

Committee(s): Police	Date(s): 15 th February 2013
Subject: Stop and Search- Review by NPIA of ‘Next Steps’ initiative	Public
Report of: Commissioner of Police POL 11/13	For Information
<p style="text-align: center;"><u>Summary</u></p> <p>In 2007, responsibility for developing practice in stop and search passed from the Home Office to the National Policing Improvement Agency (NPIA). The NPIA Next Steps initiative, which launched in late 2009, provided some helpful principles and policies which, if effectively implemented, would help to bring down rates of disproportionality in stop and search.</p> <p>Next Steps was designed to secure good practice which was intelligence-based and underpinned by community confidence and support. It included measures to combat non-recording, analysis of trends down to local level, including individual officer patterns, and reinforcement of training messages (for example what constitutes and does not constitute ‘reasonable grounds for suspicion’) and information from analysis at daily briefings.</p> <p>City of London Police (CoLP) implemented the Next Steps initiative as part of the national roll out in April 2012 and a review of the implementation of the initiative was conducted by the NPIA in November 2012 over a five day period.</p> <p>Overall the findings were extremely positive and the review team found good evidence that the power is used legitimately, accountably and effectively. It was noted by the review team that residents make up only 2% of those stopped in the City, which meant that it was not possible to baseline a resident population figure to calculate disproportionality. It was also noted that 65% of those stopped in the City are non resident in the UK. The review team were particularly complimentary of the Forces efforts to commission independent work to ensure that it does not use the power disproportionately. Additionally, the review team were very impressed by the high quality of the training package used by the Force, remarking that it should be regarded as the epitome of national good practice.</p> <p>Areas for further consideration included the Force’s conversion rate from stop</p>	

to arrest which is currently showing 8% in published figures. It has been found that this is largely due to how the information is recorded and this is being addressed. Secondly, the review team found that there appears to be a disproportionately high complaint rate for stop and account. However, they acknowledge that this may be influenced by the stops for possible hostile reconnaissance (Operation Lightening), which they accept is specific to the local environment of the City with the threat from terrorism and concluded that it is an appropriate and effective use of the power.

Recommendations

It is recommended that this report be received and its content noted.

Main Report

Background

1. In 2007, responsibility for developing practice in stop and search passed from the Home Office to the National Policing Improvement Agency (NPIA). The NPIA Next Steps initiative, which launched in late 2009, provided some helpful principles and policies which it was felt, if effectively implemented, would help to bring down rates of disproportionality in stop and search.
2. Next Steps was designed to secure practice which was intelligence-based and underpinned by community confidence and support. Among other measures it included the allocation of specific roles for officers at key ranks and positions, measures to combat non-recording, analysis of trends down to local level, including individual officer patterns, and reinforcement of training messages (for example what constitutes and does not constitute 'reasonable grounds for suspicion') and information from analysis at daily briefings. 'Next Steps' had a scheduled roll out to forces, with central quality control, instead of its full or partial introduction being left to chief officers' discretion.

Next Steps:

- argued that disproportionality which cannot be accounted for, shows that the power, is not being used efficiently or effectively

- set out to improve community confidence and stated categorically that no stop and search should be undertaken without specific reasonable grounds and no stops/searches should be undertaken to meet performance targets
 - emphasised the need for recording, including information which if given to a responsible third party, would satisfy them that reasonable grounds were present
 - also noted that targeting stop and search in areas where crime rates are low and where there is high disproportionality, suggests that the power is being used unfairly, inefficiently and wasting public money
 - called for guidance on reasonable suspicion in specific circumstances and ensured that suspect descriptions are sufficiently precise to ensure that racial profiling is not taking place
 - recommended a whole range of managerial and other responses including the proactive involvement of communities through Community Policing initiatives, and proactive marketing of the Association of Police Authorities' Know Your Rights leaflet.
3. The Commission for Equality and Human Rights fully supported the aims and recommendations of the Next Steps initiative and called for its full implementation in forces across the country. City of London Police implemented the Next Steps initiative as part of the national roll out in April 2012.

Current Position

4. The NPIA conducted a review of the Next Steps initiative in Forces and the review process commenced in the City of London on the 19th November 2012.
5. The review took five days and included the following:
- Data analysis
 - Staff briefings
 - Daily management meeting
 - Daily briefing meeting
 - Focus group discussions with Constables and Sergeants
 - Structured interviews with:
 - Intelligence unit
 - Training Unit

- Performance lead
- Diversity lead
- Partnership lead
- Neighbourhood Policing
- BCU Commander
- Police Committee Lead
- Force professional standards

Review Findings

6. The following key points were raised by the NPIA team at the conclusion of the review:

- There is no evidence of a disproportionate use of Stop and Search in the City of London
- There is strong evidence that the power is used:
 - Legitimately – in accordance with PACE
 - Accountably – the power is used to meet the needs of the local community
 - Effectively - there is a demonstrable link between its use and the tasking/briefing process
- There is evidence that the power is used efficiently with analysis showing a 24% arrest rate however this figure does not match data in the public domain which shows an arrest rate of 8%. (*Currently up to 12.5%, however is likely to be as high as 24% due to an issue with recording stop and searches on the relevant system*).

7. In comparison with other police forces the data highlights two striking anomalies:

- There is a high use of the power to search for cannabis
- There is a low complaint rate for Stop and Search but a relatively high complaint rate for Stop and Account

8. Because the resident population account for only 2% of those stopped and searched in the City, it is not possible to establish a baseline resident population figure to calculate disproportionality. Additionally, figures showed that 65% of those stopped and searched are not residents in the UK. The review team noted CoLPs extensive attempts to use the “available street population” to establish a proportion baseline and the

academic reports which have been commissioned by the Force to identify any disproportionality in the application of stop and search.

9. The Next Steps team have recommended that CoLP do not pursue any further work in this area as there is strong consistent evidence that the use of the power is not discriminatory. It recommends that any future work looks at individual officers to ensure they are using the power appropriately, as opposed to institutional monitoring.
10. The team concluded that stop and search is regarded as a valuable tool which officers are encouraged, but not compelled to use. There was extensive praise from the team in relation to the linkages between the application of the power and the tasking and briefing systems. In addition, the Inspection team were very impressed by the high quality of the training package used by the City of London Police, remarking that the Force should be regarded as the epitome of national good practice.

Areas for consideration

11. There were, however a couple of points for CoLP to consider to guarantee the continued high standards of application of the legislation and ensure that the Force is capturing the right data to demonstrate this.
12. Firstly, the Force's current conversion rate to arrest is shown at a very low figure of 8%, however the Force Performance Information Unit carried out some extensive work recently to establish the proportion of arrests arising from searches which did not generate a form 386 (stop and search form). It is important to note that the requirement to generate a form 386, for those persons actually arrested following a search, was removed by the changes made under the Crime and Security Act 2012. Because of the way the relevant system is designed, it is very difficult to record and extrapolate this information in a single consistent method, which has necessitated many long hours of manual checks in order to establish the correct figures. The report indicates that the true conversion rate figure could be as high as 24%, which is far above the national average and demonstrates the importance of the Force finding a solution to capture and extract this information accurately in the future.
13. The Force is in the process of reviewing the records affected and obtaining manual search records for the missing data. A medium term solution is being sought through the system providers.

14. Secondly, the report noted that the Force appears to have a disproportionately high complaint rate for stop and account; however examination of the data concludes that the majority of stops relate to 'Operation Lightning' where Officers question members of the public in relation to potential hostile reconnaissance in relation to terrorism. The activity is driven through force tasking and in some cases, as a result of concerns raised to the Police by city businesses. The review team concluded that the stops were legitimate and in line with the needs of the *local* community in the City of London.
15. The report noted that whilst the Force has a high focus on searching for drugs, namely cannabis, this is generally as a result of Automatic Number Plate Recognition (ANPR) activations and entry point policing activity, where vehicles are stopped and officers smell cannabis within the vehicle. The team concluded that it is an appropriate and effective use of the power.
16. The Force is in the process of setting up an external community scrutiny group in order to provide a really objective look at the work of individual officers and their application of the relevant stop and search powers. The review team welcomed this as an example of excellent innovation.
17. A copy of this report was sent to the Lead Member for EDHR for information and the report of the Next Steps review team is attached at Appendix A.

Conclusion

18. In conclusion, the results of the review were extremely positive for an area of policing which nationally, is often fairly controversial.

Appendices

Appendix A- Report by NPIA on Next Steps Review for City of London Police.

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