

**DECISION NO: PCCG - 2013 - 052**

**OFFICE OF POLICE AND CRIME COMMISSIONER**

**TITLE: Stop and Search Dip Sampling - March 2013**

**DATE: 16<sup>th</sup> April 2013**

**TIMING: Routine**

**PURPOSE: For scrutiny/monitoring**

<b>1.</b>	<b><u>RECOMMENDATION</u></b> To note the outcome of the dip-sampling exercise undertaken on 13 <sup>th</sup> March 2013, and consider the resulting questions posed by group members along with the responses provided by the Force.
<b>2.</b>	<b><u>INTRODUCTION &amp; BACKGROUND</u></b> In January 2013, the Commissioner decided to implement a stop and search dip-sampling procedure, to be undertaken on his behalf by a dip-sampling group (Decision Log PCCG-2013-001). The group consists of four members of the Independent Advisory Group (IAG) who undertake the exercise as representatives of the community. The exercise is supported by the Office of the Police and Crime Commissioner's (OPCC) Policy Officer and the group will convene, in the first year, on a 6-monthly basis and then thereafter as arranged by the OPCC. Results are reported to the OPCC Strategic Planning Board for monitoring and consideration.  The group has been established with a Terms of Reference and guidance was provided to the members prior to the initial dip-sampling exercise, which took place on 13 <sup>th</sup> March, 2013.
<b>3.</b>	<b><u>ISSUES FOR CONSIDERATION</u></b> A total of 150 stop and search records, selected at random by the OPCC's Policy Officer, were examined during the exercise, with dates ranging between September 2012 and February 2013. As well as examining overall quality of the records, group members agreed to specifically consider a number of criteria, including: <ul style="list-style-type: none"><li>• Age</li><li>• Self-defined ethnicity</li><li>• Outcome</li><li>• Whether a copy of the form was provided to the subject</li></ul> The results of the exercise have been collated and tabled, and are appended for reference.  Overall, the quality of the records was found to be satisfactory. 6 forms were of higher quality than average, with clear explanations and complete information. It was noted that several records carried Crime Management Unit 'missing information' labels and the following was specifically documented during the exercise: <ul style="list-style-type: none"><li>• 2 records with incomplete 'Power' sections</li></ul>

- 11 records with incomplete 'Purpose' sections
- 1 record with incomplete 'Grounds'
- 9 records with incomplete 'Copy of form provided' sections.

Members also observed that 9 forms were missing the 'Ward/Beat Code' and 71 records lacked any 'Person Description' details.

Of the 150 records examined, the majority of subjects were recorded as aged between 17 and 25 years; a further 17 individuals were indicated as aged less than 16 years.

A total of 25 stops were recorded against minority ethnicities, with 11 of these recorded in the Newport LPU. Of the 25 records, 16 purported to be of O1 - Chinese origin. Further examination of the data revealed that the Officer defined ethnicity codes on all records in question were confirmed as 01 – White European. This raised a question over whether individuals had indicated, either mistakenly or intentionally, 01-White European in the section 'Officer defined ethnicity codes' rather than selecting their correct category from the 'Self defined ethnicity section'.

Overall, 121 'No Further Action' (NFA) outcomes were noted, with a further 25 records showing an actionable outcome, for example, arrest, caution, etc. 90 records were logged as drug-related, providing a total of 69 NFAs and only 6 arrests. Some records were found to relate to particular policing operations running in the Gwent area at that time.

In addition, 96 records were shown as having been 'Declined' by the person stopped, with only 9 copies 'Provided'.

#### 4. **NEXT STEPS**

As a result of the dip-sampling exercise, the following comments and questions have been provided for consideration by the Force in terms of the continuous improvement work in this area:

1. Officers should ensure that subjects make their 'Self defined ethnicity' selection from the correct list of options, as incorrect identification has an adverse effect on the ethnicity data recorded.

**Whilst the recent inspection form HMIC was favourable in its commentary on how this is being conducted there is still room for further improvement to ensure the correct processes and procedures are being applied.**

**This will be reinforced through the Assistant Chief Constable's (ACCs) Performance meeting and the forthcoming first line supervisor training. A Force communications campaign was initiated to target frontline personnel, including a Gwent TV video message and Gwent Guardian article; however this will also form part of the forthcoming message from the Deputy Chief Constable (DCC) setting out the importance of equality as part of the work in delivering the priorities set out in the Strategic Equality Plan.**

**QlikView (Gwent Police's performance monitoring system) is fully functional in**

**terms of providing appropriate data for supervisory scrutiny**

2. With an apparent high number of NFAs as a result of stop searches, communities need to be assured that the process is intelligence-led. What activity is being undertaken to ensure that this is the case?

**This will be reinforced through the ACC's Performance Meeting and the forthcoming first line supervisor training.**

3. Some of the 'Grounds' explanations did not clearly explain the reason behind the stop and would have benefitted from more information being provided by the officer, as the explanation provided may not be clear to the person that has undergone the stop and search. Could this be a training-related issue?

**As above.**

4. As stop and search encounters have the ability to negatively affect confidence in the police, particularly with regard to young people, has any consideration been given to undertaking an exercise that measures the quality of experiences in addition to the receipt of any complaints against the process?

**This will be covered by the ACC with the assistance of the Independent Advisory Group and will be covered in the Force Public Confidence plan. In addition the Professional Standards Department analysts monitor levels and the nature of complaints and these are fed back to the ACC.**

5. Whilst it is accepted that some individuals stopped and searched will decline a copy of the record, there is concern at the low uptake of forms. How can communities be assured that copies are being offered to people, and that, when they are declined or logged as 'Impractical', individuals understand how they can obtain a copy of their stops record?

**There is a requirement under Code A of the Police and Criminal Evidence Act 1984 that where a stop and search is conducted that the officer informs them of their right to have a copy of the form within 3 months of the date of the stop. This requirement is routinely reinforced in officer safety training.**

A further dip-sampling exercise has been planned for September 2013.

**5. FINANCIAL CONSIDERATIONS**

IAG members' costs are met by Gwent Police; there is no additional expenditure by the OPCC.

**6. PERSONNEL CONSIDERATIONS**

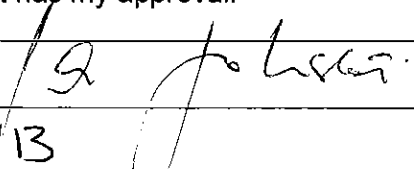
There are no additional personnel considerations; the dip-sampling exercise is undertaken as part of the OPCC's normal working arrangements.

**7. LEGAL IMPLICATIONS**

Under the Police and Criminal Evidence Act (PACE) Code A 5.4, the Commissioner is required to make arrangements for stop and search records to be scrutinised by representatives of the community, and to explain the use of the powers at a local

	<p>level.</p> <p>The exercise also falls within the Commissioner's wider accountability duties.</p>
<b>8.</b>	<p><b><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></b></p> <p><i>This project/proposal has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.</i></p> <p><i>Consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998 in preparing this report.</i></p> <p>The dip-sampling process aims to help ensure that the stop and search procedure is being used effectively, proportionately and justifiably across all communities in Gwent.</p>
<b>9.</b>	<p><b><u>RISK</u></b></p> <p>Stop and search has the potential to negatively affect public confidence in the police if not carried out appropriately and with consideration of an individual's needs. The dip-sampling process aims to help ensure that encounters are undertaken appropriately.</p>
<b>10.</b>	<p><b><u>PUBLIC INTEREST</u></b></p> <p>Dip-sampling results will be provided to the IAG to form part of their stop and search discussions. The report will also be published on the OPCC website.</p>
<b>11.</b>	<p><b><u>CONTACT OFFICER</u></b></p> <p>Caroline Hawkins – Policy Officer, OPCC</p>
<b>12.</b>	<p><b><u>ANNEXES</u></b></p> <p>Annex 1 - Dip-sampling tabled results: March 2013</p>

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<b>Office of the Chief Constable</b>	
This report has been commented upon by the lead Chief Officer in Force.	
<b>Consultation:</b>	<b>Tick to confirm (if applicable)</b>
<b>Financial</b> The Treasurer has been consulted on this proposal.	√
<b>OPCC (insert name)</b> The Senior Policy Manager has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	√
<b>Legal</b> The legal team have been consulted on this proposal.	N/A
<b>Equalities</b> The Equalities Officer has been consulted on this proposal.	√
<b>Chief Executive/ Deputy Chief Executive:</b>  I have been consulted about the proposal and can confirm that financial, legal, equalities etc... advice has been taken into account in the preparation of this report.  I am satisfied that this is an appropriate report to be submitted to the Police and Crime Commissioner for Gwent.	
<b>Signature:</b>  S A B...	
<b>Date:</b> 12/04/13	
<b>Police and Crime Commissioner for Gwent</b>  I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.  The above request has my approval.	
<b>Signature:</b> 	
<b>Date:</b> 19/04/13	

