

<b>Committee(s):</b> Professional Standards and Integrity Committee	<b>Dated:</b> 15 September 2023
<b>Subject:</b> Q1 Stop and Search and Use of Force 2023-24	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1- People are safe and feel safe
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N/A</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Commissioner of Police Pol 94-23	<b>For Information</b>
<b>Report author:</b> Superintendent Bill Duffy, Head of City Police Task Force & Head of Contact; Head of Sector & Response Policing	

### Summary

This report covers Q1 of FY 23/24.

In this reporting period there have been 634 Stop searches with the positive outcome rate for this period 36%. (MPS 27.81%, BTP 15.34%)

65 searches were conducted outside the Force area.

There were 0 juvenile strip searches during the reporting period.

There were 21 uses of Taser recorded this period, including 3 discharged, in the same period the previous year there were 21 uses of Taser with no discharges.

2 Taser incidents involved juveniles. Taser was not discharged but, in both cases, red dot<sup>1</sup> used.

There have been 0 searches conducted under Section 60<sup>2</sup> authority over this reporting period and no Section 60 authorities have been granted.

There have been two complaints related to stop searches.

1.The complainant is dissatisfied that his vehicle was seized when he had insurance and he could prove it wasn't a stolen vehicle – Complaint finalised

2.The complainant is dissatisfied that he was subject of a stop & search – Ongoing

<sup>1</sup> Red-dotted/dotting - The weapon is not fired. Instead, the Taser is deliberately aimed and then partially activated so that a laser red dot is placed onto the subject.

<sup>2</sup> Section 60 of the Criminal Justice and Public Order Act 1994 allows Police Officers to Stop and Search a person, without suspicion and without reasonable grounds. [Criminal Justice and Public Order Act 1994 \(legislation.gov.uk\)](https://legislation.gov.uk)

There are 6 *ongoing* complaints in relation to use of force from Q1:

1. Complainant alleges when officers took the complainant down, they used excessive force.
2. Complainant alleged that armed officers pointed guns at children who were present in the complainant's house when officers were conducting a search.
3. The complainant alleges his Article 3 ECHR has been contravened as he has suffered torture due to the handcuffs causing him pain and bruising.
4. The complainant is dissatisfied that handcuffs were used when he was arrested.
5. The complainant is dissatisfied that they were arrested and detained in handcuffs on suspicion of sexual assault at their place of work at a City Hotel.
6. Complainant alleges they witnessed an officer using force on a detainee in the back of a police van which appeared to be excessive.

**City of London Police has also conducted a review of a full year of Stop Search for July 2022- June 30 2023 with key findings below:**

#### **Key Findings (Appendix 1)**

- Between July 2022 and June 2023 there were 2,335 Stop and Searches carried out by CoLP. This represents a 6% reduction compared to the previous year (July 2021 to June 2022, n=2,479).
- The arrest rate (29%) has improved compared to previous year (25%)
- Drugs stops continue to be the most common type of stop as seen in previous years (56%).
- There were 271 stops for offensive weapons, a 32% increase compared to the previous year. In total 26 weapons were found, including 6 firearms.
- The most common locations for stops were Bishopsgate, Cheapside, London Wall and Liverpool Street.
- A significant minority (18%) of stops occurred on MPS (Metropolitan Police Service) ground. These were typically in areas bordering the city.
- Most stops took place between Wednesday and Saturday between 13:00 and 00:59.

- The ethnic group most stopped and searched was white, both in terms of perceived (52%) and self-defined ethnicity (53%)
- Levels of disproportionality have increased slightly for Black individuals (from 1.9 to 2.0) and have decreased substantially for Asian individuals (from 1.3 to 0.8).
- Most people stopped were between the ages of 18 and 34 years old (71%)
- There were 196 stops of under 18s, including 2 stops of 12-year-old boys The 2 stops involving the 12-year-old boys have been reviewed and no issues in this case. Negative search with No Further Action outcome. (1 believed in possession of a knife 1 believed to be in possession of stolen articles)
- There were 41 arrests of juveniles giving an arrest rate of 21%
- There were 63 full strip searches this year. Objects were found in 41 (65%) of them and 35 arrests were made (56%)
- The overall positive outcome rate was 40% This is in line with outcome rates consistently over the last 3 years.

## Main Report

### Current Position – Stop Search.

1. Over quarter 1 of FY 23/24 (1st April to 30<sup>th</sup> June 2023), the force conducted 634 Stop/Searches, leading to 163 arrests. Overall, the positive outcome rate for this period was 36%. This compares to 561 stop/searches in the same period in FY 22/23 (down -11%).
2. Over the same comparator period the positive outcome rate was higher 43%, and the number of arrests higher with 171 arrests (a change of 4%).
3. In the adult population most searches were conducted for drugs (43%), with 13% of the population being searched for going equipped etc. This is in line with the established trend, which sees most searches overall being conducted for drugs, but within the juvenile cohort the main reason for searches being offensive weapons and going equipped.
4. Although the time periods are not directly comparable, latest data available for the MPS and BTP has been used to give a comparison.
5. Between January 2023 and April 2023, the MPS, conducted 56,490 stop and searches, 15,709 (27.81%) had a police outcome, and 40,781 (72.19%) had no further action taken.  
Between January 2023 and June 2023, the British Transport Police has conducted 7,691 stop and searches, 1,180 (15.34%) had a police outcome, and 6,504 (84.57%) had no further action taken. For 7 (0.09%), the outcome was not collected.
6. For City of London Police, 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 22/23.
7. Over this reporting period 16 juveniles (<10-17yrs>) have been searched. Of these, the majority 31% were searched for drugs. In contrast, in the adult population most searches were conducted for drugs 49%, with 12% of the population being searched for going equipped. This is in line with the established trend, which sees most searches overall being conducted for drugs, but within the juvenile cohort the main reason for searches being offensive weapons and going equipped.
8. For the current reporting period, the disproportionality for black members of the community was 2.0 (compared to 2.7 in the comparator period). This is within the established trend of between 1.9 and 2.5 over the preceding two years.
9. Of Black individuals stopped, the majority (46.17%) were searched for drugs, which is broadly in line with the adult population, whilst 15% were searched for going equipped etc., which is slightly higher than the adult population. However, this does stand for a decrease on the same period last year, where 55% of black individuals stopped were searched for drugs, with a 37% positive outcome rate (and 30% arrested). In contrast for this reporting period there was a 47% positive outcome

rate (and 33% where arrested). Slightly fewer black members of the community were stopped in this reporting period 53 compared to the previous year (62).

10. For Asian individuals, the disproportionality has decreased from 1.2 in the comparator period to 1.0 in this reporting period. Most Asian individuals searched (72%) were searched for drugs, which is at odds with the adult population.
11. Searches under s.23 of the Misuse of Drugs Act continue to account for most 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%).
12. **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) may be 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.
13. 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 practice 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).
14. As set out in our Q4 FY21/22 report, we will report on Strip/Searches in each of our reports to this committee.
15. Over this reporting period we conducted 10 strip searches, of which 1 constituted a more thorough search and 9 an intimate parts exposed search (this compares to 20 in the comparator reporting period, of which 3 were more thorough searches and 17 intimate parts exposed).
16. The majority of strip searches (8) were conducted under Misuse of Drugs Act powers, with 1 being conducted where the subject was thought to be going equipped or in possession of stolen goods.
17. 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.

18. **Juvenile Strip Search.** No under 18s were strip searched in this reporting period. As previously reported to the Committee, we will supply detail of any U18 strip searches in this report in future.
19. **Dip Sampling.** The Force introduced a revised Standard Operating Procedure for the dip sampling of Stop/Search records in November 2021.
20. 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.
- 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.
21. Over this reporting period the force has recorded 634 Stop/Searches, and we have internally dip sampled 11 of these: a sample rate of 1.73%. This lower rate can be attributed to times spent developing the new process.
22. For Q1 FY23/24, of records reviewed 1 scored 5 or above, the other 10 records reviewed scored 7 and above.

#### **IASG (Independent Advisory and Scrutiny Group) DIP Sampling:**

23. IASG continue to dip sample Stop / Search and use of force forms, in this period they have reviewed 45, from that one officer has been reminded about the activation of BWV (Body Worn Video) and the input of data now includes identification of an incident to link the search.

#### **University East London (UEL) Student Scrutiny:**

24. First attendance from UEL students on 27<sup>th</sup> of April start of the collaboration with the City of London Police, students scrutinizing COLP (City of London Police) Stop and Search.
25. Second attendance from UEL students on 7<sup>th</sup> of June- as part of continuing collaboration with City of London Police • reviewed Stop// Search BWV footage video which included a Taser challenge, group discussions outlined police information, police actions and group views captured.

26. Next date for UEL students' attendance as part of continuing collaboration with the City of London Police is the 27<sup>th</sup> of September.

### **Current Position – Use of Force**

27. Over this reporting period, a total of 850 uses of force were recorded, compared to 691 over the same period last year, increase of 19%. In this reporting period, 36% of uses of force involved arrests, compared to 41% in the same period last year, and handcuffing remains the largest single use of force by a large margin.

28. Over this reporting period, batons have been used 2 times and police dogs been deployed (2). A total of 11 officers were injured in incidents involving the use of force, (7 in Q1 22-23) and 16 subjects were injured because of the use of force (17 in Q1 22/23).

29. Force remains most used against male subject (84% this reporting period compared to 80% in the comparable period FY22/23).

30. 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 (68%). Similarly, the likelihood of taser being used is broadly higher: 5.5 % for black subjects, 3.6% for the population.

31. **Taser.** Over the reporting period the Force recorded 21 uses of Taser, and 3 taser discharge. This compares to 21 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.

32. Of these 21 Taser incidents, 2 involved Juveniles. Taser was available at the scene but never red dotted/ fired. This incident has been reviewed and neither juvenile was involved in the incident where they were present at the scene. The taser interaction did not involve the juveniles.

### **Conclusion**

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

### **Appendices:**

(1) Review of Stop & Search Year July 2022-June 2023

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