

Action Plan Stop and Search Update May 2014

2013/2014

Traffic Light Colour	Definition of target achievement
GREEN	Task is completed
AMBER	The task is a work in progress and not due yet
RED	Task is due but not complete or will not be completed

NATIONAL RECOMMENDATIONS

Objective	
<p>1) Chief Constables and the College of Policing should establish in the stop and search Authorised Professional Practice document a clear specification of what constitutes the effective and fair exercise of stop and search powers, and guidance in that respect. This should be compliant with the code of practice.</p>	
Task Owner: Supt Operations	
Latest Position	Status
<p>Awaits guidance from Chief Constables Council and the College of Policing. Nothing in the feedback from either inspection from HMIC or NPIA gave cause for concern.</p> <p>21/3 This has been discussed at the Stop and Search working group and this needs to be scoped as part of the considerations as to whether its use should be restricted to Intelligence led operations or evidence based policing. i.e. only being used where clear intelligence illustrates a specific problem There needs to be full consideration of the National picture here .</p> <p>6/5 Home Secretary has announced a suite of measures which are set out separately from this action plan . They include revision of Code A of PACE to prescribe what constitutes “ reasonable grounds for suspicion” This will guide the use of the power in the future and forces will wait for the necessary changes.</p>	

Objective	
<p>2) Chief Constables should establish or improve monitoring of the way officers stop and search people, so that they can be satisfied their officers are acting in accordance with the law (including equality legislation and the code of practice), and that the power is used effectively to prevent crime, catch criminals and maintain public trust. This monitoring should, in particular, enable police leaders to ensure officers have the reasonable grounds (and, where applicable, authorising officers have the reasonable belief) required by law to justify each stop and search encounter.</p>	
<p style="text-align: right;">Task Owner(s)</p>	
<p style="text-align: right;">Supt Ops</p>	
Latest Position	Status
<p>Both inspections found that supervision of stop & search was carried out by first line supervisors and was an ongoing process. There is continuing work, through the Organisational Learning Forum to ascertain any issues connected with individual stops, and any subsequent learning and dissemination of this learning to the relevant staff.</p> <p>21/3 Stop and search working group heard that first line supervision has been patchy and that measures needed putting in place in order that the application was more closely monitored at the front end. Inspectors have been given the responsibility for ensuring the quality of the forms submitted by their groups. The figures were monitored after one month resulting in nearly zero returns from FIB, this needs to be embedded as part of daily business</p> <p>6/5 Since this action has been tasked, Inspectors have carried out dip checking of stop and search forms, Supt Ops has further dip sampled a number of forms and the community scrutiny group (meeting on 22/4) dip sampled another batch of forms.</p>	

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Objective		
<p>3) Chief Constables should ensure that officers carrying out stop and search encounters are supervised so that they can be confident that the law is being complied with and that the power is being used fairly and effectively. Particular attention should be given to compliance with the code of practice and equality legislation.</p>		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>Covered at point 2 above 6/5 Since this action has been tasked, Inspectors have carried out dip checking of stop and search forms, Supt Ops has further dip sampled a number of forms and the community scrutiny group (meeting on 22/4) dip sampled another batch of forms</p>		

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Objective		
<p>4) The College of Policing should work with Chief Constables to design national training requirements to improve officers': understanding of the legal basis for their use of stop and search powers; skills in establishing and recording the necessary reasonable grounds for suspicion; knowledge of how best to use the powers to prevent and detect crime; and understanding of the impact that stop and search encounters can have on community confidence and trust in the police. Specific training should also be tailored to the supervisors and leaders of those carrying out stops and searches.</p>		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>Awaiting feedback from the College. The NPIA inspection identified Stop & Search training delivered to new recruits, both regular & special constables, by the CoLP as good practice. This training includes an input by a community representative who is a published commentator on the subject.</p> <p>21/3 Training although commented on positively by the NPIA, is not adequate going forwards, NCALT is not sufficient on its own to ensure that this critical area is being addressed with sufficient updates. Requires L and D to deliver training to front line at crossover times. Action awaits</p> <p>6/5 Home sec has announced a suite of new measures (30/4) in a statement to the house of commons; including commissioning the College of Policing to develop robust professional standards for officers, supervisors and police leaders as part of a National training review into S and S. This will be disseminated by the College</p>		

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Objective		
5) Chief Constables should ensure that officers and supervisors who need this training are required to complete it, and that their understanding of what they learn is tested.		
Tasks	Deadline Date	Task Owner(s)
Learning Needs Analysis for officers & supervisors.		Supt Ops
Latest Position		Status
This requires further work to establish any learning needs in addition to those training products currently being delivered (see recommendation 6). <i>As above at point 4</i> 6/5 Home sec has announced a suite of new measures (30/4) in a statement to the house of commons; including commissioning the College of Policing to develop robust professional standards for officers, supervisors and police leaders as part of a National training review into S and S. This will be disseminated by the College		

Objective		
6) Chief Constables should ensure that relevant intelligence gleaned from stop and search encounters is gathered, promptly placed on their force intelligence systems, and analysed to assist the broader crime fighting effort.		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
Recording of Stop & Search encounters have been recorded on the Force UNIFI Intelligence System since August 2013. This was actioned with the specific purpose to capture stop & search data, in quick time, to inform ongoing police operations in order to counter criminality. This recording was further refined with briefings, being delivered over next 3 months, to operational officers to address emerging data input issues.		
Commencing January 2014, a six month pilot scheme is to be conducted via I & I to input this data and ensure compliance along with accurate, timely and relevant data being put onto the Force		
<i>This is ongoing, data quality has improved one single source of input has helped enormously this will be reviewed at the end of the financial year once the home office return has been submitted. There are still some gaps with NSPIS recording stop and</i>		

NOT PROTECTIVELY MARKED

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search data where no 386 exists but this has been addressed through CUG this week and will be reviewed at next quarter.

Records are being dip checked by group Inspectors

6/5 Messages have been driven through CUG and UPD Inspectors meetings regarding the Intelligence requirements for 386 forms and those persons arrested subject of a stop and search. NSPIS drop down menu is now clear at the point of booking in prisoners with a requirement being set for all Custody officers to ask : “is the arrest as a result of a search” Single point of input has been maintained by UPD staff member embedded temporarily into FIB.



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Objective		
<p>7) Chief Constables should, in consultation with elected local policing bodies, ensure that they comply with the code of practice by explaining to the public the way stop and search powers are used in their areas and by making arrangements for stop and search records to be scrutinised by community representatives. This should be done in a way that involves those people who are stopped and searched, for example, young people.</p>		
Tasks	Deadline Date	Task Owner(s)
Latest Position		Status
<p>The Stop & Search Community Scrutiny Group held its first meeting on 19 12 2013; the second meeting will be held on 11 02 2014. Part of the Group's remit is to critically examine anonymised Stop & Search records (Form 386).</p> <p>21/3 Two meetings have now taken place and although the size of the community scrutiny group is small, it has started well is transparent and the members have buy in to the scope of the meeting</p> <p>6/5 Third meeting held with community scrutiny group on the 22/4, during which forms were dip sampled, TOR for the group agreed along with meeting structure, governance and communications. Group has now grown to include chair of the National Black Womens Network, Sonia Brown MBE, Duwayne Brooks, Chair of MPA and additional City community members.</p>		

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Objective		
<p>8) Chief Constables should ensure that those people who are dissatisfied with the way they are treated during stop and search encounters can report this to the force and have their views considered and, if they wish, make a formal complaint quickly and easily. This should include gathering information about dissatisfaction reported to other agencies.</p>		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>Historically and currently, there have been a low number of complaints connected to the use of Stop & Search within the City (7 since January 2013). These complaints are closely supervised by PSD and there are no trends identified from those complaints. Customer Satisfaction Surveys are sent to those making complaints to the CoLP. In addition surveys have been sent to residents and the business community to establish their confidence in the CoLP complaints system including why they may not have made a complaint against police in the past. There are an extremely small number of complaints relating to code A 6/5 complaints position is the same, Home secretary has announced a “community trigger” whereby police must engage with its communities to explain the use of S and S where there is a large volume of complaints. This does not apply to the City given the very small numbers of complaints.</p>		

Objective		
<p>9) Chief Constables should introduce a nationally agreed form (paper or electronic) for the recording of stop and search encounters, in accordance with the code of practice.</p>		
Tasks	Deadline Date	Task Owner(s)
Latest Position		Status
<p>The Force awaits recommendations from Chief Constables’ Council. 21/3 The force is moving towards a mobile tablet solution for input by officers, which will be rolled out this October 6/5 No change</p>		

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Objective		
<p>10) Chief Constables should work with their elected local policing bodies to find a way of better using technology to record relevant information about stop and search encounters, which complies with the law and reveals how effectively and fairly the power is being used.</p>		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>Technological solutions are being scoped to enable Airwave to record encounters, this will mirror the system used by Greater Manchester Police. At the present time this is expensive and is most likely to be achieved when mobile devices are rolled out to front line staff.</p> <p>21/3 Mobile tablet solution being scoped as above</p> <p>6/5 No change</p>		

COLP RECOMMENDATIONS

Objective		
1) Statistical data to be provided to police committee on an agreed regular basis		
Tasks	Deadline Date	Task Owner(s)
Latest Position		Status
Data is already supplied to CoLP Performance Management Group (PMG) on a quarterly basis and can be reported to the relevant member at update meetings		
<p>6/5 2013/14 returns still being prepared by PIU. Unifi is now the central repository for all 386 data and the Inspectors have done a good job of ensuring the initial quality of submissions is to the required standard. These are still being inputted by one person ensuring consistency, which is key. The custody records are now being managed better with custody officers using the drop down menu on NSPIS to identify if the arrest is as a result of a search. These records can now be searched with more confidence as Insp Custody has done a good job of driving this message home. We are as ever reliant upon the efforts of referent leaders to ensure that this is being done, but the results of my dip checks have been positive, particularly inspectors being held to account by Helen for their performance in this area.</p>		

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Objective		
2) Publish a force definition of an effective outcome from the use of stop and search powers.		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
This awaits national guidance (see recommendation 1) and subsequent work by the Force Stop & Search Working Party. However, stop & searches resulting in an arrest are already monitored and reported at the Force PMG		
<p>21/3 Stop and search working group has discussed the use of a definition and what would constitute a positive outcome, this is not straightforward and has been discussed at the scrutiny group also, Dwayne Brooks has a view around arrests not being the sole indicator and certainly not being called positive. Engagement and confidence surveys are being discussed and updates will follow after the next group meeting</p> <p>6/5 Home Sec has announced a suite of measures (30/4) including a recommendation that the College of Policing will launch a “best use of stop and search scheme” Forces participating in the scheme will have to show any link between the search and its outcome. A broader range of outcomes is being required by Forces to include for example: penalty notices for disorder and cautions. This will be discussed as an agenda item at the next S and S working group.</p>		

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Objective		
3) To monitor and analyse the effectiveness of the use of the power.		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>Carried out through quarterley Force Stop & Search Steering Group meetings and quarterly Community Scrutiny Group meetings.</p> <p>21/3 This is on the agenda at the scrutiny group and is underway Two meetings have now taken place and although the size of the community scrutiny group is small, it has started well is transparent and the members have buy in to the scope of the meeting</p> <p>6/5 Third meeting held with community scrutiny group on the 22/4, during which forms were dip sampled, TOR for the group agreed along with meeting structure, governance and communications. Group has now grown to include chair of the National Black Womens Network, Sonia Brown MBE, Duwayne Brooks, Chair of MPA and additional City community members.</p>		

Objective		
4) To analyse or review for effectiveness, fairness or impact upon the community		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>This will be standing item at the Stop & Search Community Scrutiny Group.</p> <p>21/3 Two meetings have now taken place and although the size of the community scrutiny group is small, it has started well is transparent and the members have buy in to the scope of the meeting</p> <p>6/5 Third meeting held with community scrutiny group on the 22/4, during which forms were dip sampled, TOR for the group agreed along with meeting structure, governance and communications. Group has now grown to include chair of the National Black Womens Network, Sonia Brown MBE, Duwayne Brooks, Chair of MPA and additional City community members.</p>		

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Objective		
5) To analyse the effects of the use of stop and search powers on recorded and detected crime, including mapping of searches against crimes		
Tasks	Deadline Date	Task Owner(s)
Latest Position		Status
<p>The Force Intelligence Bureau has been asked to consider tracking all individuals that have been stopped and searched in order that any recidivism can be monitored in relation to future offending patterns. This applies rigour to the process by following evidence based management and gives an indication as to which interventions work best to prevent crime</p>		WHITE
<p>21/3 This is not currently underway but still needs to be progressed as part of an evidence based approach to the use of the power with a follow up to see if it has in fact reduced re offending Stop and search working group has discussed the use of a definition and what would constitute a positive outcome, this is not straightforward and has been discussed at the scrutiny group also, Dwayne Brooks has a view around arrests not being the sole indicator and certainly not being called positive. Engagement and confidence surveys are being discussed and updates will follow after the next group meeting</p> <p>6/5 Home sec has announced a suite of measures (30/4) including a recommendation that the College of Policing will launch a “ best use of stop and search scheme” Forces participating in the scheme will have to show any link between the search and its outcome. A broader range of outcomes is being required by Forces to include for example: penalty notices for disorder and cautions. This will be discussed as an agenda item at the next Stop and Search working group.</p> <p>It is unlikely that this can be progressed until the mobile solution is introduced for the Force, as it would involve manual tracking of each person stopped and searched, as opposed to the computer running a programme against those records held for nominals to establish any future criminality. This should be seen as aspirational at this current time due to the unwieldy processes that would be necessary.</p>		

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Objective		
6) To conduct public surveys seeking the views of people subjected to stop and search by the force.		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>This requires further work to be directed by the Force Stop & Search Working Party with a view to using the same mechanisms currently used by the Force for satisfaction surveys. Surveys will be conducted with sufficient rigour to ensure that sufficient samples will lead to statistically significant results; this links to point 16, tracking of those stopped. No further work has been progressed with regard to satisfaction surveys.</p> <p>21/3 We are not in a position at this stage to include it onto the vocal surveys, and concern has been raised at including it as part of the street experience (by the working group) Further work with the scrutiny group is required</p> <p>6/5, this was discussed at the community scrutiny group on 22/4, however we do not have a suitable vehicle with which to carry out the survey at the moment. Chair of the Black Womens Network expressed some concern over this being done on the street and perception that it could be a “paper” exercise. Suggest meeting with corporate communications to establish if a more media savvy approach can be taken which reaches out to younger people</p>		

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Objective		
7) To conduct force audits to assess the fair and effective use of stop and search.		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>This has commenced. No untoward trends have been identified.</p> <p>See updates above in relation to data quality, but based on the information available no untoward trends have been identified</p> <p>6/5 No change</p>		

Objective		
8) To ensure all records contain sufficient information to support reasonable grounds.		
Tasks	Deadline Date	Task Owner(s)
		Supt Ops
Latest Position		Status
<p>This is linked to the above (point 7). Any trends will be fed into the OLF to inform any future training requirement. All Stop & Search records are countersigned by the officer's supervisor.</p> <p>This was also be subject to the scrutiny of the Stop & Search Community Scrutiny Group</p> <p>All stop and search forms are now the responsibility of Inspectors, who are dip checking and ensuring ongoing quality. All NSPIS records are now dip checked and will be subject of review at the end of the financial year.</p> <p>21/3 Stop and search working group heard that first line supervision has been patchy and that measures needed putting in place in order that the application was more closely monitored at the front end. Inspectors have been given the responsibility for ensuring the quality of the forms submitted by their groups. The figures were monitored after one month resulting in nearly zero returns from FIB, this needs to be embedded as part of daily business</p> <p>6/5 Since this action has been tasked, Inspectors have carried out dip checking of stop and search forms, Supt Ops has further dip sampled a number of forms and the community scrutiny group (meeting on 22/4) dip sampled another batch of forms.</p>		

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Brief Summary of Home Secretary's proposed changes as announced in the House of Commons on 30th April 2014

Action	Statutory body responsible	Time frame	Implications
Changes to Code A of PACE	Statute/Police	N/K	Revise the Police and Criminal Evidence Act Code of Practice A to make clear what constitutes "reasonable grounds for suspicion" – the legal basis upon which police officers carry out the vast majority of stops. The revised code will emphasise that where officers are not using their powers properly they will be subject to formal performance or disciplinary proceedings.
Develop New National Training standard	College of Policing	N/K	Review the national training of stop and search with a view to developing robust professional standards for officers on probation, existing officers, supervisors and police leaders. College to include in this work unconscious bias awareness training to reduce the possibility of prejudice informing officers' decisions.
Fitness to practice assessment	College of Policing	N/K	introduce an assessment of officers' fitness to use stop and search powers. if officers do not pass this assessment, if they do not understand the law or they do not show they know how to use stop and search powers appropriately, they will not be allowed to use

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Launch “ Best use of Stop and Search” scheme	Home Office /College of Policing	N/K	<p>them.</p> <p>Record the outcome of stops in more detail to show the link – or the lack of a link – between the object of the search and its outcome. This will allow us to assess how well forces are interpreting the “reasonable grounds for suspicion” they are supposed to have to use their stop and search powers in accordance with law. The scheme will also require forces to record a broader range of outcomes, such as penalty notices for disorder and cautions. In order to improve the public’s understanding of the police, forces participating in the scheme will introduce lay observation policies, which enable members of the local community to apply to accompany police officers on patrol.</p>
Community Trigger	Home Office/ACPO	N/K	<p>Police must explain to the public how stop and search powers are being used where there is a large volume of complaints.</p>
Section 60 authorisations	<i>ACPO</i>	N/K	<p>By using no-suspicion stop and search when it is “necessary to prevent incidents involving serious violence” rather than just “expedient” to do so. They will raise the level of authorisation to a chief officer and that officer must reasonably believe that violence “will” take place rather than “may”, as things stand</p>

now. This will bring no-suspicion stop and search more into line with the stop and search powers under Section 47A of the Terrorism Act 2000. Search limited to 15 hours

Stop and search data added to force crime maps ACPO

N/K

Add stop and search data to the government’s popular crime maps at www.police.uk. Her Majesty’s Chief Inspector of Constabulary to include the use of stop and search in HMIC’s new annual general inspections which begin towards the end of this year. And I have commissioned HMIC to review all other police powers similar to stop and search – including Section 163 of the Road Traffic Act – with a view to eliminating any unfair or inappropriate use of those powers.

Source:

<https://www.gov.uk/government/speeches/stop-and-search-comprehensive-package-of-reform-for-police-stop-and-search-powers>