

PROFESSIONAL STANDARDS AND DIVERSITY COMMITTEE – 7 MAY 2008

MONITORING AND POLICY DEVELOPMENT OF STOP AND ACCOUNT AND STOPS AND SEARCHES

REPORT BY THE CHIEF CONSTABLE

PURPOSE OF THE REPORT

The purpose of this report is to provide members with statistics for the period 1 April 2008 to 31 March 2009 for the purposes of monitoring 'stop and search' and 'stops and account' during that period and to update on policy and procedure.

1. BACKGROUND

- 1.1 Statistics for Stop and Search and Stop and Account appear as a Standing Agenda item at each meeting of this committee. These statistics, which are supplied to members on a quarterly basis in the format agreed, are designed to enable members to monitor, assess and keep the Force's use of 'Stop and Search' and 'Stop and Account' powers under review.
- 1.2 At the meeting of the Committee on 19 February 2009, members were presented with statistics for the period 1 April 2008 to 31 December 2008.

2. STOP AND SEARCH AND STOP AND ACCOUNT STATISTICS FOR THE PERIOD 1 APRIL 2008 TO 31 MARCH 2009

- 2.1 The statistics for the period 1 April 2008 to 31 March 2009 are attached to this report at Appendix A.

3. STREET INTERVENTIONS POLICY AND PROCEDURE DEVELOPMENT

- 3.1 At the February meeting members were informed about the work of the Street Interventions Project that was commissioned following comment from both the HMIC and the Commission for Racial Equality (now known as the Equality and Human Rights Commission) relating to the use of Stop and Search in Dorset. The Commission requested that the Force undertake a Race Equality Impact Assessment on the Stop Search Policy and respond appropriately. In addition, the recent Green Paper entitled 'From the Neighbourhood to the National' focused on improving confidence and addressed the potential to balance the effectiveness and efficiency of accountability. The outcome has been a national change in the recording of Stop and Account interactions.

- 3.2 These issues are being progressed by the Force Street Interventions Project that includes Police Authority representation. The terms of reference seek to ensure that the Force's Stop and Search and Street Interventions policy, practices and arrangements are 'fit for purpose' and support the promotion of trust and confidence in the use of relevant police powers amongst all communities.
- 3.3 A draft revised Street Interventions Policy and Procedure has been the subject of initial consultation and further revision following the Project Team meeting on 20 February 2009. A detailed implementation plan addressing components of leadership and training, intelligence led application, briefing, tasking, evaluation, monitoring and audit has also been developed. Implementation will expect senior officer direction and support and the summary requirements will be addressed at the Force Executive Board on 20 May and the next project team meeting will brief appointed action managers to progress important requirements.
- 3.4 Members are aware that a new method of recording Stop and Account interactions was introduced in January. The new procedure allows officers to record an interaction that does not result in a search or an arrest by using their Airwave radio which will be demonstrated to members at the Committee meeting.
- 3.5 The Office of Criminal Justice Reform will be publishing 2007/08 data relating to race and the criminal justice system on 30 April 2009. It is anticipated that the data will highlight issues relating to stop and search powers including the use of 16+1 data recording for the first time which has had the effect of changing levels of disproportionality particularly in forces with low resident population levels of specific ethnic groups. Members will be updated on any points of note following the publication of the data.

4. RECOMMENDATION

- 4.1 Members are asked to note the report.

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Integrity

Professionalism

Fairness

Respect



Stop/Search and Stop/Account Report for April-March 2009

Date: 28th April 2009

1. TERMS OF REFERENCE

This report has been prepared to advise both Dorset Police and Dorset Police Authority on the application of the powers under PACE Code A. The report covers the period 1st April 2008 to 31st March 2009.

2. INTRODUCTION

Stopping and Searching suspects in the street continues to be an important tactic for detecting and preventing crime and disorder and thereby Making Dorset Safer. The power enables officers to detain suspected persons for the purpose of searching to locate evidence of crime and to do so without making an arrest and depriving a person of their liberty for a longer period than necessary. This is a power that is particularly relevant to the priorities of Reducing Serious Violent Crime and Reducing the Crime Most Affecting Local Communities.

Following the Stephen Lawrence Inquiry, new guidance was introduced to ensure that Police Forces and Police Authorities publicise people's rights in relation to stop and search, engage communities in publicising the benefits of stop and search, and where there is evidence of disproportionate use, explore the reasons and identify what can be done to remedy it.

3. STOPS AND STOP SEARCHES

The Stephen Lawrence Inquiry defined a 'stop' as follows:

"When a police officer requests a person in a public place to account for themselves, i.e. their actions, behaviour, presence in an area or possession of anything, a record of the encounter must be completed at the time and a copy given to the person who has been questioned."

A stop and search is where an officer stops a person, having reasonable grounds to suspect they are in possession of an item or where a power has been granted under specific legislation and searches that person; these include:

- S.1 Police and Criminal Evidence Act 1984
- S.23 Misuse of Drugs Act 1971
- S.47 Firearms Act 1968
- S.60 Criminal Justice and Public order Act 1994
- S.44 Terrorism Act 2000

The primary purpose of stop and search powers is to enable officers to allay or confirm suspicions about individuals without exercising their power of arrest. Police and Criminal Evidence Act (PACE) 1984 Codes of Practice, Code A, govern how the police exercise their statutory powers of stop and search.

Further information on the roles and responsibilities of the Force and the Police Authority in relation to Stop and Search can be obtained from the www.dpa.police.uk and from the Chief Executive's office.

4. SUMMARY OF KEY ISSUES

Overall a total of 7047 stop/searches were undertaken in this reporting period, a reduction of 9.8%, equating to 766 searches, on the same 12-month period in 2007/08.

The figures for stop/searches per 1,000 population using the 2001 census shows that 9.3 white people per 1,000 population were stop/searched compared to 25.0 people per 1000 population from Black and Minority Ethnic (BME) groups. However, using more up to date Office of National Statistics (ONS) mid 2006 estimates, which give Dorset an estimated 7.1% resident BME population, the rate changes to 9.6 per 1,000 population for white people compared to 15.5 for BME groups.

There have been reductions in all ethnic groups, the most significant being a 27.5% reduction, equating to 118 fewer stop/searches of Black & Black British people.

Of the total stop/searches, 6227 (88.36%) were on white people, 772 (10.96%) were on those from BME groups and 48 were 'not stated' (0.68%). Of all searches on people from BME communities in the Bournemouth and Poole Division, 44% were on black or black British people.

The overall arrest rate following stops and searches is 11.3% (793 arrests). The arrest rate varies across the ethnicity groups, although the pattern in the main falls within an arrest rate in the range of 10 – 15%. National mid year data for stop and search is not collated, thus comparisons to other Forces is not possible.

A total of 5018 stops only (no search) were recorded during this 12-month period, an increase of 853 (20.5%) on the 4165 undertaken over the same period in 2007/08.

5. PROFILE OF STOP AND SEARCH

5.1 Number of Stop and Searches April proportionate to communities - December 2008

The below table shows recorded stop and search and its greater use in the Bournemouth and Poole Division.

		Force			Bournemouth & Poole Division			County Division		
		No. of Stop & Searches	Per 1,000 Pop.		No. of Stop & Searches	Per 1,000 Pop.		No. of Stop & Searches	Per 1,000 Pop.	
			2001 Census	2006 O.N.S.		2001 Census	2006 O.N.S.		2001 Census	2006 O.N.S.
Ethnicity	White	6227	9.3	9.6	4132	14.7	15.2	2095	5.4	5.5
	White Non British	164	9.2	7.2	124	12.7	10.7	40	5.1	3.6
	Mixed	140	28.8	20.3	113	39.8	30.5	27	13.5	8.4
	Black & Black British	311	201.9	61.0	284	304.9	109.2	27	45.2	10.8
	Asian & Asian British	92	32.2	11.8	78	42.2	18.6	14	14.3	3.9
	Chinese & Other	65	17.4	8.9	44	19.9	11.6	21	14.1	6.0
	Not Stated	48			23			25		
	Total	7047	10.1	10.1	4798	16.1	16.1	2249	5.6	5.6

Office of National Statistics - mid 2006 (O.N.S)

A total of 7047 Stop & Searches were conducted during the period April to March 2009. Of these, 6227 stops/searches were recorded as white persons (9.3 per 1,000 population using census results or 9.6 using ONS latest estimates) and 772 were recorded as BME persons (25.0 per 1,000 population using the 2001 census results or 15.5 using the latest ONS estimates). Of these 311 were conducted on black and black British people, which equates to 61.0 per 1000 of that population. Whilst the disproportionate statistic is apparent this equates to less than 1 stop and search per day. However, the recorded disproportion is very evident in the case of black and black British in the Bournemouth and Poole Division. To progress this issue, Bournemouth & Poole Division have commissioned research into multiple stop & searches of the same individuals, which early research suggests is contributing to the apparent disproportionality.

The below table sets out the change in activity compared to the previous year.

Number of Stop & Searches - April to March 2007/08 v 2008/09

		FORCE				Bmth & Poole				Dorset County			
		Change				Change				Change			
		07/08	08/09	Actual	%	07/08	08/09	Actual	%	07/08	08/09	Actual	%
Ethnicity	White	6775	6227	-548	-8.1%	4240	4132	-108	-2.5%	2535	2095	-440	-17.4%
	White Non British	189	164	-25	-13.2%	147	124	-23	-15.6%	42	40	-2	-4.8%
	Mixed	156	140	-16	-10.3%	128	113	-15	-11.7%	28	27	-1	-3.6%
	Black & Black British	429	311	-118	-27.5%	381	284	-97	-25.5%	48	27	-21	-43.8%
	Asian & Asian British	102	92	-10	-9.8%	92	78	-14	-15.2%	10	14	4	40.0%
	Chinese & Other	83	65	-18	-21.7%	51	44	-7	-13.7%	32	21	-11	-34.4%
	Not Stated	79	48	-31	-39.2%	43	23	-20	-46.5%	36	25	-11	-30.6%
	Total	7813	7047	-766	-9.8%	5082	4798	-284	-5.6%	2731	2249	-482	-17.6%

There has been a reduction in all categories with the largest being a reduction of 27.5% for black and black British people. Overall there have been 766 fewer searches this year. This is problematic to explain, except to say that there is no target for completing a set number of interactions, it is an optional tactic that is applied in specific circumstances and aggregating these events will not necessarily explain fluctuation from one year to the next. Indeed, this equates to a reduction of just over two searches across the Force per day.

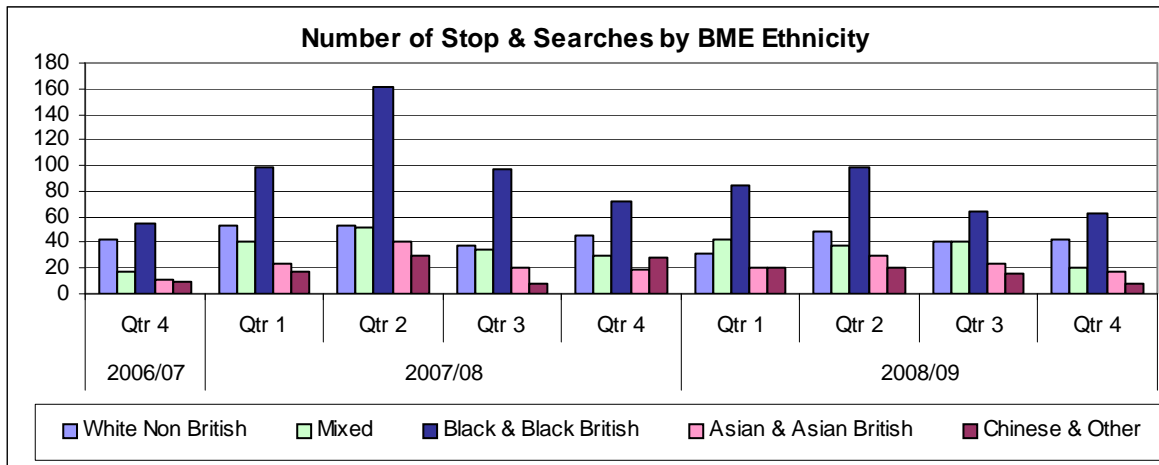
The below chart depicts other personal characteristics that essentially indicates that males are stopped and searched far more than females.

		Force		Bournemouth & Poole		County Division	
		No. of Stop & Searches	Per 1,000 Pop. (2001 Census)	No. of Stop & Searches	Per 1,000 Pop. (2001 Census)	No. of Stop & Searches	Per 1,000 Pop. (2001 Census)
Gender	Male	6235	18.4	4253	29.5	1982	10.2
	Female	755	2.1	519	3.4	236	1.1
	Unknown	57		26		31	
Age	Under 20	2315	14.9	1382	17.2	933	12.4
	20 - 24	1354	37.0	853	44.0	501	29.2
	25 - 44	2831	17.1	2163	26.7	668	7.9
	45 +	439	1.3	343	2.2	96	0.5
	Unknown	108		57		51	

88.5% of those subject to Stop & Search are male. The age profile indicates that 52.0% are conducted with people under the age of 25 years old.

In Bournemouth and Poole Division 45.1% of searches were on people 25-44 and 46.6% on people under 25 years. In County Division 29.7% were on people 25-44 and 63.8% on people under 25 years.

The following chart illustrates a quarter on quarter comparison of stops searches by ethnicity. Visually it is very clear that the stop and search of black and black British is much greater, however, the disparity has reduced slightly in the last quarter.



The below chart identifies the reason for the stop and search. It is clear that the investigation of controlled drug possession (55.9%) and theft (21.7%) are the two main reasons for stopping and searching.

		Search Reason											Grand Total		
		Stolen Property	%	Drugs	%	Firearms	%	Offensive Weapons	%	Going Equipped	%	Criminal Damage		%	
Ethnicity	Force	White	1377	22.1%	3438	55.2%	43	0.7%	481	7.7%	613	9.8%	275	4.4%	6227
	White Non British	36	22.0%	86	52.4%	4	2.4%	11	6.7%	22	13.4%	5	3.0%	164	
	Mixed	22	15.7%	83	59.3%	2	1.4%	16	11.4%	12	8.6%	5	3.6%	140	
	Black & Black British	37	11.9%	223	71.7%	4	1.3%	28	9.0%	15	4.8%	4	1.3%	311	
	Asian & Asian British	18	19.6%	56	60.9%	2	2.2%	12	13.0%	4	4.3%	0	0.0%	92	
	Chinese & Other	20	30.8%	32	49.2%	3	4.6%	6	9.2%	4	6.2%	0	0.0%	65	
	Not Stated	18	37.5%	22	45.8%	0	0.0%	6	12.5%	2	4.2%	0	0.0%	48	
	Grand Total	1528	21.7%	3940	55.9%	58	0.8%	560	7.9%	672	9.5%	289	4.1%	7047	

It is evident that a greater percentage of application in relation to stolen property is targeted at white suspects. However, in the case of drugs investigation black and black British and Asian and Asian British have been the focus.

By drawing the data together it is clear that the stop and search power is utilised predominantly in the Bournemouth and Poole Division to investigate the possession of controlled drugs. Whilst the power is used many more times in relation to white people, the number of Black and Black British people relative to that community group is proportionally greater than for white people.

The below table shows change compared to the previous year and the reduction in use of powers is seen mainly in the area of drug investigation with a reduction in the stopping and

searching of Black and Black British people but an increase in the case of Asian, Asian British and Chinese people.

Ethnicity	Stolen Property			Drugs			Firearms			Offensive Weapons			Going Equipped			Criminal Damage			TOTAL		
	07/08	08/09	%	07/08	08/09	%	07/08	08/09	%	07/08	08/09	%	07/08	08/09	%	07/08	08/09	%	07/08	08/09	%
	White	1566	1377	-12.1%	3691	3438	-6.9%	72	43	-40.3%	576	481	-16.5%	506	613	21.1%	364	275	-24.5%	6775	6227
White Non British	57	36	-36.8%	88	86	-2.3%	2	4	100.0%	20	11	-45.0%	18	22	22.2%	4	5	25.0%	189	164	-13.2%
Mixed	36	22	-38.9%	81	83	2.5%	4	2	-50.0%	22	16	-27.3%	7	12	71.4%	6	5	-16.7%	156	140	-10.3%
Black & Black British	62	37	-40.3%	323	223	-31.0%	4	4	0.0%	28	28	0.0%	10	15	50.0%	2	4	100.0%	429	311	-27.5%
Asian & Asian British	19	18	-5.3%	44	56	27.3%	4	2	-50.0%	24	12	-50.0%	9	4	-55.6%	2	0	-100.0%	102	92	-9.8%
Chinese & Other	26	20	-23.1%	31	32	3.2%	4	3	-25.0%	13	6	-53.8%	5	4	-20.0%	4	0	-100.0%	83	65	-21.7%
Not Stated	37	18	-51.4%	35	22	-37.1%	3	0	-100.0%	2	6	200.0%	2	2	0.0%	0	0	-	79	48	-39.2%
Total	1803	1528	-15.3%	4293	3940	-8.2%	93	58	-37.6%	685	560	-18.2%	557	672	20.6%	362	289	-24.3%	7813	7047	-9.8%

The following table shows the rate of arrests following stop and search. This is most likely to arise from the recovery of evidence, but it could be that further other evidence has emerged independent of the search.

Ethnicity		Force		Bournemouth & Poole Division		County Division	
		No. of Arrests	% Arrest Rate	No. of Arrests	% Arrest Rate	No. of Arrests	% Arrest Rate
		White	683	11.0%	451	10.9%	232
White Non British	24	14.6%	18	14.5%	6	15.0%	
Mixed	17	12.1%	14	12.4%	3	11.1%	
Black & Black British	36	11.6%	30	10.6%	6	22.2%	
Asian & Asian British	14	15.2%	7	9.0%	7	50.0%	
Chinese & Other	9	13.8%	6	13.6%	3	14.3%	
Not Stated	10	20.8%	5	21.7%	5	20.0%	
Total	793	11.3%	531	11.1%	262	11.6%	

The overall arrest rate for stop and search is 11.3% (793 total arrests) which does vary slightly across the ethnicity groups, although in general the pattern remain consistent with an arrest rate in the range of 10 - 15%. The comparison of other personal factors indicates that similar proportions for males and females and fewer arrests in the younger age group.

		Force		Bournemouth & Poole Division		County Division	
		No. of Arrests	% Arrest Rate	No. of Arrests	% Arrest Rate	No. of Arrests	% Arrest Rate
Gender	Male	714	11.5%	479	11.3%	235	11.9%
	Female	70	9.3%	47	9.1%	23	9.7%
	Unknown	9	15.8%	5	19.2%	4	12.9%
Age	Under 20	194	8.4%	115	8.3%	79	8.5%
	20 - 24	164	12.1%	92	10.8%	72	14.4%
	25 - 44	366	12.9%	273	12.6%	93	13.9%
	45 +	56	12.8%	44	12.8%	12	12.5%
	Unknown	13	12.0%	7	12.3%	6	11.8%

5.2 Number of Stop and accounts proportionate to communities - December 2008

The below table shows recorded stop and account interactions and the higher number per population in the Bournemouth and Poole Division.

		Force			Bournemouth &			County Division		
		No. of Stops Only	Per 1,000 Pop.		No. of Stops Only	Per 1,000 Pop.		No. of Stops Only	Per 1,000 Pop.	
			2001 Census	2006 O.N.S.		2001 Census	2006 O.N.S.		2001 Census	2006 O.N.S.
Ethnicity	White	4198	6.5	6.7	2178	7.8	8.0	2020	5.2	5.3
	White Non British	550	33.6	26.3	357	36.5	30.8	193	24.4	17.4
	Mixed	78	16.4	11.6	45	15.9	12.2	33	16.5	10.3
	Black & Black British	111	76.0	22.9	58	62.3	22.3	53	88.8	21.2
	Asian & Asian British	41	15.1	5.5	28	15.2	6.7	13	13.2	3.6
	Chinese & Other	30	8.3	4.2	18	8.1	4.7	12	8.1	3.4
	Not Stated	10			4			6		
Total		5018	7.5	7.5	2688	9.0	9.0	2330	5.8	5.8

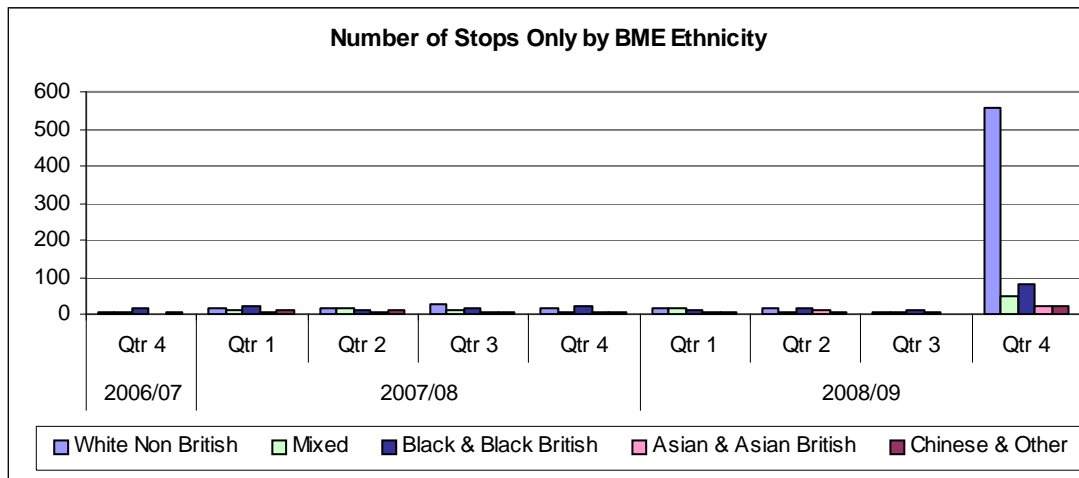
Number of Stops only - April to March 2007/08 v 2008/09

		FORCE				Bmth & Poole				Dorset County			
		Change		Change		Change		Change		Change		Change	
		07/08	08/09	Actual	%	07/08	08/09	Actual	%	07/08	08/09	Actual	%
Ethnicity	White	3906	4198	-589	-21.2%	2253	2178	-483	-29.6%	1653	2020	-106	-9.2%
	White Non British	80	550	-26	-41.3%	52	357	-23	-54.8%	28	193	-3	-14.3%
	Mixed	42	78	-5	-14.3%	31	45	-4	-18.2%	11	33	-1	-7.7%
	Black & Black British	67	111	-8	-17.8%	51	58	-4	-11.8%	16	53	-4	-36.4%
	Asian & Asian British	22	41	4	25.0%	13	28	3	30.0%	9	13	1	16.7%
	Chinese & Other	33	30	-16	-57.1%	12	18	-7	-70.0%	21	12	-9	-50.0%
	Not Stated	15	10	-12	-80.0%	9	4	-7	-87.5%	6	6	-5	-71.4%
Total		4165	5018	853	20.5%	2421	2688	267	11.0%	1744	2330	586	33.6%

There has been a total of 5018 recorded stops conducted during this 12-month period; an increase of 853 (25.7%) on the 4165 undertaken over the same period in 2007/08. This follows

the introduction of a new method of recording Stop & Accounts by the use of hand-held 'Airwave' radios.

16.1% of the people stopped were from BME groups with the highest rate per 1,000 population being black & black British.



5.3 Data Quality

	Bournemouth & Poole Division		County Division		Force	
	Stop Search	Stop Account	Stop Search	Stop Account	Stop Search	Stop Account
Ethnicity	23	4	25	6	48	10
Gender	26	-	31	-	57	-
Age	57	-	51	-	108	-
Total	106	4	107	6	213	10

The figures shown above represent the missing data under each category and not inaccurate recording. Whilst the absence of data affects analysis, it is the ethnicity data that is of particular importance in monitoring apparent disproportionality. The Chief Constable has specifically tasked Commanders to improve data recording. Increased supervisor audit is also being applied to improve data recording.

6. INDEPENDENT REVIEW

Bournemouth & Poole Division: There has been no review during this reporting period.

County Division: Ferndown and Weymouth Independent Advisory Groups continue to scrutinise Stop Search forms. However there is no update from either group as to sample numbers over this reporting period.

7. COMPLAINTS DATA

There have been three complaints against Police since 1st April 2008 that are directly related to a stop and search on the street. All complainants were White British.

8. REVISED POLICY AND PROCEDURE

The data presented in this report continues to require further explanation in terms of the frequency of stop and search and stop and account as well as the aggregation of interactions with different ethnic populations. Revising the estimated populations using mid 2006 figures continues to reflect disproportionate use of stop and search powers, however, the statistical variance is reduced.

The draft policy and procedure will introduce national guidance and best practice and it will feature components of leadership and training, intelligence led application, briefing, tasking, evaluation, monitoring and audit. This approach will ensure that street interventions are directed and above all that they are proportionate to addressing priorities for all communities.