

Committee(s): Professional Standards and Integrity Committee	Dated: 8 February 2023
Subject: Q3 Stop and Search and Use of Force Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1- People are Safe and Feel Safe
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Commissioner of Police Pol 30-23	For Information
Report author: Superintendent Bill Duffy, Head of City Police Task Force & Head of Contact; Head of Sector & Response Policing	

Summary

This report covers Q3 of FY 22/23.

The use of Stop/Search powers, and the Use of Force, remains broadly in line with the established trends previously reported to the Committee last meeting.

There have been 526 stop searches during the reporting period. This led to 178 arrests.

Taser use remains in established trends. There were 28 uses of Taser recorded this period, including 1 discharged, and no uses involving Juveniles.

There have been no Section 60 Stop Searches conducted in this quarter.

There have been no juvenile strip searches conducted in this quarter.

19 Strip searches conducted (84% Misuse of Drugs Act)

32 Juveniles stop search (69% Going Equipped or Offensive Weapon)

763 'Use of force' forms completed (68% involved arrest)

Recommendation

Members are asked to note the report.

Main Report

Background

1. This is the Police's routine report to inform members of the overarching trends relating to the use of Stop/Search powers and the Use of Force by officers. A full data pack is attached to the report at Appendix 1. The report provides an overview of the key trends, and an analysis of key aspects of the use of these powers.

Current Position – Stop Search

2. Over quarter 3 of FY 22/23, the force conducted 526 Stop/Searches, leading to 178 arrests. Overall, the positive outcome rate for this period was 44%. This compares to 613 stop/searches in the same period in FY 21/22 (down 14%)
3. Over the same comparator period the positive outcome rate was lower at 37%, whilst the number of arrests was lower at 154 (a change of - 13%). Members are reminded that positive outcome is recorded where there is a positive outcome following the search: this can include finding the object of the search; finding another prohibited item which was not the object of the search; or arrest (directly linked to the search or for other offences) (this is not an exhaustive list). As such, the positive outcome rate will always vary from the arrest or find rates.
4. There have been no searches conducted under s.60 authorities over this reporting period and no s.60 authorities have been granted. This compared to 0 search conducted in the same period in FY 21/22 (conducted in the MPS force area under an MPS authority).
5. Over this reporting period 32 juveniles (<10-17yrs>) have been searched. Of these, the majority (69%) were searched for going equipped, possession of a weapon (including 3 for possession of a firearm) or stolen property: 31% were searched for drugs. In contrast, in the adult population the majority of searches were conducted for drugs (59%), with 15% of the population being searched for going equipped etc. This is in line with the established trend, which sees the majority of searches overall being conducted for drugs, but within the juvenile cohort the main reason for searches being offensive weapons and going equipped.
6. For the current reporting period, the disproportionality for black members of the community was 2.02 (compared to 2.95 in the comparator period). This is within the established trend of between 1.9 and 2.5 over the preceding two years. Of black individuals stopped, the majority (62.9%) were searched for drugs, which is broadly in line with the adult population as a whole, whilst 37.1% were searched for going equipped etc., which is slightly higher than the adult population as a whole. However, this does represent an increase on the same period last year, where 53% of black individuals stopped were searched for drugs, with a 40% positive outcome rate (and 29% arrested). In contrast for this reporting period there was a 53% positive outcome rate (and 29% where arrested). More black members of the community were stopped in this reporting period 62 compared to the previous year (56).
7. For Asian individuals, the disproportionality has decreased from 1.2 in the comparator period to 0.7 in this reporting period. The majority of Asian individuals

searched (82%) where searched for drugs, which is at odds with the adult population as a whole. However, when searches leading to arrests are considered in isolation, the disproportionality for Asian individuals falls to 0.7.

8. Searches under s.23 of the Misuse of Drugs Act continue to account for the majority of stop/searches, in line with the established trend. Searches under this power have an average positive outcome rate, with items being found in 48% of searches (drugs being found in 41% of searches and other items in 5%).
9. **Strip Searches.** Members are reminded that stop/search legislation affords power to require the removal of different levels of clothing. For searches conducted on the street, only 'JOG' items (jacket, outer-garment, gloves) maybe removed. If more than 'JOG' items are removed, then the search constitutes a 'strip search' and must be recorded as such. There are two levels of strip search. A 'more thorough search' which can involve the removal of more than JOG items but not require the removal of underwear. A more thorough search must be conducted out of public view (this can include inside a police vehicle). If underwear is removed, this constitutes an 'intimate parts exposed' search. Such a search may only be conducted in a police station.
10. Force policy is that a supervisor must be consulted and agree with the search (under legislation they are only required to be informed). Juveniles may be strip searched, but although there are no additional legislative bars which must be cleared to conduct such a search, in practise for it to be proportionate the grounds for such a search must be significant and robust, and recorded as such. When a juvenile is subject to any degree of strip search an appropriate adult should be present unless there is an overwhelming reason to conduct the search in their absence (for example, suspecting that the subject is concealing a weapon with the intention to hurt themselves or another person).
11. As set out in our Q4 FY21/22 report, we will report on Strip/Searches in each of our reports to this committee.
12. Over this reporting period we conducted 19 strip searches, of which 1 constituted a more thorough search and 18 an intimate parts exposed search (this compares to 29 in the comparator reporting period, of which 2 where more through searches and 27 intimate parts exposed).
13. The majority (84%) of strip searches were conducted under Misuse of Drugs Act powers, with 3 being conducted where the subject was thought to be going equipped or in possession of stolen goods.
14. Strip Searches may also be conducted in Custody, under separate powers within the Police and Criminal Evidence Act 1984. These are not conducted under Stop/Search powers, and are not recorded within Stop/Search statistics, or covered by this report.
15. **Juvenile Strip Search.** No under 18s were strip searched in this reporting period. As previously reported to the Committee, we will provide detail of any U18 strip searches in this report in future.

16. **Dip Sampling.** The Force introduced a revised Standard Operating Procedure for the dip sampling of Stop/Search records in November 2021. As previously reported to this Committee, after an initial bedding in period in Nov and Dec 21, the new process became fully established from Jan 22. The Force aims to achieve a 10-20% dip sampling rate, which is in addition to the 100% supervision of all Stop/Search and Use of Force reports by frontline supervisors. In addition to this, the Independent Advisory and Scrutiny Group (IASG) independently reviews a sample of stop/search record (and associated Use of Force records) each month, averaging approximately an 8-9% sampling rate. In November 2022 we introduced a further layer of review, with IASG members reviewed the Body Worn Video (BWV) recordings of two of the records they had previously dip sampled. This process will continue over the coming months, and we will report to the committee once it has fully bedded in and there is sufficient data to provide an analysis of any trends emerging from this work.
17. Over the year to date (as at 31 Jan 23) the Force has recorded 2382 Stop/Searches, and we have internally dip sampled 168 of this: a sample rate of 7.05%. For Q3, we recorded 526 Stop/Searches and reviewed through dip sampling 62, giving a sampling rate of 12%.
18. The proportionate split between s23 Misuse of Drugs Act and s1 Police and Criminal Evidence Act records sampled is broadly in line with the split over the cohort as a whole (as set out above).
19. In Jun 22 we introduced a change in the dip sampling process, requiring supervisors to rate each record they reviewed on a scale from 1 to 10. The scale is set out below. This change was introduced mid-month, so complete records for reviews against this new scale are only available for Q2 onwards.
- a. **1 – Poor.** Very poor record or unlawful use of power.
 - b. **2-4 – Areas for significant improvement.** Serious omissions or errors with the conduct of the search.
 - c. **5 – Satisfactory.** Search was conducted lawfully, and record is complete.
 - d. **6 – Good.** Search is conducted lawfully, record is complete, and officer acted in a professional manner.
 - e. **7-9 – Very Good.** Search is conducted lawfully, record is complete and accurate, and officer demonstrates very good professional standards, such as how they communicate with the subject, the respect shown the subject or their ability to de-escalate a situation.
 - f. **10 – Excellent.** An exemplar of how to conduct a Stop/Search in all respects which could be used for training purposes with new recruits.
20. For Q3 FY22/23, 3.6% of records reviewed scored 5 or above (168 records), 16% of records reviewed scored 6, 55% scored Very Good and 7.7% scored Excellent.

21. Of the 10 records which failed to meet the standard, one record was scored as 1, and 9 records scored 4.
22. The record which scored 1 was reviewed by the first and second-line manager. The officer received refresher training, has a stop search mentor and all stop searches are supervised.

Current Position – Use of Force

23. Over this reporting period, a total of 763 uses of force were recorded, compared to 851 over the same period last year, decrease of 10%. In this reporting period, 68% of uses of force involved arrests, compared to 64% in the same period last year, and handcuffing remains the largest single use of force by a large margin.
24. Over this reporting period, batons have been used once (1) and no police dogs been deployed. A total of 2 officers were injured in incidents involving the use of force, 15 officers were assaulted but received no injuries (10 in Q3 FY 21/22), and 14 subjects were injured as a result of the use of force (17 in Q3 FY 21/22): 1 resulting in a referral to PSD. This complaint was reviewed and dealt with by local management within Local Policing and the resolution accepted by the complainant.
25. Force remains most used against male subject (90% this reporting period compared to 75% in the comparable period FY21/22).
26. Disproportionality for Asian subjects in use of force has changed at 0.70 this reporting period from 1.21 in the comparator period. For black individuals, the disproportionality has fallen from 2.95 in the comparator period to 2.02 in this reporting period. The proportion of use of force incidents involving black subjects leading to arrest is approximately the same as the population as a whole (68%). Similarly, the likelihood of taser being used is broadly higher: 5.5 % for black subjects, 3.6% for the population as a whole.
27. **Taser.** Over the reporting period the Force recorded 28 uses of Taser, and 1 taser discharge. This compares to 28 in the comparator period, with no discharges. Committee members are reminded that a use of a taser is recorded whenever an officer draws it from the holster, aims it, activates the laser 'red dot' sighting system or draws a subject's attention to the device with an "Arc Display" (showing the arching of electricity across the front of the device). Firing, or discharge, is recorded separately.
28. Of these 28 Taser incidents, none involved Juveniles –

Conclusion

29. Both Use of Force and Stop Search remain, largely, in line with established trends.

Appendices

Appendix 1- Data pack

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Superintendent

Force lead for Stop/Search and Use of Force