

STOP & SEARCH SCRUTINY REVIEW REPORT

2020

Safer Neighbourhood Panel

Tamworth

Date of Scrutiny: 22nd October 2020

Scrutiny Review Team:

This scrutiny has been completed by Susan Westwick (panel vice-chair) David Fern (panel member) and Peter Emery (panel chair) all of whom have completed the stop search training programme.

Working Title:

Stop & Search Scrutiny Report - Tamworth

Reason for Scrutiny:

To meet the requirement of the Staffordshire Police, Fire & Rescue and Crime Commissioner, that Stop & Search is reviewed annually by all Safer Neighbourhood Panels with particular emphasis this year into the disproportionate percentage of incidents involving the Black, Asian and Ethnic Minority Communities (BAME) in Tamworth, as well as confirming compliance with Stop and Search protocols of GOWISELY:

G - **Grounds** for the search

O - **Object** of search (to find drugs, offensive weapons, stolen goods etc.

W - **Warrant** show Warrant card if not in uniform

I - **Identity** of officer, name and number

S - **Station** of the officer

E - **Entitlement** of the suspect to a copy of the search record

L - **Legal** power used to carry out the search

Y - **You** are detained for the purpose of a search

Background:

Scrutiny of data for Stop and Search to Sep 2020 shows that there has been a fall of 7% in the number of Stop Searches carried out in the last 12 months. This year there have been 402 occurrences compared with 430 for the previous year. The greatest number was conducted in January 2020 with the fewest being in August 2020. The number of searches with positive outcomes increased to 43% in the last 12 months compared to 36% the previous year. There were more arrests from the searches undertaken 24% compared with 17% the previous year. There was a similar percentage (10%) dealt with by community resolution as last year.



The majority of Stop Searches involved subjects from the 18-24 age group. The ethnicity of 65% of those Stop Searched is designated White, 8% Asian, 5% Black, 2% Chinese / Other, 3% Mixed with 17% recorded as unknown. In the previous 12 months 70% of subjects were from a White background with 4% being from an Asian background. Other groupings were similar to the current year.

Data for this year shows the number of BAME Searches per 1000 has increased to 34.1 from 23.9. The Local Police Team has been questioning the reasons for this when the 2011 Census Population for the BAME Community is 2052 and 74,761 categorised as White. With 70 searches this year involving BAME subjects and 260 involving White subjects the BAME searches per 1000 at 34.1 is the highest in Staffordshire. The Disproportionate rate for the last 12 months has risen to 9.8 from 5.9 the previous year despite the number of Stop Searches reducing by 7% in the last 12 months. The scrutiny team was shown a document produced by the Local Police Team detailing that many of the suspects searched had addresses outside the Tamworth area. From the sample seen this could be one reason for the disproportionality in the Tamworth Stop & Search figures. This finding indicates that the "County Lines" activities in Tamworth require further investigation by the Local Police Team.

Occurrences used to complete the scrutiny taken at random by the scrutiny team from all Stop and Search occurrences in Tamworth from 8 April 2020 to 6 October 2020 (131 occurrences) were:

Scrutiny 1 – 21200014436

Scrutiny 2 – 21200036532

Scrutiny 3 – 21200043509

Scrutiny 1:

The first Stop and Search incident related to a 20 year old male of British Asian nationality. The suspect had been stopped under the Misuse of Drugs Act. The encounter had resulted from witness observing a male of a similar description to the one stopped at the rear of their property in some bushes. Other young people had been observed approaching and communicating with him and frequent mobile phone use. The witness suspected illegal drug activity. The panel reviewed the System Tasking Operational Resource Management records (STORM) which confirmed the activities of the suspect.

The suspect was stopped by uniform officers nearby and an initial search took place where an unusually high amount of pound coins and other cash were found. The search was correctly undertaken and administered utilising the GOWISELY principles. The officer conducting the search was professional, assertive and efficient. The suspect remained compliant during the procedure.

The suspect was then taken to the nearby police office for a full search. There was no video available for any of the procedure at the police office. The suspect was released following the full search.



Scrutiny 2:

The second Stop and Search incident involved two white suspects who had been reported by the general public as having threatened others with a handgun. Descriptions of the two suspects were reported to the police and an Armed Response Unit was dispatched. After a short time two people matching the descriptions were seen and apprehended by the armed officers. The suspects 22 and 19 years of age were restrained using handcuffs and a search of both was carried out.

From the original descriptions given by the general public the two suspects were male. Once detained it was established that one was female.

The search was carried out professionally and in line with the GOWISELY protocols, but no weapon was found. An imitation gun was later found in the vicinity by search dogs and the two suspects arrested and charged under the Firearms Act 1968.

Scrutiny 3:

The third Stop and Search incident scrutinised was conducted by response officers on patrol on the 17/08/2020 at 5:15pm. It involved the search of a motor vehicle and driver after Automatic Number Plate Recognition (ANPR) alerted there were markers for the vehicle. Prior to the stop checks indicated that the vehicle was insured to a female driver. The police officers stopped the male driver in a car park at Ventura Park, Tamworth explaining the reason for the stop.

The driver was asked for his name and if he had any ID with him. The driver was a 25 year old White European and provided his driving licence saying that he had passed his driving test in Lithuania. The police officer was not convinced that the licence was a genuine document and confirmed that the driver was able to understand English as he asked him about the licence and spoke about his concerns. A female passenger in the car also provided some translation to the driver.

Remaining unconvinced that the Driving Licence was genuine and seeing a glass jar containing what he believed to be cannabis in the vehicle the police officer conducted a roadside drug test. A search was then carried out of the vehicle. The officer provided his name, grounds for the search and that the driver was entitled to a copy of the search record. Video evidence confirms that GOWISELY requirements were met.

The drug test gave a positive result, and the driver was arrested for this and the fraudulent driving licence.



Review of Findings:

There were no findings to record.

Questions were asked by the scrutiny panel to the Neighbourhood Police Team Commander and his 2nd in Command on the searching of a suspect by the opposite sex as occurred in scrutiny 2. It was confirmed that in carrying out a search the risk element is included in the officer's decision-making process. Ideally searches would be carried out by the same sex as the suspect, but where a firearm is involved in the incident then to safeguard the public, the suspect and the police carrying out a Stop and Search in this way is totally acceptable and legal. The Scrutiny Team were satisfied with these explanations.

Conclusions:

The Scrutiny team would like to thank the Neighbourhood Police Team for their support in allowing us to carry out this scrutiny whilst observing the COVID 19 restrictions.

The professionalism of the officers seen in these scrutinies is commendable.

The availability of Body Worn Videos (BWV) and the quality of the footage from both BWV and helmet cams was particularly good.

Recommendations:

Further to the comments regarding the high disproportionality figures in Tamworth. We would recommend that further investigation is carried out by the Neighbourhood Police Team to establish the addresses, gender and ethnicity of suspects searched to establish proof that the disproportionality in BAME and White searches is due to suspects coming into Tamworth from other areas. The scrutiny team fully supports this recommendation and if required would offer assistance in carrying out the recommendation.

NPT Commander Report Feedback:

Firstly I would like to thank Tamworth SNP, for continuing to perform a role through the COVID pandemic. Scrutiny of stop and search is critical to ensure we remain relevant in our policing style and tone, especially when Tamworth shows a clear disproportionality in stop and search.

The questions posed from the panel with regards to Scrutiny has been welcomed, it has provided an opportunity to discuss public perception measured against risk and harm posed to the individuals. In review we discussed the severity of the incident and the risk posed to the community and officers. This was balanced against the availability of a suitable resource and the immediacy to neutralise the reported threat, on this occasion a firearm. No issues raised are in breach of any codes of practice or PACE requirements.

I have noted the recommendations set by the SNP, with regards to the high disproportionality figures in Tamworth. We recognise it is easy to assume that this



will always remain due to the 'County Lines' activities, however I need to ensure that unconscious bias does not play a negative part. As a leadership team we are aware of our requirement to maintain scrutiny and have regular discussions and awareness sessions aimed at the team to ensure positive messages and awareness within colleagues. Surveys have been forwarded to all person encountered by Police in Tamworth between March and July. This has provided a detailed account for the persons being stopped perspective. This did identify that we also need to consider unconscious bias in the person being stopped, especially those from BAME demographics. We need to consider that is may have been affected by an increase in press activity following BLM protest. We are training officers to be sensitive and fully explain the justification and reasons for the stop. I welcome further discussion surrounding support and assistance from the SNP with regards this recommendation.

SCO Response:

A thorough and in-depth scrutiny at the level of Stop Searches in the Tamworth NPT. The element of disproportionality contained in this report will be raised with the SCO Disproportionality Lead to enable discussion and insight in this area. It is good to see the professionalism and adherence to process of the NPT officers in conducting Stop Searches.

Thanks to the panel and the NPT for continuing to undertake scrutiny reviews in these challenging times