scrutiny on the use of coercive powers to include stop search, strip search, use of Taser and use of force (UOF).

Disproportionality

7. The PILOT group review stop search data from the previous three years and carry out careful analysis to determine any trends or patterns in the conduct of stop and searches to include a wide range of factors such as the location, the officer involved, the ethnicity of the person searched and the outcome of the search. The PILOT group also review data in relation to the use of force, Taser and strip search in custody.

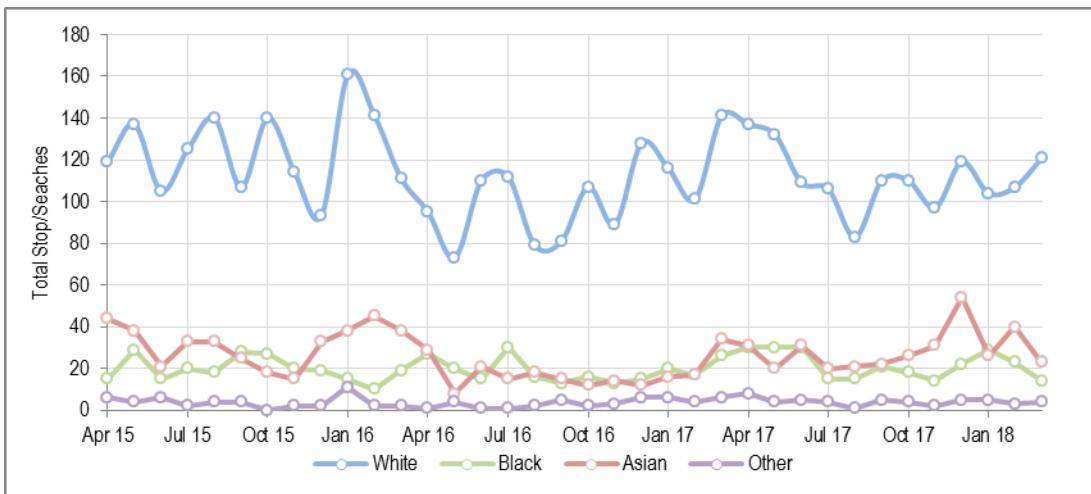
8. The PILOT group actively seeks to identify any information which could suggest any abuse in the use of powers or discriminatory behaviour. Disproportionality rates for both stop search and use of force are scrutinised and comparisons made at a force and local level.

9. We recognise that there is still a disproportionality rate with a black person around 4.0 times more likely to be stopped than a white person. However, these rates have reduced substantially in recent years and a person of Asian origin is now less likely to be stopped than a white person.

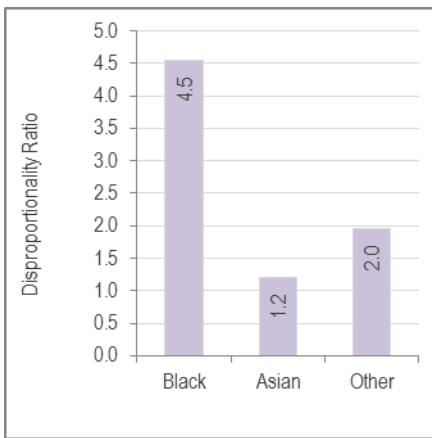
10. According to the 2017 race disparity audit our disproportionality rates are well below the national average but we continue to work hard to understand why there remains a disparity. There is an expectation that these figures will change when the next census data is collected as we are still basing current figures on the 2011 census findings.

11. We are also in the process of recruiting an academic intern who will, among other duties, carry out research in regards to disproportionality rates.

Volume by ethnicity



Disproportionality April 2017 – March 2018



Scrutiny of Powers

12. We hold a monthly Crime and Operations Effectiveness Board, chaired by the ACC, where data about the use of stop and search powers is presented and considered alongside a wider set of performance information about how the force treats people. The forces monthly PILOT group supports this strategic level meeting with an additional level of scrutiny on a range of coercive powers as outlined above.

13. All stop and search forms are checked by the officer's supervisor and officers also know that both their stop search forms and or their Body Worn Video may be subject to either an internal or external dip sample. All stop and search forms are checked by the officer's supervisor and again when centrally collated by the Force Intelligence Bureau, with an additional level of scrutiny provided by a 5% dip sampling regime carried out by the tactical stop search lead.

14. Analysis of stop search and use of force is shared with the bi-monthly external Coercive Powers Scrutiny Group (formally stop search reference

group). The Coercive Powers Scrutiny Group meets every two months and is attended by members of the community with a particular interest in stop and search and the use of police powers. It is chaired by a member of the local community with invited attendees from PAGRE (Police Advisory Group for Race and Equality), representatives of young people's groups and the Office of the Police and Crime Commissioner.

15. The purpose of the group is to understand how we are using our powers, to provide us with an independent perspective, and when necessary to challenge us about usage whilst identifying ways in which we can increase confidence in the community. At each meeting, the group are supplied with data about the use of stop and search and use of force powers across the force and the records completed by officers relating to 20 randomly selected stop and searches. In addition, the group are asked to review randomly selected Body Worn Video footage.

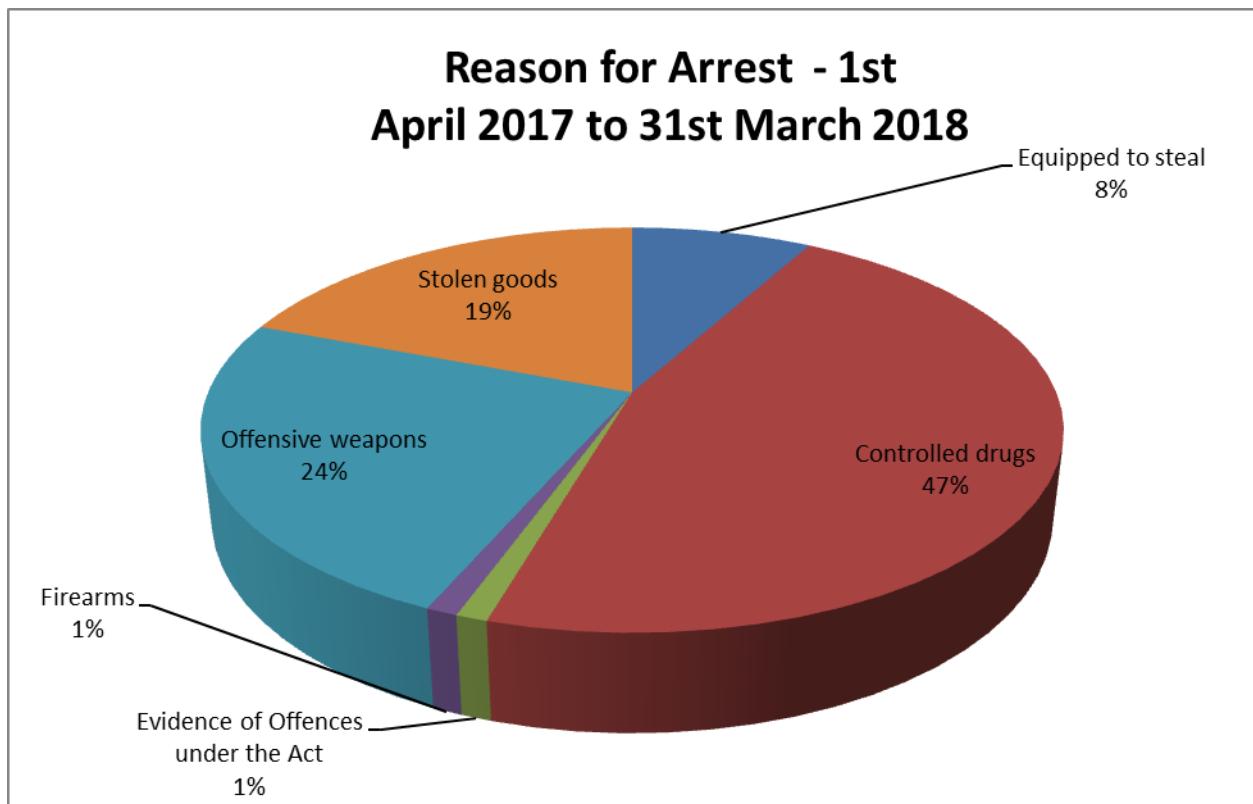
17. In addition we host frequent stop search external reasonable grounds panels in different locations, which are open to the public where members of the public are invited to review the grounds used in 10 stop and search encounters.

18. At both meetings we seek the opinion of those attending to help develop points of organisational learning and a better sense of how the use of coercive powers is perceived by the public.

19. During the HMICFRS 2017 Legitimacy inspection of the force they reviewed 200 stop and search records and found evidence of reasonable grounds being sufficiently recorded in 191 cases.

Reason for arrest

20. The chart below provides a summary of the reason for arrest between 1st April 2017 and 31st March 2018.



Body Worn Video

21. Leicestershire Police have personally issued 1500 Body-worn video cameras (BWV) to all of our frontline officers and staff and we have an expectation that recording is activated whenever coercive powers are used or when attending incidents likely to involve confrontation. We dip sample and review the footage from such incidents both internally and via the showing of randomly selected footage to the Coercive Powers Scrutiny Group.

Lay Observers Scheme

22. We operate a 'lay observers scheme' where we have recruited independent observers to accompany officers during operations and view Body Worn Video footage that specifically use stop and search powers in order that we can seek their views about how the powers were used and how the subjects were treated by officers. We are actively seeking to increase the number and diversity of our observers to ensure they reflect the community that we serve.

Publication of Data on Force Website and Research

23. Sections from the PILOT performance document are published monthly here on the force website which is also a requirement of the forthcoming BUSSS 2 scheme.

Training

24. We have invested in training all of our frontline officers and providing practical guidance in line with the College of Policing Authorised Professional Practice (APP) for using powers to stop and search. Further training is planned and has been authorised by the Training Priorities Panel. Training is provided through the completion of online material but reinforced with ongoing personal briefings by Sgts and with the support of a number of stop search coaches.

25. Training is further supplemented with a feedback loop to officers following the random dip sampling of 5% of all monthly stop searches completed. This dip sample is completed by the Forces tactical lead for stop search. Officers have also received training in unconscious bias and the 2017 HMICFRS 'Legitimacy' inspection of Leicestershire Police found that:

The workforce has received training to understand unconscious bias and the officers and staff we spoke with described what it is and how it can affect decision-making. We found training on communication skills and use of coercive powers was also good.

Conclusion

26. In the 2017 HMICFRS 'Legitimacy' inspection of Leicestershire Police HMICFRS reported that in regards to 'Stop Search':

'Leicestershire Police treats the public fairly and with respect, having worked hard to identify and understand the issues that have the greatest effect on public perceptions of fair and respectful treatment. The force has internal and external scrutiny processes to improve how it treats people. It works well with the independent advisory group, which provides valuable, well-informed feedback, external oversight and challenge on a wide range of issues. The force takes a progressive approach to enhancing openness in the use of stop and search powers. It holds public meetings to discuss examples of stop and search, explain the legal basis and gather public opinion about what constitutes reasonable grounds for the powers to be used.'

The force's scrutiny of stop and search is good and it includes seeking the public's views. It has well-structured internal and external scrutiny arrangements. These include a stop and search reference group, which consists of members of the community, and a stop and search reasonable grounds panel meeting, a public meeting every two months where people can review and comment on a selection of stop and search encounters. The force has trained public observers to accompany officers during operations that use stop and search powers and then seeks their views about how the powers were used and how the subjects were treated by officers. The force recognises that black people are more likely to be stopped and searched and it is taking action to understand why.'

Person to Contact

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