
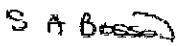
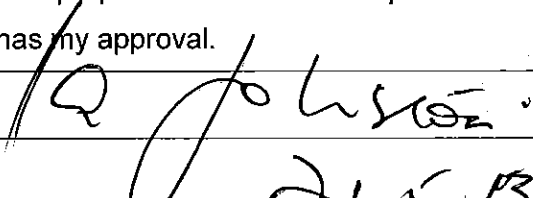


DECISION NO: PCCG-2013-078	
OFFICE OF POLICE & CRIME COMMISSIONER	
TITLE:	Stop and Search: Interim Report
DATE:	21 <sup>st</sup> May 2013
TIMING:	Routine
PURPOSE:	For monitoring
1.	<b><u>RECOMMENDATION</u></b>
1.1	This report is for monitoring.
2.	<b><u>INTRODUCTION &amp; BACKGROUND</u></b>
2.1	In 2012 and 2013 HMIC carried out an inspection in all 43 police forces of England and Wales to determine the effectiveness and fairness of the police use of their powers to stop search people.
2.2	HMIC visited Gwent police in February 2012, senior officers and front line staff were interviewed and relevant documents were scrutinised. Several stations were visited and surveys conducted with people who had been subject to stop and search activity by Gwent officers.
2.3	It was noted during the inspection that a new force policy on stop and search had been introduced. This was supported by a procedural document incorporating the recommended updates and learning from the previous work with the IPCC and the NPIA gleaned from the 'Next Steps' programme.
3.	<b><u>ISSUES FOR CONSIDERATION</u></b>
3.1	The following points were highlighted by the HMIC inspection team in relation to the Gwent Policy and Procedures:-  There is strong leadership and commitment around stop and search at a strategic level and governance arrangements support the force's drive to increase public confidence.  <ul style="list-style-type: none"> <li>• <b>Whilst the messages are strong they do not specifically promote the legitimacy, fairness or effectiveness of stop and search.</b></li> </ul>
3.2	The force is focused on crime reduction and public confidence. The use of stop and search is seen as one of a number of tactics that contribute to these force priorities. Force policy is clear: 'the primary purpose of the use of stop and search powers should be the prevention and detection of crime.'  <ul style="list-style-type: none"> <li>• <b>Regardless of the purpose, supervisors and managers must ensure that processes are in place in order to demonstrate the effectiveness of the powers through regular monitoring.</b></li> </ul>
3.3	Where stop and search had been identified as a tactic at an LPU level, there was evidence of its fair and effective use in influencing community confidence being reviewed as part of ongoing dialogue with the community.  <ul style="list-style-type: none"> <li>• <b>At both the strategic and LPU levels there was no evidence provided to show that any review of the effective use of stop and search assessed the impact on recorded and detected crime.</b></li> </ul>

3.4	The quality of scrutiny was variable across the force. Some officers reported having had records returned for additions and amendments whereas others had received no feedback.
3.5	<p>Officers generally have sufficient grounds to exercise their powers and comply with the legislation in respect of stop and search. They understood the powers.</p> <ul style="list-style-type: none"> <li>• <b>There was some evidence that officers engaged in stop and search activity did not always complete the whole procedure.</b></li> <li>• <b>For example, some staff stated that when they searched repeat offenders with whom they were familiar they did not always outline all elements of the 'GOWISELY' mnemonic.</b></li> </ul>
<b>4.</b>	<b><u>NEXT STEPS</u></b>
4.1	To fully implement the recommendations highlighted by the recent HMIC feedback report as indicated in the HMIC Action template (Annex 12.2) which will be incorporated into the Stop & Search Implementation Plan (Annex 12.1) which is monitored by the Head of Neighbourhood Policing and provided bi-annually to Chief Officers and the Police and Crime Commissioner.
<b>5.</b>	<b><u>FINANCIAL CONSIDERATIONS</u></b>
5.1	There is no cost implication associated with these recommendations.
<b>6.</b>	<b><u>PERSONNEL CONSIDERATIONS</u></b>
6.1	There is no specific staffing or personnel implication associated with this report.
<b>7.</b>	<b><u>LEGAL IMPLICATIONS</u></b>
7.1	The report demonstrates that the force is currently on a relatively firm legal footing in respect of stop and search. Implementation of the recommendations will further enhance this and will mitigate against the potential for any litigation which may be brought against the force.
<b>8.</b>	<b><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></b>
8.1	<p>It is recognised that stop and search activities have the potential to have a significant impact on community confidence, particularly if the tactic is perceived to be used in a discriminatory manner.</p> <p>HMIC and previous NPIA findings indicate no evidence of discriminatory or prejudicial practices influencing Gwent Police's approach to stop and search.</p>
8.2	This report has been considered against the general duty to promote equality, as stipulated under the Single Equality Scheme and has been assessed not to discriminate against any particular group.
8.3	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.
<b>9.</b>	<b><u>RISK</u></b>
9.1	The on-going work in relation to stop and search is designed to minimise any risk to the Force in respect of failure to comply with legislation and the impact on public confidence of poor use of powers and procedures.

<b>10.</b>	<b><u>PUBLIC INTEREST</u></b>
10.1	Stop and Search data is public facing published on the force internet site.
<b>11.</b>	<b><u>CONTACT OFFICER</u></b>
11.1	Inspector Christopher Hocking- Brown, Head of Community Safety
<b>12.</b>	<b><u>ANNEXES</u></b>
12.1	Stop and Search Implementation plan
12.2	HMIC Action Template 2013

For OPCC use only

<b>Office of the Chief Constable</b>	
I confirm that <b>Stop &amp; Search: Interim Report</b> report has been discussed and approved at a formal Chief Officers' meeting. It is now forwarded to the OPCC for approval / information / monitoring purposes.	
<b>Signature:</b> 	
<b>Date: 14 May 2013</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 Policy Officer 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.	N/A
<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> 	
<b>Date: 16/05/13</b>	
<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> 21.5.13	