

Committee(s):	Date:
Police Professional Standards and Integrity Committee	26 th November 2020
Subject: IOPC Review into Stop and Search, Report on the Metropolitan Police Service	Public
Report of: Commissioner of Police Pol 82-20	For Information
Report author: Head of Strategic Development, City of London Police	

Summary

On the 28th October 2020, the Independent Office for Police Complaints (IOPC) published the results of a review conducted in respect of the Metropolitan Police Service (MPS) relating to their use of stop and search. The review made 11 recommendations, all of which were accepted by the MPS.

Whilst not directly applicable to the City of London Police, the Force has nonetheless conducted its own assessment of its position against each of the recommendations, with the results of that assessment provided here for Members' information and assurance.

It is also worth noting that in an HMICFRS PEEL review completed in February 2020 where 252 Stop and Search conducted by City of London Police Officers were examined, HMICFRS found that 94% had grounds that were considered to be reasonable. This includes drugs searches as well as Section 1 PACE searches of the stops.

Members are asked to note the report.

Main Report

Current Position

1. The IOPC recently completed five investigations involving the stop and search of Black men by MPS officers and reviewed the collective evidence gathered to consider disproportionality, legitimacy and how force was used. The results of that review were published on the 28th October 2020, with the following principal finding:
 - (i) The legitimacy of stop and searches was being undermined by:
 - a lack of understanding about the impact of disproportionality;
 - poor communication;
 - consistent use of force over seeking cooperation;

- the failure to use body-worn video from the outset of contact; and
 - continuing to seek further evidence after the initial grounds for the stop and search were unfounded.
2. The IOPC noted that whilst stop and search is a necessary tool in policing, it has to be used with care and only in the right circumstances. Used incorrectly, it can harm community relations and public confidence in policing. The review also noted a disproportionate use of handcuffs when other de-escalation tactics could have been used, and an inconsistent use of body worn video.
 3. The IOPC liaised with a number of organisations, including “Y-Stop” and “Stopwatch”, a range of stop and search Scrutiny Panel Chairs (including the Pan-London Chair), and its own Youth Panel before making the learning recommendations detailed below.
 4. Eleven opportunities for the MPS to improve the way it exercises stop and search powers and consider disproportionality, have been recommended by the IOPC, they are:
 - (i) taking steps to ensure that their officers better understand how their use of stop and search powers impacts individuals from groups that are disproportionately affected by those powers
 - (ii) ensuring there is a structure in place so leaders and supervisors are proactively monitoring and supervising the use of stop and search powers and addressing any concerning trends or patterns/ sharing any identified good practice at; individual, unit or organisational level
 - (iii) taking steps to ensure that assumptions, stereotypes and bias (conscious or unconscious) are not informing or affecting officer’s decision making when carrying out stop and searches, especially when using these powers on people from Black communities
 - (iv) ensuring officers are not relying on the smell of cannabis alone when deciding to stop and search someone and use grounds based upon multiple objective factors
 - (v) ensuring officers carrying out stop and searches always use the principles of GOWISELY¹ and engage in respectful, meaningful conversations with the persons being stopped

¹ To maximise the person’s understanding before starting the search, officers exercising stop and search powers must adopt the following steps in accordance with GOWISELY:

- identify themselves to the person
- show their warrant card if not in uniform
- identify their police station
- tell the person that they are being detained for the purpose of a search
- explain the grounds for the search (or authorisation in the case of section 60 searches)
- explain the object and purpose of the search
- state the legal power they are using
- inform the person that they are entitled to a copy of the search record and explain how this may be obtained.

- (vi) ensuring stop and search training incorporates a section on de-escalation, including the roles of supervisors and colleagues in controlling the situation and providing effective challenge
 - (vii) ensuring officers exercising stop and search powers are ending the encounters once their suspicion has been allayed, in a manner that minimises impact and dissatisfaction, unless there are further genuine and reasonable grounds for continued suspicion
 - (viii) ensuring officers exercising stop and search powers are not using restraint/handcuffs as a matter of routine and are only using these tools when reasonable, proportionate and necessary
 - (ix) amending stop and search records to include a question about whether any kind of force has been used. The records should also state where information about the kind of force will be recorded
 - (x) ensuring officers are following APP and MPS policy and switching on their body-worn video camera early enough to capture the entirety of a stop and search interaction
 - (xi) supervisors taking a proactive role in monitoring and ensuring compliance with body-worn video APP and MPS policy.
5. The MPS accepted all of the recommendations.
 6. The Force has conducted its own review against the recommendations, the results of which are attached at Appendix 1.
 7. It is also worth noting that in an HMICFRS PEEL review completed in February 2020 where 252 Stop and Search conducted by City of London Police Officers were examined, HMICFRS found that 94% of our records have grounds considered reasonable. This includes drugs searches as well as Section 1 PACE searches of the stops.

Stuart Phoenix
Head of Strategic Development

T: 020 7601 2213

E: Stuart.Phoenix@cityoflondon.pnn.police.uk

