

COMMISSIONERS INDEPENDENT SCRUTINY REPORT

Stop Search - Disproportionality

10 May 2022

Scrutiny Panel:	STOP AND SEARCH
Members:	Peter Emery – Chair Pat Alker Darren Bisbey Paula Stanton Mohamed Parekh
Purpose:	<p>To scrutinise and challenge the Disproportionality reports from the NPT Commanders in the top five Neighbourhood Areas where disproportionality rates are highest in the Force. The NPT Commanders were responding to annual figures from a report run for the period of 01 November 2020 to 31 October 2021.</p> <p>The Panel were provided with the five reports and the data set. The Panel requested additional information prior to the scrutiny. 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 10 May 2022.</p>
Panel Findings:	<p>The panel reviewed the reports and the data set and the following issues were raised:</p> <ol style="list-style-type: none"> 1. Concern was raised that the figures in the Disproportionality Report sent out do not match the figures used in the NPT Commanders reports. An example was in the Cannock NPT report where it was indicating 44 BAME (Black, Asian and Minority Ethnicity) searches but the report indicates 53. It was explained to the panel that the data set they had received had been a later version which meant that the data had been validated and previous anomalies had been corrected. It was noted that the rerun data set was six months later than the original data set viewed by the NPT Commanders. It was acknowledged that this issue would not arise again in the future. 2. Members were interested in whether the individuals listed on the BAME report had been stopped more than once in the same 12-month period. The panel were advised that it is possible to run a report that would indicate this. However, this would involve a bespoke report being configured and there had been insufficient time from the pre-meeting to the main meeting to



obtain this. The panel recommends that this type of report would be useful as a standard report in future scrutiny of disproportionality within Stop Searches. The panel would like to see this report once it has been configured.

3. Panel members had requested how many of those on the BAME report resided outside of Staffordshire.

The Force have indicated that when someone is stop and searched they do not have to give any details, name address etc. Generally, the only address that would be recorded is the location of the stop. So unfortunately, unless the individuals were arrested there would be no address given and therefore unable to respond to this question. The panel suggested that it would be a useful report for those who had been arrested as a result from Stop Search.

4. There is a reference in the NPT report from South Staffs to Operation Jackal and Operation Anadrome. Can Chief Inspector Barlow clarify what these Operations refer to?

Operation Jackal is for car key theft in a domestic burglary predominately in South Staffordshire area.

Operation Anadrome is for stolen catalyst converters in cars.

5. Chief Inspector Barlow was asked whether a senior Officer reviews that there were sufficient grounds for a Stop Search?

Chief Inspector Barlow confirmed that for each stop search incident recorded on NICHE, it is now mandated, as a Force, that a supervisor reviews that stop search before it is filed. Part of the checks undertaken includes whether the grounds for the stop search are sufficient and reasonable.

6. It was noted on the BAME Report that a number of strip searches were undertaken and therefore no Body Worn Video available. Eighteen appear to have been undertaken outside of the custody environment. Should strip searches be undertaken in custody?

All stop searches should be done in a private place. This is normally a police station or in custody. Domestic houses are allowed to be used given the room is safe and private.

A supervisor is to be informed of a strip search and there should be 2 officers of the same sex of the detainee to carry out the strip search. If a child/ young person is to be strip searched, an Appropriate Adult should be present.

All searches must be carried out in two halves, where the top half is being searched the bottom half is still dressed and vice versa. Body worn video is not to visually record the search but it is recommended that the body worn video is left in a suitable place to record the audio only. This is highly regulated area and online training is available which covers strip search.

The panel indicated they had some concerns about the venues of the strip search. Chief Inspector Barlow will clarify where the strip searches on the report actually took place and get back to the panel.



7. The reports from the NPT Commanders are not consistent and don't appear to indicate what the Force strategy is to deal with the levels of disproportionality and what outcomes are to be achieved. Chief Inspector Barlow was asked to clarify.

Chief Inspector Barlow indicated that the NPT Commanders had only been asked to review the searches in terms of a) reason for Stop Search b) sufficient grounds given c) linked to organised crime groups or County Lines. NPT commanders were also asked to give a narrative for the level of disproportionality. They had not been asked to indicate the strategy or plans to reduce in their reports. The panel were concerned that there was a lack of consistency in the reports as to why disproportionality was higher in certain areas and suggested that a framework to be used may be of some value in supporting Commanders in ensuring that the reports offer some effective information.

The panel also felt that feedback on how these reports are assisting in the development of a strategy to deal with disproportionality would be useful. Chief Inspector Barlow indicated that training on unconscious bias is being rolled out to all officers. The Stop Search Working Group, who meet quarterly, were also looking at disproportionality and reviewing the rates for each area.

The panel also indicated that the availability of data, that would support and assist officers in explaining their disproportionality rates, seemed to be non-standard and this was surprising.

The panel felt that the Force needed to consider the data sets required to support effective review.

8. The panel were aware of work being undertaken by Keele University into the disproportionality rates in Staffordshire and the Chief Inspector was asked to update the panel on the progress.

The panel were informed that this project an ongoing research project and was being overseen by Assistant Chief Constable Jenny Mattinson and supported by Chief Inspector John Owen, who is the Force Lead on Disproportionality. It is expected that it will be many months before this research project is concluded.

9. The Moorlands NPT report refers to ensuring the officers at Moorlands have completed their NCALT training in Stop Search. The panel requested on update on this.

Chief Inspector Barlow indicated that NCALT training is on line training packages and are mandated nationally. In addition, there are on line training packages tailored to Staffordshire that covers a number of areas including unconscious bias, vulnerability, reasonable grounds and also Supervisor training covering all aspects of stop search. Regular reports are produced to check the compliance rates for Officers in this training. This will highlight officers who have not yet undertaken the training and this information will be



shared with supervisors to ensure that officers complete within a reasonable timeframe.

10. The panel asked whether the Force maintained information on the ethnicity of individuals associated with County Lines?

The panel were informed that this information is kept and that a report could be run based on intelligence records. Officers were briefed on personnel associated with County Lines to assist in those investigations and descriptions and photos circulated during briefings.

11. The panel were aware that the College of Policing had indicated that the average Positive Outcome rate was 20% and yet, according to their report, Cannock NPT had a positive outcome rate of 47%. Chief Inspector Barlow was asked what he felt contributed to this high level of positive outcomes?

Chief Inspector Barlow indicated that he had recently asked the Commander for some clarity but had yet to receive a response. Staffordshire, as a Force has a positive outcome rate of 32% which is above the national average.

12. The Chief Inspector clarified that there are three main grounds for a Stop Search. These were:

- Public report
- Intelligence Driven
- Self-initiated – this is often the areas where ensuring cognisance of unconscious bias is most important and that the grounds are reasonable.

Recommendations:

The panel recommend the following:

1. The Disproportionality Reports requested of the NPT Commanders should follow a framework and structure which will ensure that all reports are comprehensive, consistent and effective in explaining the high disproportionality rate in the area.
2. The Force need to consider the availability of relevant data sets as standard reports in order to assist and support a future strategy. It was disappointing that the information was not available as a standard report.
3. The panel recommended that a report indicating those from the BAME community who had been stopped more than once in the relevant time period should be produced.
4. The panel would like to know what the Force intends to do to address the high disproportionality rates. An update from the Force Lead in Disproportionality would be welcome.
5. The panel would like to undertake this scrutiny again at the end of the year and closer to when the Force intends to run the same exercise again.

Force Lead Response:

As Force Tactical Lead for Stop Search I would like to thank the Commissioner's Independent Scrutiny Panel (CISP) members for their time and contribution to this process. Staffordshire Police is committed to increasing openness and transparency in how it engages with local communities. This is particularly important in the area of disproportionality. This report is the first of its kind for Staffordshire Police and looks to improve our performance in the area of Stop Search.

Upon reviewing the panel's findings, I would like to add the following:

1. Future reviews of this nature will capture data from a set date. This data will then be released to both Neighbourhood Policing Commanders and CISP members simultaneously to ensure consistency.
2. The views of CISP members will be sought before producing data sets for any subsequent reviews. This may include information regarding persons searched on more than one occasion and appropriately redacted addresses for those arrested as a result of Stop Search.
3. As above.
4. No comment required.
5. The Force is committed to improving the recorded reasonable grounds of Stop Searches. This has led to the Force mandating that every Stop Search is reviewed by the appropriate supervisor. The Force continues to review compliancy rates in this area as its ongoing commitment to raise standards.
6. A review of the listed strip searches is ongoing and the CISP members will be provided with a report when complete. In addition, Staffordshire Police will provide further training to officers in this area to ensure compliance with the Codes of Practice.
7. The views of CISP members will be sought before producing data sets for any subsequent reviews. In addition, CISP members will be consulted in the creation of the terms of reference provided to NPT Commanders.
8. Staffordshire Police is funding a doctoral research degree (PHD) to examine disproportionality. In addition, the Force has recently commissioned and received some detailed analysis around disproportionality. This encompasses a number of areas including Stop Search and will move the Force into a stronger position on being able to "change or explain" levels of disproportionality.
9. Full details of any implemented training packages will be released to CISP members on request along with the associated completion rates.
10. No comment required.
11. The positive outcome rate for Cannock NPT has now reduced and is more in line with the Force average. There is no obvious reason for this high positive outcome rate which has been confirmed by NPT Deputy



Commander Inspector Christopher Moss. Such patterns and trends are monitored by the quarterly Stop Search Working Group and referred for closer examination if needed.

12. No Comment required.

The recommendations of the panel shall be actioned as follows:

1. The views of CISP members will be sought before producing data sets for any subsequent reviews. In addition, CISP members will be consulted in the creation of the terms of reference provided to NPT Commanders.
2. The Force will develop any report that will assist and support future strategy.
3. As above.
4. The Force now has a cross directorate internal and external plan to address disproportionality. However, it was felt that first and foremost there was a need to truly understand the data. This has resulted in changes to national systems (NICHE). There is now automated analysis on the Force's performance management system, The BRAIN, which shows levels of disproportionality across a number of areas. This allows the Force to continually drive down disproportionality through evidenced based practices. In addition, Staffordshire Police is currently being inspected by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) regarding the Force's performance in this area. This inspection will give clear guidance as to the Force's current progress.
5. The force is committed to completing further reviews in conjunction with the CISP.

I would again like to thank to CISP members for their continued dedication and assistance in improving the performance of Staffordshire Police.