

COMMISSIONERS INDEPENDENT SCRUTINY REPORT

Stop Search - Disproportionality

25 May 2023

Scrutiny Panel:	STOP SEARCH
Members:	<p>Paula Stanton Andrew Cowen La Toya De Freitas Julie O'Connor Matthew Round Geraint Lang</p> <p>Also Attending: Chief Inspector Mark Barlow – Force Lead Arjun Jabbal – HMICFRS Michelle Ryan - SCO</p>
Purpose:	<p>To scrutinise and challenge the Disproportionality reports from the LPT Commanders in the top six Local Policing Areas where disproportionality rates are highest in the Force (over 3.0). The LPT Commanders were responding to annual figures from a report run for the period of 01 November 2021 to 31 October 2022.</p> <p>The Panel were provided with the six reports and the data set. The panel met prior to the Scrutiny date to review the data and prepare questions for the Force Lead on Stop Search, Chief Inspector Mark Barlow, who attended the Scrutiny Meeting on 25 May 2023.</p> <p>Chief Inspector Barlow explained that for each report a number of statistics had been detailed. This included:</p> <ul style="list-style-type: none"> • All searches originally initiated by Officers • All searches initiated due to recent Force intelligence. • All searches initiated by recent public information. • Review of the grounds provided for the searches. • Review of person searched and if linked to Organised Crime Groups (OCG)/ County Lines. <p>The panel were asked to consider: -</p> <ul style="list-style-type: none"> • The reason why the Stop Search was conducted (grounds)



- Is there evidence that Staffs Police sufficiently recording reasonable grounds
- Is there sufficient evidence of organised crime activity within the County
- Is there sufficient evidence that LPT Commanders understand why disproportionality is occurring at these levels in these areas

It was acknowledged by all again that the disproportionality figures that they were scrutinising were against the 2011 Census figures.

Panel Findings:

The report shows the following analysis:

The reasons for Stop Search in the six LPT's were as follows:

- Officer Initiated- 33%
- Intel Initiated- 28%
- Public Information Initiated- 39%

The percentage of searches where the grounds were found as sufficient were -

- Sufficient grounds recorded for Stop Search- 88%

The percentage of searches that were suspected as linked to County Lines/ OCG activity-

- Stop Search linked to County Lines/ OCG activity- 17%

The panel reviewed the reports and the data set and the following issues were raised:

- 1. Full information on Stop Searches for the time period indicated has been provided to the panel. Can the Chief Inspector confirm that all Stop Search incidents reported are on the spreadsheet? Panel members have asked whether any data is removed due to internal investigations?**

It was confirmed that all incidents for searches of people from ethnic minority backgrounds had been included on the spreadsheet. Names of individuals had been redacted.

- 2. A Panel member has asked at what point and using what criteria does a stop (say for a traffic offence) lead to a Stop Search - picking up from Insp. Norbury's comments, where he says "many stop searches conducted following enquiries relating to road traffic offence". So, a stop and account turns into a stop (i.e. detaining a person at the roadside say for the purposes of a search...)**

The panel were informed that all grounds for stops and those that lead to stop search should be recorded. It was acknowledged that officers need to ensure that their grounds for all stop search are clear when recorded. The review by supervisors should highlight when officers are not recording



correctly or indicating enough information to ensure reasonable grounds. If the supervisor identifies that there were not sufficient grounds for a Stop Search, the supervisor will speak to the officer concerned and reiterate what is deemed acceptable. If a trend develops further action can be taken in terms of mentoring/ shadowing/ further training. It is mandatory within the Force that all Stop Searches have a review.

3. *Is there any way of identifying from the spreadsheet how may Stop Searches were Officer led and how many were Intel led?*

The information is provided on the report from the LPT Commander.

4. *Concern was raised that the figures in the Disproportionality Report sent out seem to indicate a drop in the number of Stop Searches for all areas. Can Chief Inspector Barlow clarify why this may be?*

The panel were informed that there is a national trend in reducing number of Stop Searches. It appears that Stop Searches had decreased by 25% nationally. It was felt that the reactive demand on officers meant that there was less time to spend on pro-active policing including Stop Search. This is currently being addressed by the Force. The panel were informed that Staffordshire currently had a positive outcome rate of 32% compared to national figures of 29%.

5. *Members were interested in whether the individuals listed on the people from ethnic minority backgrounds report had been stopped more than once in the same 12-month period. Can this information be provided at the Scrutiny?*

The information can and will be provided. Commanders do receive a monthly list indicating individuals who have been stopped on their areas more than once. This enables the LPT Commander to ensure that such individuals have been referred to partnership agencies. The panel agreed that it would be interesting to see whether these individuals had been stopped due to either Officer initiated searches, Public Information initiated or Intelligence led. Care should be taken that the data reflect that an individual is stopped more than once and that it is not a case of one incident and a number of Officers submitting the same Stop Search information for one individual which can happen and can skew the data.

ACTION: Panel to be provided with data on next review indicating the number of individuals stopped more than once in this period and whether the stop was due to Officer/ Public/ Intel information and the grounds for that stop.

6. *Members were interested in how many of those on the people from ethnic minority backgrounds report reside outside of Staffordshire. The same question was asked last year and the Force indicated that detainees under Stop Search are not legally required to give their addresses. What percentage of people from ethnic minority*



backgrounds detainees do give their addresses and is there a report that could identify those that live in Staffordshire and those that do not?

Panel members were reminded that detainees were not obliged to provide their addresses under Stop Search. This made it difficult in identifying whether individuals stopped were from within Staffordshire or outside of the County.

ACTION: To find out if it is possible for a future report of Stop Search incidents to contain details of where individuals had given their addresses, how many had been out of county.

7. In the Commanders reports there is reference that the reason that disproportionality is at the level it is, is due to the people being stopped being from outside of the area. If there is no record of the addresses for Stop Search, how can the Commanders state that this is fact?

The panel were informed that sometimes the address is given. The panel felt that it was presumptuous for the Commander to indicate this in the report if there weren't the facts to substantiate this. Where no address was given the Commander used police intelligence to establish if the person was a resident of Staffordshire.

8. Who reviews whether the grounds for stop search are reasonable? What action is taken if the grounds are deemed not to be reasonable? It was interesting to note that in some areas the scrutiny of these grounds appeared more rigorous.

The panel asked how the additional support given to officers who had not indicated sufficient reasonable grounds was evaluated. The panel were informed that the monthly reviews by supervisors helped as did the external audit and inspection by HMICFRS. Chief Inspector Barlow also indicated that the Force were currently introducing Stop Search Champions for each LPT areas who would act as mentors. In addition, all Stop Search records are reviewed by a supervisor before being filed.

9. Is there an update on the work with Keele University around Disproportionality?

The work was still ongoing. Chief Inspector John Owen was the lead on this. It was agreed that Chief Inspector Owen would be invited to give an overview of the research project to the Panel.

ACTION: Chief Inspector Owen to be invited to give an overview of Keele University Research project work on Stop Search and Disproportionality.

10. Do the Force maintain information on the ethnicity of individuals associated with County Lines?

The panel would welcome a report also as part of the regular Stop Search review/ CISP (not just people from ethnic minority backgrounds) to see what percentage of stop searches were identified as being related to



County Line/ OCGs. Consideration will be given to providing this data in future reports.

ACTION: Report to be provided to the Panel to see what percentage were thought to be linked to County Lines/ OCG.

11. It was noted from the reports that the number of stops relating to County Lines/ OCGs was higher in Tamworth and Cannock. What is the reason for this?

A comprehensive response could not be given and the panel agreed that there was insufficient detail within the report to substantiate some of the statements made by the commanders. Further details regarding this can be provided to the panel upon request.

12. Is information provided by public information verified / cross referenced with police held intelligence?

It will depend on a case by case basis and how the officer has/ is conducting the search. If they have cross referenced then this should be included as part of the explanation for their reasonable grounds.

13. It was noted that recruitment of new officers had increased significantly. Had this impacted on Stop Search rates and the quality of searches?

This has yet to be determined. There has been an uplift of officers recruited in the last couple of years. These are at various stages of their training period. New officers are allocated Tutor officers and also undertake Stop Search training by Officer Personal Safety Training. New officers are allocated to areas dependent on demand profiles for each area teams.

14. The panel would be interested in the number of complaints regarding Stop Search and the ethnicity of the complainants if recorded?

The number of complaints are monitored and analysed at the Stop Search Working Group which is held every three months. The group consists of representatives from Diversity & Equalities team; Operations Training team; Neighbourhood and Response Teams/ Analysts/ Staff Representatives and Professional Standards Team. The data can be shared to the group.

15. The panel asked if police intelligence is graded/ categorised in terms of its authenticity and accuracy and at what level does it have to be categorised as being relevant for 'reasonable grounds'?

Yes – Each piece of intelligence is graded. The Knowledge Hub/ Intelligence Unit assess each piece of intelligence and grade it accordingly. Intelligence needs to be recent and relevant. Officers need to ensure that this is the case when indicating their reasonable grounds.



Recommendations:

The Panel has requested the following Actions:

ACTION: Panel to be provided with data indicating the number of individuals stopped more than once in this period and whether the stop was due to Officer/ Public/ Intel information and the grounds for that stop.

ACTION: To find out if it is possible for a report of Stop Search incidents where individuals had given their addresses, how many had been out of county.

ACTION: Chief Inspector Owen to be invited to give an overview of Keele University Research project work on Stop Search and Disproportionality.

ACTION: Report to be provided to the Panel to see what percentage of stops within this report were thought to be linked to County Lines/ OCG.

ACTION: Report to be provided of formal complaints on Stop Search, broken down into ethnicity. A representative from Professional Standards to attend and give some clarification and explanation of the figures.

The Recommendations:

1. The panel felt that there was insufficient detail on some of the Commanders reports and that they varied from area to area in content and detail. The recommendation is made that a Report Template be developed which clearly indicates what is to be included in the report and that the facts/ data have to be clear to substantiate any claims made e.g. 'our disproportionality rate is high due to high numbers of out of county individuals being stopped'.
2. The panel felt that the additional information requested post scrutiny should be provided as part of the information bundle for the next scrutiny on Disproportionality. This includes:
 - Individuals stopped more than once in the period
 - Where individuals had given their home address, how many of these were out of the County
 - Whether the individuals were suspected to be part of an OCG/ County Lines
 - Total number of formal complaints for the period and percentage of these complaints from people from ethnic minority backgrounds.
 - Comparative data for previous 3 years to be provided. The panel recognised that the data next year will be using 2021 Census data.



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Force Lead Response:

Staffordshire Police would like to thank the CISP members for their time and commitment to reviewing the activities of Staffordshire Police. Staffordshire Police believes the report gives a real insight into Stop Search and its effects on people from minority ethnic communities. The Force accepts the above findings and eagerly anticipates working with the CISP on future scrutiny reports.