|  |
| --- |
| Coercive Powers Report |
|  |
| Annual Report 2022/2023 |
| 1. PURPOSE AND RECOMMENDATION   The purpose of this annual report is to provide a transparent view of the use of stop and search and use of force powers in Gwent over the last 12 months from April 2022 to March 2023. It will explain what Gwent Police is doing to improve the service it provides and ensure police powers are used effectively, legally and proportionately.   1. INTRODUCTION & BACKGROUND   Stop and search remains a hugely important police powers for protecting the public, tackling crime and keeping our streets safe. Gwent Police does not underestimate the impact stop and search has on communities and individuals. We know that to maintain public confidence in its use, the power must be used in a fair and effective manner. The main reason we use stop and search is to allow officers to investigate their suspicions about an individual without having to arrest them. How effective stop and search is, is as much about avoiding unnecessary arrests as it is about a crime being detected. We believe a stop and search is most likely to be fair and effective when:   1. the search is justified, lawful and stands up to public scrutiny. 2. the officer has genuine and objectively reasonable suspicion they will find a prohibited article or item for use in crime. 3. the person understands why they have been searched and feels they have been treated with respect. 4. the search was necessary and was the most proportionate method the police officer could use to establish whether the person has such an item.   Whilst stop and search is a vital tactic in combating crime, disrupting offenders, and gathering intelligence we welcome scrutiny and will continue to work with our communities and stakeholders to improve the quality of interactions and ensure that stop and search continues to protect the public.   1. INTERNAL SCRUTINY AND ACCOUNTABILITY   National statistics show that the use of stop and search throughout England and Wales has seen a significant reduction of 25% since the COVID pandemic. This reduction has been mirrored in Gwent after the increases seen during the pandemic years which were partly due to proactive policing during lockdowns. The force has placed a significant focus on reinvigorating the use of appropriate, ethical and proportionate stop searches with a slight increase in its use during 2022/23. However, with this comes our commitment to ensuring the legitimacy of what we do. The sub sections which follow highlight the monitoring and scrutiny we have put in place.  Operational Performance Board  Monthly meeting chaired by the Assistant Chief Constable, where data about the use of stop and search and use of force powers are presented and considered alongside a wider set of performance information about how the force treats people.  *Coercive Powers Scrutiny Board*  Chaired by the Superintendent portfolio lead, meets quarterly and actively seeks to identify information which could suggest any abuse in the use of powers or discriminatory behaviour. The group was formed in 2020 and consists of a cross section of senior police managers, training and equality and diversity officers who provide internal oversight and scrutiny on the use of coercive powers to include stop search, strip search, use of Taser and use of force. The group reviews stop search and use of force data from the most recent period carrying out careful analysis to determine any concerning trends or patterns, unacceptable use, learning opportunities, matters of policy and the examination of disproportionality. Those officers highlighted as high users of stop search powers and use of force have their records examined by the tactical stop search and use of force lead.  *Local Policing Area (LPA) Scrutiny*  Both geographical policing areas (East and West) hold monthly performance and scrutiny meetings. Stop and search and use of force forms part of the LPA strategic performance review, and scrutiny at this level includes reviewing:   * Disproportionality and trends and comparative data across sections. * Find rates across teams, including disparity and volume and trends by individual officers. * Activity alignment to local and force priorities. * Individuals subjected to repeat stops. * Lawfulness of grounds recorded.   Supervisors of officers conducting stop and searches also have a responsibility to check the quality of grounds recorded on all stop and search forms and to ensure activity is proportionate. They also view body worn video records and, if necessary, take steps to address improvement such as further training or supervisory action.  *Coercive Powers Quality Improvement Group*  A tactical group, chaired by an Inspector which supports the Coercive Powers Scrutiny Board and has nominated representatives from around the force responsible for:   * Dip sampling of all stop search and use of force records and officers Body Worn Video. * The recruitment, administration and development of stop search coaches. * Training and development. * National and best practice and scanning.  1. TRANSPARENCY AND EXTERNAL GOVERNANCE   Body Worn Video  Gwent Police has issued personal Body-worn video cameras (BWV) to all of our frontline officers and staff and there is an expectation that recording is activated whenever coercive powers are used or when attending incidents likely to involve confrontation. The force reviews the footage from such incidents both internally and via the showing of randomly selected footage to the external independent Legitimacy and Scrutiny Group.  *Legitimacy and Scrutiny Panel*  The Legitimacy and Scrutiny Panel was established by the Office of the Police and Crime Commissioner. The panel is made up of members of its Independent Advisory Group which includes a diverse group of people. The police portfolio lead (Superintendent) and tactical lead (Inspector) attend the meeting to ensure community feedback is quickly disseminated to the force. The panel meets on a quarterly basis and member’s review:   * A random selection of stop and search including Body Worn Video. * A random selection of use of force including Body Worn Video.   All panel members have had training in relevant legislation and police powers. The force presents information on the incidents selected for review and body-worn video footage. It uses the feedback from the panel to identify any training or development gaps or problems.  To further strengthen the independent scrutiny of stop and search and use of force, the force has worked closely with the OPCC to develop a new youth scrutiny pilot project with the John Frost Secondary School in Newport. This school covers the diverse catchment areas of Pillgwenlly, Duffryn, Maesglas, Gaer, Glasllwch, St Woolos and Clytha. This pilot will offer an opportunity of engaging with the ‘next generation’ ensuring that our scrutiny is representative of different age groups.  *Training:*  We have invested in training all of our frontline officers and providing practical guidance in line with the College of Policing Authorised Professional Practice (APP) for using powers to stop and search. Training is provided through the completion of online material but reinforced with ongoing personal briefings to Sergeants during force training days.   1. STOP AND SEARCH DATA   Summary:   * Total Stops increased slightly in 2022/23 over the previous year by 3.4%, however this number is significantly lower than in previous years and in line with a national 25% reduction since the COVID pandemic years. * During 2022/23, stops conducted in the Newport area accounted for 35.7% of the force total. This accounts for the number of Organised Crime Groups residing in this area. * 56.3% of all stops were conducted under S23 Drugs Act, a number which is lower than in previous years. * The largest proportion of people Stop Searched continues to be aged between 18 and 25 (33.8%; n=705). * The number of ethnic minority stops as a percentage of total stops was 13.5% (n=289) with the largest proportions in Newport West with 24.4%. The ethnic minority population of Gwent is 8.6%. * The overall Race Disproportionately Rate (RDR) was 2.0 meaning the ethnic minority population in Gwent were twice as likely to be stopped that the white population. * The find rate for the Force as a whole was 26.0%. This figure was highest in Torfaen and Newport East which had find rates of over 30% * The use of Body Worn Video (BWV) for stop and search was 94.4%.   Total Stop Search Numbers  Table of figures  Bar chart  The table and chart above highlights that overall stops have risen slightly between 2021/22 and 2022/23 by 3.4%. However, the numbers being carried out are still significantly below where they have been in the past few years. This decline has been for a number of reasons, all of which have been highlighted in previous reports, including the effect Covid lockdowns have had, team restructuring and a reduction in the number of large-scale operations being run.  table of figures  The above table shows that ‘S23 Drugs 1971’ continues to be the most used power for stopping people, accounting for 56.3% of total Stop Searches carried out. This is an area that has received previous scrutiny from the OPCC as a cause of concern when it was as high as 70%. The question of why so many searches are carried out using this power is one that comes up frequently, both locally and nationally. Many of the searches carried out for drugs are in relation to cannabis and are the result of the “reasonable grounds to suspect” being formed, in part, due to the distinctive smell of the drug. In many of these cases there was no prior intent by the officer to conduct a search but having stopped a vehicle for example and having smelled cannabis, additional factors become apparent, such as openly visible drugs paraphernalia, they then conduct a search to confirm or allay their suspicions. (N.B. It is important to point out that officers cannot conduct a drugs search on the grounds of smell of cannabis alone).  Table of figures  The above table shows all Person Stops by section where a known location is recorded. As can be seen, Newport accounted for 35.7% (n=764) of all stops conducted within the Force area, which is a decrease from the mid-40s it regularly recorded during 2020/21.  The table below illustrates the ages of those stopped in each section during 2022/23. It shows the largest proportion of people Stop Searched continues to be aged between 18 and 25 (33.8%; n=705). The number of under 17s being stopped accounted for 20.7%; something which is monitored closely at all scrutiny meetings.  Table of figures  The below table shows the wards where the most Person Stops have occurred. The number of stops these top five wards accounted for has increased slightly, from 26.8% in 2021/22, to 27.7% in 2022/23. It means that over a quarter of all stops around the force occurred within just 5 wards.  Table of figures  Ethnic Minority Searches  Table of figures  As can be seen in the table above the highest numbers of ethnic minority searches occurred within Newport West (n=97) with a total of 165 occurring across the whole city of Newport. 84 ethnic minority stops took place in all other locations around the force. This meant the overall force ratio of ethnic minority individuals stopped was 13.5%.  Table of figures  Above is the breakdown of ethnic minority Stops and White Stops by section, providing the RDR rating for each. It shows that overall, the Force has a RDR of 2.0 for the year. This means that a person from the ethnic minority community was 2.0 times more likely to be Stop Searched in Gwent during 2022/23 than someone from a white background. Here we can see that the much lower resident population of Black, Asian and Minority Ethnic people in Monmouthshire, Caerphilly Central and Torfaen results in a significantly higher level of disparity. This may be due to non-resident people being stopped and searched on the road networks for example. Understanding this disparity is a key objective going forward. When the much larger city ethnic minority population is taken into account, the disparity reduces considerably, demonstrating the effect that different population sizes have on proportionality data.  Find Rates  Table of figures  Bar chart  The above Table and Chart highlight the find rates for all Stops carried out during 2022/23 and indicates that overall, on 26.0% of occasions the item searched for was recovered. This is an increase on the previous year’s data where the find rate was 24%.  Body Worn Video  Table of figures  As can be seen in the above table, BWV compliance during 2022/23 force wide was 94.4%. the small number of instances where BWV was not used, camera out of power was the most prevalent reason (2.1%; n=44). This is potentially due to some IT teething issues with a new device that was introduced during this time period.  **S.60 Criminal Justice and Public Order Act 1994**  S.60 of the Criminal Justice and Public Order Act 1994 is the “blanket” power to stop and search any person in a defined area to prevent serious violence or to find weapons which are believed to be being carried. It requires the authority of a senior officer. **This power was not used in the 12 month period.**  Strip Searches  Table of figures  The force closely monitors the number of strip searches of children. There was one full strip search recorded of a child under 16 which occurred at the custody unit.  Stop and Search future focus and next steps.  Disproportionality in stop and search data is an issue both nationally and in Gwent. Gwent Police recognises the negative effect and serious concerns this has on trust, confidence and building effective relationships with Black, Asian and minority ethnic communities. Gwent Police is actively committed to continuing engagement and dialogue with our diverse communities and independent scrutiny panel to further understand this issue and identify how the disparity in the way these powers are used can be mitigated.  *Gwent Police priorities for stop and search 2023/2024*  The priorities for the next year will include:   * Continue development into understanding factors of disproportionality. * Identify and implement additional opportunities for capturing feedback from communities regarding their experiences of stop and search. * Increase the participation of young people in the scrutiny of stop and search. * Increase and improve the scrutiny of vehicle stops.  1. USE OF FORCE DATA     **Total Number of Forms Submitted**  Table of figures  **Total Difference from 2019/20 to 2020/21 compared to 2022/23**  The above tables show that in 2022/23 there were a total of 6538 use of force forms submitted, this was an increase of 10.74% (634 additional forms) compared to 2021/22 (5904 forms). When comparing 2022/23 to the previous two years there are large decrease in the number of forms submitted, a 16.37% decrease on 2020/21 and 6.64% decrease on 2019/20 (see below table). This is being closely monitored at internal governance meetings.  Table of figures  **Total Percentage Difference**  In the below table, of the 6538 use of force forms submitted in 2022/23, 5854 (89.54%) stated that the subject was of White ethnicity and 514 (7.86%) forms stated the subject was from a Minority Ethnic Group. Currently all ethnicity data relating to use of force is based on Officer perceived ethnicity, the below table is based on the number of forms submitted therefore, some subjects may be counted more than once. This is because each Officer who uses force must submit a form to state their involvement, on some occasions multiple Officers will be required to use force on the same subject.  Table of figures  **Total Number of Use of Force Forms Submitted by Perceived Age and Perceived Ethnicity**  There were 6538 forms submitted in 2022/23, these were relating to a total of 4755 subjects. This figure is based on individual incidents, this means that if multiple officers submitted forms for one subject for one incident, the subject will only be counted once. If a subject has had force used against them on multiple occasions within the last quarter, they will be counted for each incident.  Of the 4755 subjects in 2022/23, there were 4208 (88.50%) subjects who were identified as White and 446 (9.4%) who are identified as from a Minority Ethnic Group (and ‘other’ group). The 2021 Census data highlights that 8.6% of the population of Gwent is from a Minority Ethnic Group. This indicates a degree of disproportionality which is most prominent with Black subjects. Out of the 4208 subjects, 3.20% (152 subjects) were identified as Black (or Black British), whereas the 2021 Census suggesting that only 0.78% of the population in Gwent identifies as Black. Additionally, 3.49% (166 Subjects) of subjects were identified as Asian (or Asian British), compared to 2.86% of the population of Gwent who identified as Asian. It is important to consider that the use of force form only provided Officer’s perceived ethnicity of the subjects, whereas the Census data is self-defined ethnicity.  Table of figures  Total Number of Individual People Who Had Force Used Against Them by Perceived Age and Perceived Ethnicity  Table of figures  **Total Number of Tactics Used by Tactic Type**  The above table is based on all tactics used by all Officers, multiple Officers may use force at the same occurrence and each Officer may use more than one tactic. Officers must fill out the form in the order the tactics were used. The Home Office has stated that Tactical Communication is no longer required, any form that stated Tactical Communication has been manually edited to remove that tactic.  In 2022/23, from the 6538 forms submitted, it was identified that a total of 9876 tactics were used. The most used tactic was Compliant Handcuffing, which was used a total of 3459 times, accounting for 35.02% of all tactics used. Unarmed Skills was the second most used tactic and was used 2433 (24.64%) times, followed by Non-Compliant Handcuffing which was used 1763 (17.85%) times. Compliant Handcuffing was the most used primary tactic and was selected as tactic 1 on a total of 2854 forms.  Table of figures  Total Number of Tactics Used by Perceived Age  The above table is based on the total amount of tactics used and broken down by the age of the subject the form is relating to. Subjects may be counted multiple times if more than one Officer submitted a form relating to the that subject and if more than one tactic was used. This figure cannot be based on the number of individual subjects because if multiple Officers used force on one subject, they may have used different tactics and each tactic needs to be accounted for.  Compliant handcuffing was the most common tactic used across most of the age groups. Out of the 892 tactics used against subjects aged 11-17 years, 260 were unarmed skills. Similarly, for subjects aged 18-34 years, out of 5351 tactics, 1785 were Compliant Handcuffing and for those aged 35-49 years Compliant Handcuffing was used 1139 times out of 2849 tactics. As the subject ages increases so does the likelihood of Compliant Handcuffing being used as tactic. For subjects aged under 11 years old, Compliant Handcuffing wasn’t used at all. For this age group, there were only three tactics used, two were Unarmed Skills, and one was unknown.  C.E.D (Taser) was used as a tactic on a subject aged 11-17 years a total of 39 times. There were numerous incidents where multiple forms were submitted with Taser as a tactic for the same subject who was aged 11-17 years. All forms stated that the subject was of White Ethnicity and that the highest use of the taser was red-dot, i.e. there were no discharges.  Table of figures  **Total Number of Tactics Used by Perceived Ethnicity**  The above table is the total amount of tactics used broken down by the ethnicity (Officer perceived) of the subject the form is relating to. Subjects may be counted multiple times if more than one Officer submitted a form relating to the that subject and if more than one tactic was used. This figure cannot be based on the number of subjects because if multiple Officers used force on one subject, they may have used different tactics and each tactic needs to be accounted for.  In 2022/23 the most used tactic across each of the ethnic groups was Compliant Handcuffing. Unarmed skills were the second most used tactic for ethnic groups.  Use of Force future focus and next steps:   * Closely monitor the volume of use of force forms submitted, recognising a decline in recent years. * Continue development into understanding factors of disproportionality in use of force. * Identify and implement additional opportunities for capturing feedback from communities regarding their experiences of use of force. * Increase the participation of young people in the scrutiny of use of force.  1. PERSONNEL CONSIDERATIONS  * None  1. LEGAL CONSIDERATIONS  * None  1. EQUALITIES & HUMAN RIGHTS CONSIDERATIONS    * This report has been considered against the general duty to promote equality, as stipulated under the Joint Strategic Equality Plan and has been assessed not to discriminate against any particular group.    * In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998. 2. RISK  * Due to results of audits and the below average NCRS compliance rates the matter is included on the Force/ OPCC Joint Risk Register as a high risk.  1. PUBLIC INTEREST    * In producing this report, has consideration been given to ‘public confidence’? Yes    * Are the contents of this report, observations and appendices necessary and suitable for the public domain? Yes    * If you consider this report to be exempt from the public domain, please state the reasons: N/A    * Media, Stakeholder and Community Impacts: None 2. REPORT AUTHOR    * Supt Mike Richards 3. LEAD CHIEF OFFICER    * ACC Mark Hobrough 4. ANNEXES    * Nil 5. GOVERNANCE BOARD AND CHIEF OFFICER APPROVAL    * This report has been presented to the following board:   Scrutiny Executive Board   * + Meeting chaired by:   DCC Rachel Williams   * + Meeting date:   01.08.23   * + Actions and amendments arising from meeting:   Update statistics in the narrative for use of Force disproportionality – completed by Supt Mike Richards 02.08.2023.   * + I confirm this report has been discussed and approved at a formal Chief Officers’ meeting.   Meeting chaired by:  CC Pam Kelly  Meeting date:  15.08.23   * + I confirm this report is suitable for the public domain.   Signature: Electronic signature Date: 15.08.2023 | | |
|  | | |
|  | | |