

PROFESSIONAL STANDARDS AND DIVERSITY COMMITTEE – 29 OCTOBER 2009

STOP/SEARCH AND STOP/ACCOUNT REPORT FOR APRIL – AUGUST 2009

REPORT BY THE CHIEF CONSTABLE

PURPOSE OF THE REPORT

To provide members with statistics for the period 1 April 2009 to 31 August 2009 for the purpose of monitoring stop and search and stop and account during that period

1. INTRODUCTION

- 1.1 This report has been prepared to advise Dorset Police and Dorset Police Authority on the application of street intervention powers under PACE Code A. The report covers the period 1st April 2009 to 31st August 2009. Full second quarter data is not available prior to the Professional Standards and Diversity Committee meeting.
- 1.2 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 Protecting Vulnerable People** and **Reducing the Crime Most Affecting Local Communities and Tackling Serious and Organised Crime**. This report is set out to reflect the use of powers relative to the Policing Plan Priorities.
- 1.3 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.
- 1.4 One strand of ensuring fairness is demonstrated by the proportionate use of the powers relative to the make up of communities. This is assessed from a baseline community profile drawn from the 2001 Census and further informed by 2006 Office of National Statistics assessment. Outcomes of stop and search activity are also monitored through the number of arrests following stop and search activity and national guidance suggests that Forces should review the use of stop and search powers in any areas where the arrest rates fall below 10%.
- 1.5 To assist Forces and Police Authorities to consistently monitor the appropriate use of stop and search powers by officers, the National Police Improvement Agency (NPIA) are developing a diagnostic tool for Police Forces that will bring greater consistency to the monitoring of disproportionality in the use of Stop and Search. In addition, Local Criminal Justice Boards will be collecting a minimum set of data to monitor local disproportionality across the criminal justice system. The tool is due to be available by the end of the year and a full report will be brought to members on the implications of the tool on the Force and Authority's monitoring arrangements as soon as they are known.

2. DEFINITIONS

2.1 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."

2.2 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

2.3 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.

3. DATA AVAILABLE

3.1 The data for this assessment is drawn from contemporaneous records of stops conducted by officers and comparison with previous records, reasons for use, demographic background and base line community profile. In relation to Stop and Search, officers record details of the encounter onto a stop and search form and recorded on force databases.

3.2 Stop/Account has been the subject of reduced recording requirements since January 2009 when a system was introduced for officers to record limited data including ethnicity via their radio terminals. Unfortunately a technical problem was identified after collation of the first quarter statistics and this is due to an intrinsic radio programming issue. The solution to the technical issue was agreed shortly afterwards but requires re programming of all radios and this will not be completed until December 2009. Whilst Stop Account activity is still reported by officers via radios, the data is currently unreliable. Much consideration was given to 'cleaning' the data and to introducing other methods of recording for the period until the technical issues had been overcome, but this proved impractical. In the mean time, as the data that is currently being recorded is unreliable, publication of the data has been suspended, which will obviously result in a data gap.

3.3 Community profiles used for comparison purposes rely on a census that was completed nearly 10 years ago and it is evident that there has been a change in the population in the intervening years. The Office of National Statistics published some 'experimental' data in 2006 that draws on a variety of assessments and comparisons are also made to this data in this report although that data is now three years old. Other methods also inform community profiles. Studies of on street populations in Bournemouth in 2005 showed that visible ethnic minority people made up 9% during the course of the observations. Current research using a commercially available socio-demographic profiling tool (Mosaic Database) which collates information from a variety of sources and makes assessments based on the names of residents, indicates that the two most relevant beats in Bournemouth have significantly higher populations of black and ethnic minority people.

4. PROPORTIONALITY IN THE USE OF STOP AND SEARCH

4.1 This summary is presented relative to the use of powers as an important tactic that supports the delivery of the 2009/10 Policing Plan Priorities.

COMPARISON 2008/09 - TOTAL NUMBER OF STOP/SEARCHES									
For period April - August 2009 (5 months)									
Table 1	No. of Searches		Change	2008		2009		Change +/-	
	2008	2009	+/-	Arrests	Arrest Rate	Arrests	Arrest Rate	Arrest Rate	
	White	2886	1933	-33.0%	327	11.3%	218	11.3%	-0.1%
	White Non British	64	66	3.1%	7	10.9%	11	16.7%	5.7%
	Mixed	73	49	-32.9%	8	11.0%	7	14.3%	3.3%
	Black & Black British	162	115	-29.0%	19	11.7%	21	18.3%	6.5%
	Asian & Asian British	38	45	18.4%	2	5.3%	3	6.7%	1.4%
	Chinese & Other	35	20	-42.9%	4	11.4%	4	20.0%	8.6%
	Not Stated	16	12	-25.0%	4	25.0%	1	8.3%	-16.7%
	OVERALL	3274	2240	-31.6%	371	11.3%	265	11.8%	0.5%
BME	372	295	-20.7%	40	10.8%	46	15.6%	4.8%	

4.2 **Table 1** above shows that overall a total of 2240 stop/searches were undertaken in this reporting period, a reduction of 31.6%. Overall, this reduction equates to a total of 1034 fewer stop/search incidents.

4.3 Of note, for the County as a whole, of the total stop and searches, 1933 (86% of total, 33% reduction in numbers overall), were on white people and 295 (13% of total, 21% reduction in numbers overall) were on BME groups. Of all searches of people from BME communities in the Bournemouth and Poole Division, 39% were of Black or Black British origin.

4.4 There have been reductions in the number of stop/search incidents in all ethnic groups except White Non-British and Asian and Asian British groups. The Asian and Asian British group experienced a significant increase of 18.4%, but this is from a very low base of stops from 38 to 45 and is not a matter for further consideration at this juncture.

4.5 The overall arrest rate, following stop/search incidents, is 11.8% (265 arrests). The arrest rate varies across the ethnicity groups with the lowest being the Asian and Asian British group at 6.7% and the highest being the Chinese & Other group at 20%. Again, arrest rates will be volatile for groups with low numbers of arrests and are not considered a matter for serious investigation at this juncture.

4.6 National mid-year (second quarter) data for stop and search is not collated, thus comparisons to other Forces is not possible.

4.7 **Table 2** overleaf sets out the number of searches that were conducted to reduce or detect crime involving firearms and weapons. The number of Firearm Stop Searches is low at 14 in total and reflects the lower level of threat from firearms in the Dorset region. The overall arrest rate is 14.3%.

4.8 Stop Searches for offensive weapons have dropped 26.6%. Arrests rates remain above average at 16.8% and reflect the quality of intelligence.

REDUCING MOST SERIOUS VIOLENT CRIME						
For period April – August 2009 (5 months)						
Table 2		No. of Searches		Change +/-	2009	
		2008	2009		Arrests	Arrest Rate
	Firearms	28	14	-50.0%	2	14.3%
	Offensive Weapon	252	185	-26.6%	31	16.8%

4.9 **Table 3** below sets out the number of stop searches that influence crimes most affecting local communities. Overall, numbers of stop searches have decreased, particularly regarding drugs and criminal damage. This reflects better use of available intelligence. Arrest rates are above average for 'Stolen Property', but significantly below average for 'Going Equipped' and 'Criminal Damage'. Reasons for the lower arrest rates is not clearly understood at this time but will be considered by Divisions in the next reporting period.

REDUCING THE CRIMES MOST AFFECTING LOCAL COMMUNITIES						
For period April – August 2009 (5 months)						
Table 3		No. of Searches		Change +/-	2009	
		2008	2009		Arrests	Arrest Rate
	Stolen Property	686	487	-29.0%	76	15.6%
	Drugs	1884	1215	-35.5%	133	10.9%
	Going Equipped	269	245	-8.9%	16	6.5%
	Criminal Damage	155	94	-39.4%	7	7.4%

4.10 **Table 4** overleaf identifies the reasons for stopping and searching individuals. It is clear that the investigation of controlled drug possession (54.2%) and stolen property (21.7%) are the two main reasons for stopping and searching. Stop searches in all categories are predominantly exercised on White individuals. 71.7% of searches of Black/Black British individuals were conducted under the authority of the Misuse of Drugs Act. There has been an increase in intelligence regarding young Black men involved in street dealing in Boscombe. Many of these dealers are from London and have convictions for drug dealing in London and, inevitably, are targeted in an intelligence led manner by local officers.

Reasons for Stop Searches
For period April – August 2009 (5 months)

Ethnicity	Stolen Property	%	Drugs	%	Firearms	%	Offensive Weapons	%	Going Equipped	%	Criminal Damage	%	Grand Total
White	425	22.0%	1021	52.8%	11	0.6%	162	8.4%	223	11.5%	91	4.7%	1933
White Non British	17	25.8%	37	56.1%	0	0.0%	5	7.6%	6	9.1%	1	1.5%	66
Mixed	9	18.4%	32	65.3%	0	0.0%	5	10.2%	3	6.1%	0	0.0%	49
Black & Black British	13	11.3%	85	73.9%	3	2.6%	9	7.8%	5	4.3%	0	0.0%	115
Asian & Asian British	9	20.0%	30	66.7%	0	0.0%	2	4.4%	3	6.7%	1	2.2%	45
Chinese & Other	8	40.0%	7	35.0%	0	0.0%	1	5.0%	4	20.0%	0	0.0%	20
Not Stated	6	50.0%	3	25.0%	0	0.0%	1	8.3%	1	8.3%	1	8.3%	12
OVERALL	487	21.7%	1215	54.2%	14	0.6%	185	8.3%	245	10.9%	94	4.2%	2240
BME	56	19.0%	191	64.7%	3	1.0%	22	7.5%	21	7.1%	2	0.7%	295

5. STOP AND SEARCH PROPORTIONATE TO COMMUNITIES

5.1 **Table 5** below shows that the figures for stop and searches per 1,000 population using the 2001 census indicate that 2.9 white people per 1,000 population were stopped and searched compared to 9.6 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 3.0 per 1,000 populations for white people compared to 5.9 for BME groups. Rates for Black and Black British groups are significantly higher at 22.5 per 1000 population.

NUMBER OF STOP/SEARCHES PER 1000 POPULATION

For period April - August 2009 (5 months)

Based on 2001 and 2006 Census statistics

Ethnicity	Census Data		Bmth & Poole	Dorset County
	2001	2006	2006	2006
White	2.9	3.0	5.1	1.4
White Non British	3.7	2.9	4.9	0.8
Mixed	10.1	7.1	11.4	2.2
Black & Black British	74.7	22.5	40.8	3.6
Asian & Asian British	15.8	5.8	8.8	2.2
Chinese & Other	5.4	2.7	4.5	0.9
BME (sub total)	9.6	5.9	10.0	1.5
OVERALL	3.2	3.2	5.6	1.4

- 5.2 **Table 6** below shows the number of stop/searches per 1000 population from a Divisional perspective and highlights the higher disproportionality that exists in the Bournemouth area, compared to other areas of Dorset.
- 5.3 Within the confines of the Bournemouth and Poole Division, there can be seen a large variance in Stop and Search activity between the two population centres. Between April and August 2009 there were 106 searches conducted on Black and Black/British individuals in the Bmth and Poole division but only 7 (6.7%) of those searches were carried out in the Poole area.
- 5.4 There are 42 separate beat areas in Bournemouth, but 56% of all searches of Black and Black British individuals were carried out in only two beat areas. Research of resident populations in these two specific beat areas has been undertaken by the use of a commercially produced socio-demographic profiling tool. It has estimated that the Black/Black British resident population is up to five times higher than the base population across Bournemouth & Poole.
- 5.5 Further work is being directed at obtaining a better understanding of populations at police beat levels. This will allow a better understanding of stop/search activity and disproportionality at a local level and members will be updated further on the outcome of this work at a future meeting.
- 5.6 Disproportionality in the Bournemouth area would appear to occur mainly in the beat areas of Boscombe, Springbourne and Bournemouth town centre. This coincides with the major night-time economy such as clubs and bars. Further investigation of the night-time economy population is ongoing to understand the difference with residential populations which will also be updated to members in a future report.
- 5.7 'Multiple stops' of people in Bournemouth was previously identified as a possible anomaly but now appears to have improved significantly with no BME individuals being stopped more than three times in the 5 month period reviewed.

Divisional Comparison				
No. of Stop Searches per 1000 Population				
For period April - August 2009				
Based on 2006 population statistics				
	Bmth	Poole	Dorset County	Dorset Overall
White	6.3	3.8	1.4	3.0
White Non British	5.8	3.2	0.8	2.9
Mixed	14.4	5.0	2.2	7.1
Black & Black British	52.1	10.0	3.6	22.5
Asian & Asian British	13.6	1.8	2.2	5.8
Chinese & Other	3.1	7.5	0.9	2.7
BME (sub total)	12.8	4.3	1.5	5.9
OVERALL	7.0	3.9	1.4	3.2

- 5.8 In the Dorset County Division, Section Commanders continue to review their sections stops, to ensure that stop/search powers are being exercised appropriately and effectively. The reporting period shows approximately a fifty percent reduction in total stop/searches when compared to the same period last year. (2008 –1144, 2009 - 578)
- 5.9 BME stop/searches have reduced from 68 in 2008 to 36 in 2009. The only increase being the Asian & Asian British group, which increased from the very low figures of 3 to 8.

6. SECURING TRUST AND CONFIDENCE

Independent community review

- 6.1 The Bournemouth & Poole Division are continuing to work closely with the Dorset African & Caribbean Association to raise awareness of people's rights, build better understanding of community issues around Stop/Search and to seek advice on other wide ranging issues.
- 6.2 In the County Division IAG members continue to examine all stop/search records and produce a verbal summary report to the full IAG. This is working very well in the Eastern IAG and will be adopted in the Western IAG by Christmas. Any issues are fed back to the section. Main points raised so far relate to drug searches forming the majority of reasons for stop and search and whether multiple searches at one incident i.e. car stopped with four occupants all searched, is necessary. No issues have been raised regarding lack of grounds for the searches.

Complaints regarding breach of Code A PACE on Stop and Search

- 6.3 There has been one complaint recorded for Breach of Code A PACE on Stop and Search. The case is still live. No complaints have been finalised in this reporting period.

Complaints against the organisation (direction and control complaints)

- 6.4 Two complaints have been made which refer to being stopped whilst in vehicles. One makes reference to generally being stopped in Weymouth (this has now been finalised, see below) and the other to being stopped 4 times in a short period of time without a valid reason.

Civil claims

- 6.5 No civil claims relating to stop and search have been received this quarter.

Finalised Complaints

- 6.6 One Direction and Control Complaint case has been finalised in this period and this concerned a male person aggrieved about his arrest; his car being damaged during recovery and generally being stopped by police in Weymouth. This was addressed by an officer visiting the complainant, explaining procedures and advising on the process for making a civil claim.

The priority to Secure Trust and Confidence

- 6.7 This priority overarches all other priorities and seeks to raise the confidence of people irrespective of them being victims, suspects or offenders. In this section public perception of stop and search is examined.
- 6.8 There is no direct data indicating the satisfaction or confidence of people who have been stopped and searched.

6.9 The latest British Crime Survey data reports on the period up to the end of March 2009. This indicates that 65.4% of respondents stated that they thought their local police were doing a good or excellent job. This is the highest national rating.

7. RECOMMENDATION

7.1 Members are asked to note this report.

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