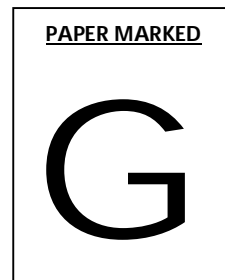


**POLICE AND CRIME
COMMISSIONER FOR
LEICESTERSHIRE**

**ETHICS, INTEGRITY AND
COMPLAINTS COMMITTEE**



Report of	OFFICE OF THE CHIEF CONSTABLE
Subject	STOP AND SEARCH
Date	FRIDAY 21 JUNE 2019 – 2:00 p.m.
Author	C/SUPT ADAM STREETS

Purpose of Report

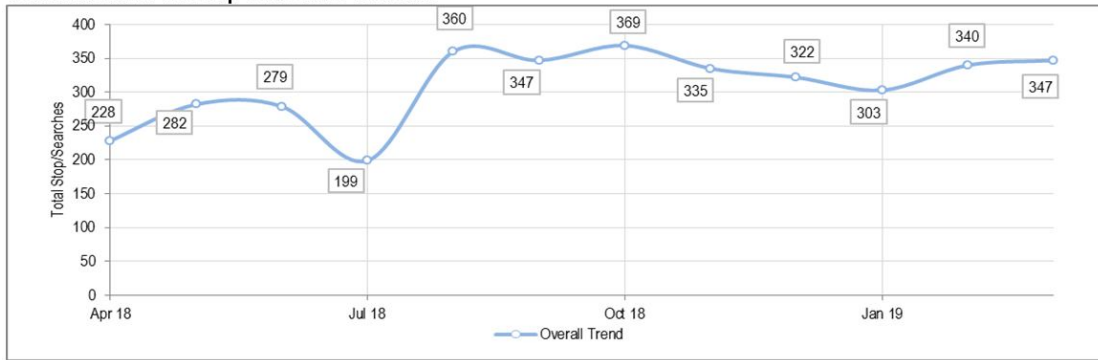
1. The purpose of this report is to provide an overview of the use of and scrutiny of Stop and Search powers in Leicester, Leicestershire and Rutland throughout the recording year 2018/19 (April 1st 2018 – March 31st 2019).

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 (BUSSS) and more latterly as a result of the increased national focus on Knife Crime.
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 on a monthly basis through 2018/19.

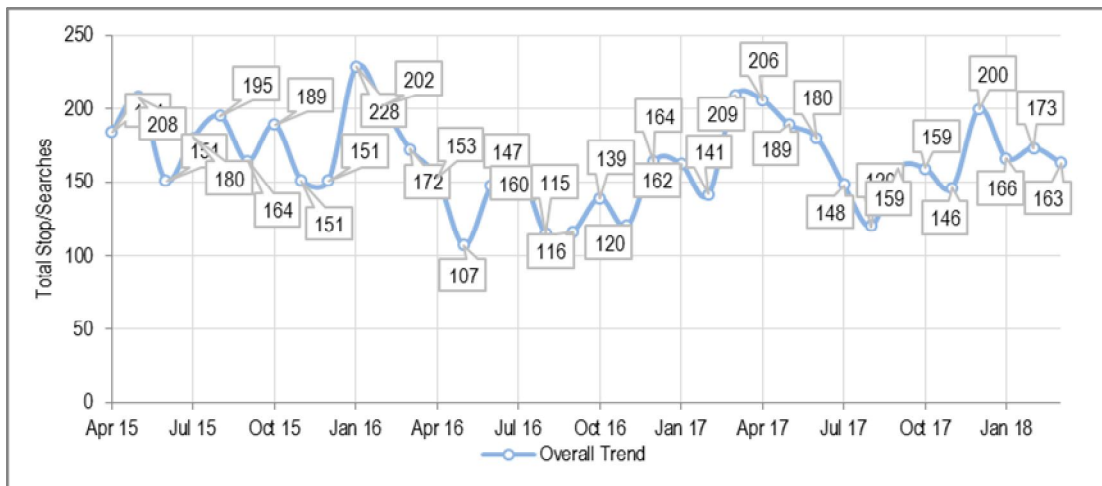
OFFICIAL

Total Number of Stop Searches 2018/19



5. During 2018/19 the force placed a significant focus on reinvigorating the use of appropriate and proportionate stop searches and as a result there has been a significant uplift in the volume of searches conducted to a monthly average of circa 300 – 350.
6. This is a significant contrast to the last 3 years where previous monthly averages were in the region of 150 as demonstrated by the chart below.

Monthly Stop Search Volumes April 2015 – March 2018

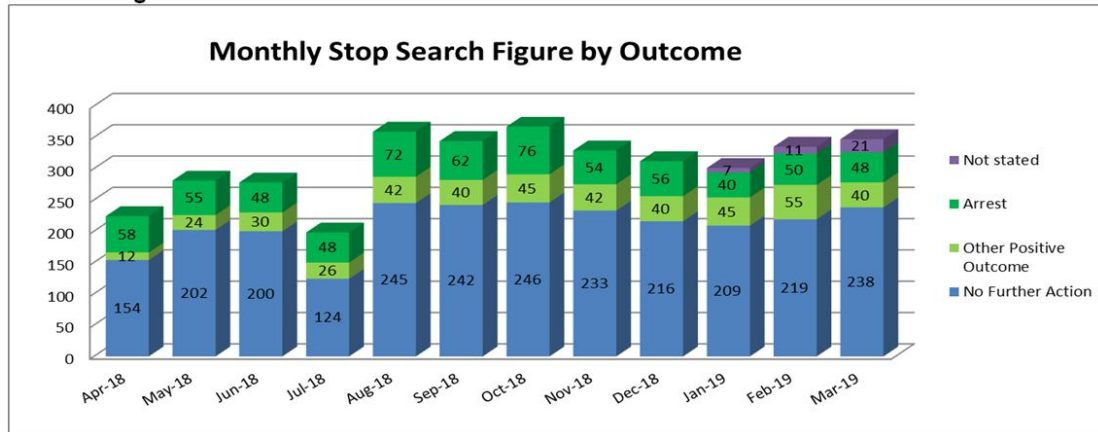


Monthly Outcome Rates 2018 - 2019

7. The chart below provides an overview of numerical positive outcome and arrest volumes during the recording year 2018/19.
8. Positive outcomes include arrest, local resolution, drugs possession warning, caution, penalty notice and summons.

OFFICIAL

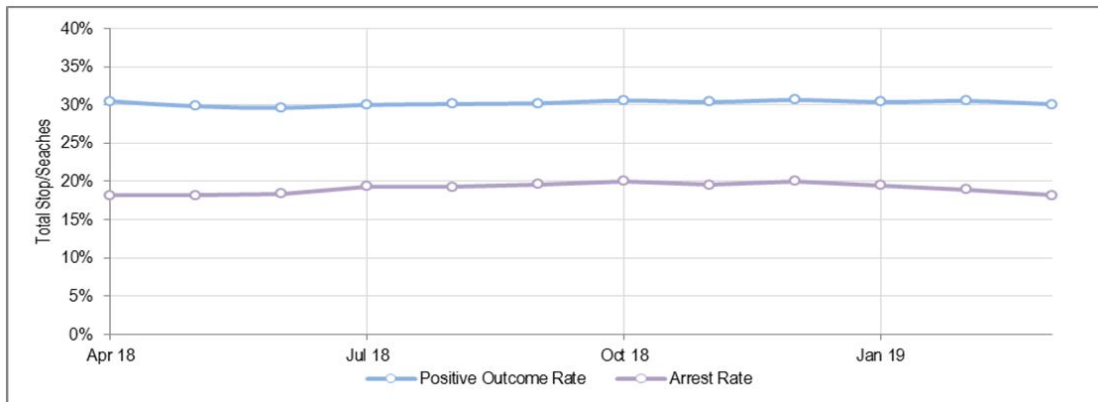
Headline Figures



NB the 'not stated' category is a result of changes made in January in the way in which Stop Search data is inputted into force systems. The force is seeking to address this.

- The chart below outlines the % outcome rates for both arrest and positive outcomes over the 2018/19 recording year. Since April 2018 the positive outcome rate has remained fairly constant fluctuating between 30% and 31%. The arrest rate for all people who have been stop searched continues to be in the region of 18% – 20%.

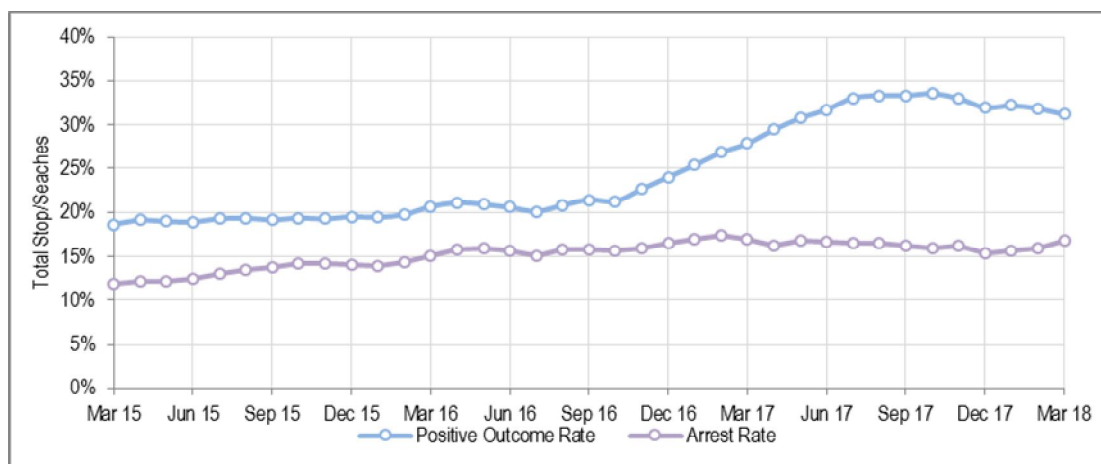
Positive Outcome and Arrest Rate 2018/19 – based on rolling 12 months data



- This demonstrates that despite the significant uplift in the volume of stop searches completed during 2018/19, our outcome and arrest rates have remained consistently high and in line with the increased outcome/arrest rates achieved during 2017/18 when the volume of stop searches were significantly lower. This is best demonstrated by viewing the historic stop search data below from 2015 – 2018 which shows that outcome rates significantly increased post September 2016 to a new 'norm' by July 2017 where they have remained to date.

OFFICIAL

Positive Outcome and Arrest Rates 2015 – 2018



Best Use of Stop and Search Scheme

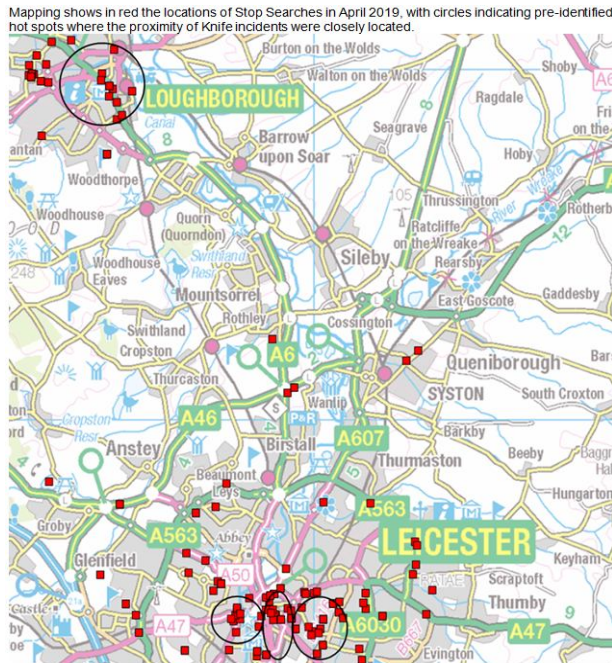
11. We are current members of the voluntary Best Use of Stop and Search Scheme (BUSSS 1.0) and are committed to delivering the requirements of any revised BUSSS 2.0 scheme should it be published.
12. We are currently driving activity to achieve compliance through the PILOT group (Police Intervention, 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 internal oversight and scrutiny on the use of coercive powers to include stop search, strip search, use of Taser and use of force (UOF).

Disproportionality

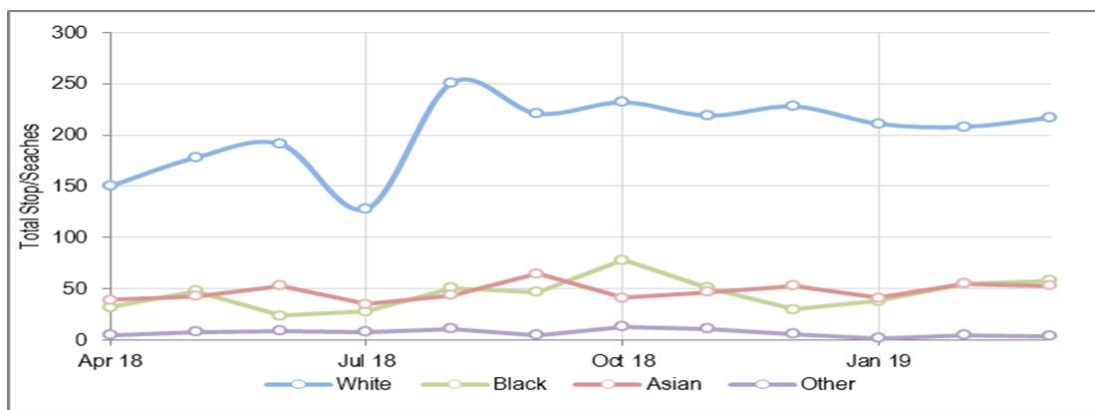
13. The PILOT group review stop search data from the previous three years and carry out careful analysis to determine any trends or patterns in the conduct of stop and search to include a wide range of factors such as the location, the officer involved, the ethnicity of the person searched and the outcome of the search. The PILOT group also review data in relation to the use of force, Taser and strip search in custody.
14. 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.
15. The 2017 race disparity audit reported that Leicestershire's disproportionality rates are well below the national average. There is an expectation that these figures will change and reduce disproportionality when the next census data is collected as we are currently basing figures on the 2011 census findings.
16. We recognise that there is still a disproportionality rate with a black person around 5.0 times more likely to be stopped than a white person. However our local knife crime profile reveals that a person who is black is 5.3 times more likely to be offender of knife crime and 2.5 times more likely to be a victim of knife crime. The same profile work has mapped those locations where serious violence and knife

OFFICIAL

crime is more prevalent than others. The example below, taken from a single month of stop search data (April 2019), shows a correlation between the violence hot spots and the use of stop and search powers. As the map shows such powers are most predominantly used in those areas where diversity is arguably the most prevalent. The 2011 census results showed that less than 50% of Leicester's population called themselves 'White British'.



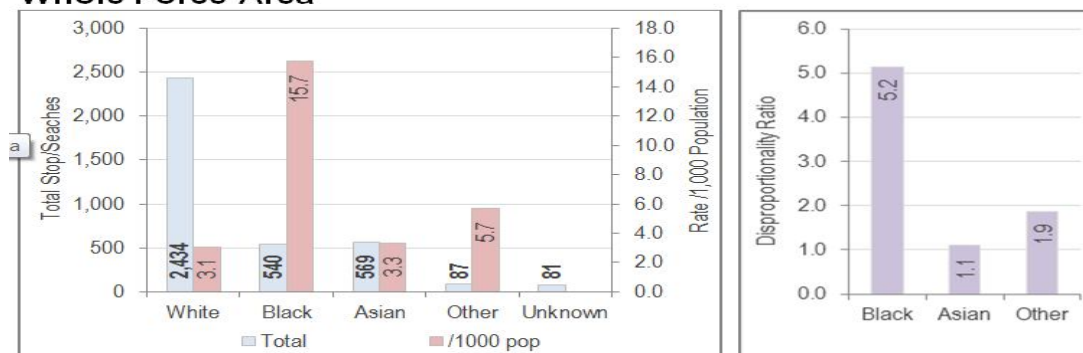
Monthly Volume by ethnicity April 2018 – March 2019



OFFICIAL

Disproportionality April 2018 – March 2019

Whole Force Area



Scrutiny of Powers

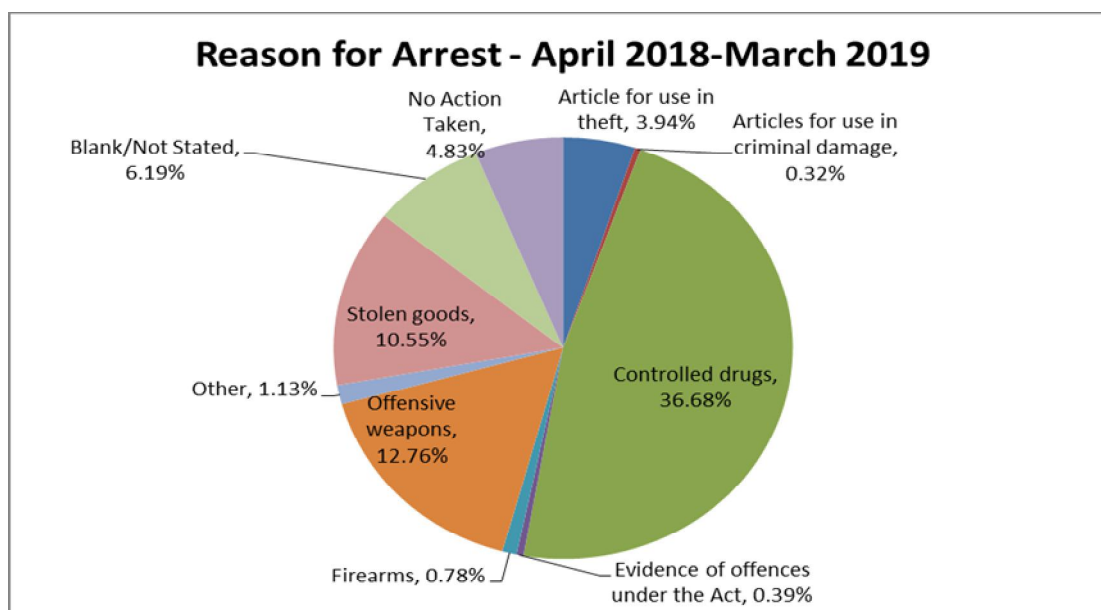
17. We hold a monthly Crime and Operations Effectiveness Board, chaired by the ACC, where data about the use of stop and search powers is presented and considered alongside a wider set of performance information about how the force treats people. The forces monthly PILOT group supports this strategic level meeting with an additional level of scrutiny on a range of coercive powers as outlined above. Further scrutiny is applied via the Race Religion and Belief steering group chaired by the DCC which examines disproportionality across a wealth of data to include stop search, staff recruitment and retention, staff grievances, progression etc. In addition reports on the use of stop and search are sent to both the OPCC Ethics, Integrity and Complaints Committee and the force Strategic Fairness and Equality Board chaired by the Chief Constable.
18. 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.
19. 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.
20. 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.

OFFICIAL

21. 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.
22. 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.

Reason for arrest

23. The chart below provides a summary of the reason for arrest between 1st April 2018 and 31st March 2019.



NB the 'not stated/No Action taken' categories are as a result of transitioning from our old stop search administrative input to PRONTO middleware solution in January. There has been an increase in the blank/not stated category and this is generally because the primary outcome (of the reason for the stop search) is no further action but there is a secondary outcome where something other than what was searched for is found or where the person was arrested for unrelated matters, for example wanted on warrant. The force is seeking to address this.

Body Worn Video

24. 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

25. 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.

OFFICIAL

26. We currently have 6 Lay observers that have gone through Force vetting and are available for deployment. The last deployment was at Leicester Train station in March 2019 as part of the Leicestershire Police's Operation Anvil activity (focus on knife crime). Although we have a good gender mix efforts are being made to increase the diversity of ethnicity and age within the group. The Force lead for Lay observers is starting a project with The Princes Trust and DPD logistics to identify future lay observers.

Publication of Data on Force Website and Research

27. Sections from the PILOT performance document are published monthly on the force website.
28. Working in partnership with the University of Leicester last year we recruited an intern to work solely on how stop and search was perceived by the public and by ethnic minorities. The intern was allowed access to Force systems and accompanied officers on dedicated Stop and Search Operations. The intern also designed and distributed several internal and external surveys around the perception of the use of stop search. The survey identified that over 60 % of respondents (public and Police officers) believed that Stop and Search was a positive power for the police although it did highlight that better explanation of why the powers are being used to both the individual and the wider public would be beneficial to the Police. This report helped to influence the redesign of the receipt that officers hand out during a Stop and Search encounter.

Training

29. 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 was 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.
30. In 2018 a Stop and Search input was given to all Patrol and Response Team officers as part of a rolling ten week training programme. This training input was less about the legislation and more about countering a number of myths around Stop and Search i.e. a belief that you could no longer search for cannabis and that the use of such powers often led to a complaint. The input also included an introduction to the Police Behavioural Detection System. The input was well received and was also extended to Special Constables.
31. 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.

OFFICIAL

HMICFRS findings

32. As part of the HMICFRS 2017 Legitimacy inspection of the force HMICFRS reviewed 200 stop and search records and found evidence of reasonable grounds being sufficiently recorded in 191 cases.
33. Following 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.'

34. During the HMICFRS 2018/19 Police effectiveness, efficiency and legitimacy inspection (PEEL) HMICFRS reported the following:

"we reviewed a representative sample of 163 stop and search records to assess the reasonableness of the recorded grounds. We found that 95 percent had reasonable grounds recorded. Our assessment is based on the grounds recorded on the record by the searching officer and not the grounds that existed at the time of the search."

35. In this same report HMICFRS also reported on progress made following recommendations made in their 2017 Legitimacy inspection:

In our 2017 legitimacy report, we recommended that all forces should:

- *monitor and analyse comprehensive stop and search data to understand reasons for disparities;*
- *take action on those; and*
- *publish the analysis and the action by July 2018.*

We found that the force has complied with most of this recommendation and is well placed to improve by publishing more analysis. It does monitor a comprehensive range of data, including the find rate of different types of searches. That find rate data should be extended to show disparities between people from different ethnicities.

The force carries out some analysis on drug searches, but it should develop that to encompass the prevalence of possession-only drug searches, distinguish find rates for drug possession and supply-type offences, and, the extent to which these align with local or force-level priorities.

OFFICIAL

36. It's clear from their findings that we are complying with much of what has been recommended but accept there is more we can do and will act on this during 2019/20.

Person to Contact

Insp 1863 Glen Icton, Tactical lead for Stop and Search
Tel: 0116248 2248
Email: glen.iceton@leicestershire.pnn.police.uk

Chief Supt. Adam Streets, Strategic Lead for Stop and Search
Tel: 0116 248 2222
Email: adam.streets@leicestershire.pnn.police.uk