

Committee(s): Professional Standards and Integrity Committee	Dated: 7 th November 2023
Subject: Q2 Stop and Search and Use of Force 2023-24	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 115-23	For Discussion
Report author: Superintendent Bill Duffy, Head of City Police Task Force & Head of Contact; Head of Sector & Response Policing	

Summary

This report covers Q2 of FY 23/24.

In this reporting period there have been 723 Stop searches with the positive outcome rate for this period 35%.

125 searches were conducted outside the Force area. These searches have been attributed to public order deployments outside City of London.

There were 0 juvenile strip searches during the reporting period.

There were 39 uses of Taser recorded this period, with none discharged. In the same period the previous year there were 28 uses of Taser with no discharges.

2 Taser incidents involved juveniles. Taser was not discharged but, in both cases, red dot¹ used.

There have been 44 searches conducted under Section 60² authority over this reporting period (Notting Hill Carnival)

There are 0 live complaints related to stop searches.

There are 4 live complaints in relation to use of force.

¹ **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.

² 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)

The City of London Police continue to work with University of East London, the university has now agreed to conduct academic research on disproportionality

The IASG continue to dip sample Stop Search and Use of Force forms. A date is being arranged for review of BWV clips.

HMICFRS attended the CoLP Stop Search Use of Force scrutiny group, feedback on content and structure was positive.

The MPS is implementing a Pan London Stop and Search Charter. CoLP and BTP are engaged, and now working on a collaborative position.

Main Report

Current Position – Stop Search.

1. Over quarter 2 of FY 23/24 (1st July to 30th September 2023), the force conducted 723 Stop/Searches, leading to 173 arrests. Overall, the positive outcome rate for this period was 35%. This compares to 604 stop/searches leading to 154 arrests in the same period in FY 22/23. (11% decrease in arrests)
2. In the adult population most searches were conducted for drugs (42.46%), with 17% 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 going equipped and drugs.
3. For City of London Police, there have been 44 searches conducted under s.60 authorities over this reporting period and s.60 authorities have been granted. This compared to 0 search conducted in the same period in FY 22/23. All these section 60 searches have been conducted outside the force area. These were conducted during Public Order deployments at the Notting Hill Carnival. The section 60 was based on information and intelligence of gangs entering the footprint with weapons.
4. Over this reporting period 65 juveniles (<10-17yrs>) have been searched, data shows this spike is in line with the deployments of Public Order officers to Notting Hill Carnival and spontaneous disorder at an event within the City.
5. Of these juvenile searches, the majority 26% were searched for going equipped. In contrast, in the adult population most searches were conducted for drugs 40%, with 14% 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 going equipped and possession of drugs.
6. For the current reporting period, the disproportionality for black members of the community was 2.4 (compared to 2.6 in the comparator period). This is within the established trend of between 1.9 and 2.5 over the preceding two years and is a reduction on Q1.
7. To understand disproportionality within CoLP the force has approached University of East London to conduct academic research. Initial discussion has taken place, and this has outlined several areas for research. Linked to this the National Stop Search working group (NPCC and knowledge hub) are also undertaking a review of proportionality. The aim is to develop a more accurate mechanism to understand disproportionality. CoLP attend the National Working Group.
8. The MPS have formed a Stop Search Working Group to explore a Pan London stop and search charter. The aim of this is for London communities to agree how stop and search can be delivered. London communities have identified the

following issues – rudeness, adequate explanation of why the search is being carried out, an apology when nothing is found, a significant imbalance of information (delivery of GOWISELY³) and an ability to understand what an individual's rights are. This is being developed over a number of years. CoLP has joined the working group and will be arranging a briefing with the IASG and any other interested parties.

9. Of Black individuals stopped, the majority (39.29%) were searched for drugs, which is broadly in line with the adult population, whilst 23% were searched for going equipped etc., which is slightly higher than the adult population. However, this is a decrease on the same period last year, where 53% of black individuals stopped were searched for drugs, with a 40% positive outcome rate (and 28% arrested). In contrast for this reporting period there was a 46% positive outcome rate (and 36% where arrested). Slightly fewer black members of the community were stopped in this reporting period 56 compared to the previous year (60).
10. For Asian individuals, the disproportionality has decreased from 1.3 in the comparator period to 0.9 in this reporting period. Most Asian individuals searched (62%) 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 40% of searches (drugs being found in 39% of searches and other items in 1%).
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).

³ GOWISELY is an acronym used by police officers as an Aide Memoire for the information they are supposed to give a stop and search subject before commencing the search to ensure compliance with Code A of the Police and Criminal Evidence Act (PACE)

14. As set out in our Q4 FY22/23 report, we will report on Strip/Searches in each of our reports to this committee.
15. Over this reporting period we conducted 17 strip searches, of which 1 constituted a more thorough search and 16 an intimate parts exposed search (this compares to 19 in the comparator reporting period, of which 1 was a more thorough search and 18 intimate parts exposed).
16. The majority of strip searches, 12, were conducted under Misuse of Drugs Act powers, with 4 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 if any are conducted.
19. **Dip Sampling.** The Force introduced a revised Standard Operating Procedure for the dip sampling of Stop/Search records in November 2021.
20. In June 2022 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 723 Stop/Searches, and we have internally dip sampled 146 of these: a sample rate of 20%. Within this period the governance dip sampling has reviewed 33, 22% of the dip sample.

IASG (Independent Advisory and Scrutiny Group) DIP Sampling:

22. The 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.

23. City Force Operations Manager is reviewing the dip sampling reports from IASG and some common themes identified are:

Common themes this time;

- Use of force reports where applicable are now being supplied with stop search forms.
- Timings have been highlighted on reports. This has been fed back to individual officers. The timings show the forms being completed after the search. PACE code A states that officers, must make the record on the spot unless this is not practicable to do so.

24. The IASG is working on dates to attend COLP and view selected BWV footage and provide feedback. This is currently the only way they can view it.

University East London (UEL) Student Scrutiny:

25. There was second attendance from UEL students on 7th of June 2023- 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. The next date for UEL students' attendance as part of continuing collaboration with the City of London Police is the 20th of October 2023 – for facilitated discussion on a variety of BWV footage scenarios.

Use of Force

Current Position –

27. Over this reporting period, a total of 1085 uses of force were recorded, the spike in high number of use of force is related to Notting Hill Carnival and spontaneous disorder at an event in the city. This is compared to 776 over the same period last year. (increase of 39%). In this reporting period, 56.68% 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 46 times⁴ and police dogs been deployed 4 times. On all 4 occasions, intel/ information indicated a weapon may be present. In this reporting period 11 PAVA⁵ drawn with 1 irritant spray PAVA discharged. Use of PAVA due to intel/ information indicated a weapon may be present, missile/object thrown, blunt weapon/object present.

⁴ Use of batons due to intel/ information indicated a weapon may be present, missile/object thrown, blunt weapon/object present.

⁵ PAVA- irritant spray

29. A total of 4 officers were injured in incidents involving the use of force, with minor injury detail and with no medical assistance provided (7 in Q1 22/23) and 16 subjects were injured because of the use of force (17 in Q1 22/23).
30. Force remains most used against male subjects (83% this reporting period compared to 78% in the comparable period FY22/23).
31. Disproportionality for Asian subjects in use of force has changed to 0.9 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 2.4 in this reporting period.
32. **Taser.** Over the reporting period the Force recorded 39 uses of Taser, 2 x aimed , 7 x drawn , 30 x red dotted and 0 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.
33. Of these 39 Taser incidents, 2 involved Juveniles. Taser was available at the scene but never fired.

Conclusion

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

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