

DECISION NO:

OFFICE OF POLICE AND CRIME COMMISSIONER

TITLE: Stop and Search Dip Sampling - July 2016

DATE: 24TH August 2016

TIMING: 6 monthly dip sampling exercise (as recommended by HMIC reports)

PURPOSE: For scrutiny/monitoring

1.	<p><u>RECOMMENDATION</u></p> <p>To note the outcome of the 'Quality of Encounters Process' which includes the dip-sampling exercise undertaken on 26th July 2016 and consider the observations resulting from all activities.</p>
2.	<p><u>INTRODUCTION & BACKGROUND</u></p> <p>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 membership of the group includes, Independent Advisory Group (IAG) members, young person representative, Force lead for stop and search, Force Community Cohesion Officer and the Office of the Police and Crime Commissioner (OPCC) Policy Officer.</p> <p>During April 2016 the OPCC Policy Officer reviewed the dip sampling exercise in consultation with the Stop and Search Board members and OPCC's Executive Board. The outcome of the review was to rename the Process 'Quality of Encounters' as this represents the wider approach taken to monitor stop and search legitimacy, proportionality and fairness.</p> <p>Below illustrates the exercises undertaken by the OPCC within this new 'Quality of Encounters' process:</p> <p>a) <u>Legitimacy and Grounds:</u></p> <p>Dip Sampling: Examine stop and search records from the previous 6 month time period against a list of criteria relating to 'Ethnicity', 'Power', 'Purpose', 'Grounds', 'Outcome', 'Copy provided', 'Birth year', 'Local Policing Unit', and 'Gender'. Findings will be recorded on the OPCC Stop and Search Monitoring Form.</p> <p>b) <u>Officer Conduct and Quality of Encounter:</u></p> <p>i) Dip sample body worn camera footage from the month preceding the exercise to measure Police Officers' treatment of individuals during a stop and search encounter, which includes a focus on</p>

	<p>efficiency and quality.</p> <p>ii) Analyse the 'Quality of Encounter' satisfaction surveys undertaken by Gwent Police cohesion volunteers.</p> <p>iii) On a 6 monthly basis, the Positive Futures programme who engage with young people through sport, will be utilised to firstly, test whether young people 'Know their Rights' if they were to be stopped and searched by the Police. Secondly, to raise awareness of their rights in the event that they are stopped and searched by the Police.</p> <p>c) <u>Trends and Demographic:</u></p> <p>Analyse stop and search data, with particular focus on race proportionality and demographics. This section is not individually reported on within this process but absorbed within the conclusions of the report.</p> <p>The collective results of the above exercises are outlined in detail below and presented to the OPCC's Executive Board for consideration and thereafter, to the Stop and Search Board to implement any recommendations as appropriate.</p> <p><u>PEEL: Police Legitimacy 2015</u></p> <p>The results of the last HMIC PEEL: Legitimacy Inspection 2015,</p> <ul style="list-style-type: none"> • Overall Judgment : Good; • To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture: Good; • How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy: Outstanding • To what extent are decisions taken on the use of stop and search and Taser fair and appropriate: Good; <p>One key area of improvement was to '<i>ensure that stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search.</i>'</p> <p>This was taken into consideration when completing the dip sampling exercise, as specific focus for the group was given to scrutinising the grounds of each record and documenting whether grounds were sufficiently met.</p>
3.	<p><u>ISSUES FOR CONSIDERATION</u></p> <p><u>A) Legitimacy and Grounds: Dip sampling Records</u></p> <p>Technical issues</p> <p>A total of 1037 stop and search records were submitted to the Crime Management Unit (CMU) from across the force area for the dip-sample timeframe of 1st January 2016 to 31st June 2016. However, from the 1037</p>

records, only 653 stop and search records were populated into stop and search records that could be analysed. This technical fault has occurred since mobile data was implemented in October 2015. This fault is currently a priority for the Force and data transfer rates are improving weekly. The current rate¹ for data transfer from CMU stop and search information into a stop and search record is 80%. It is anticipated that within the next 2 months all 1037 stop and searches will be transferred into a stop and search record and available for analysis.

The Dip Sampling Process

The dip sampling process follows the same approach as 2015. The 653 stop and search records were shared equally between the dip sampling group members and 65 records, (a 10% sample) were randomly selected and individually examined against the stop and search best use of stop and search scheme criteria² which was set out within the record monitoring form (see appendix One).

Individual group members evaluated their randomly selected records (13 each) and recorded their findings against each category on the evaluation forms. Particular focus was given to the 'grounds' provided for each stop and search record, as per HMIC inspection. Section 5.4 of the PACE 1984, Code A was utilised by the group to help determine if the grounds recorded were sufficient, as code A provides guidance for all Officer on what amounts to 'reasonable grounds' ³.

¹ The percentage of stop and search records transfer from CMU to stop and search records on August 17th 2016

²

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/346922/Best_Use_of_Stop_and_Search_Scheme_v3.0_v2.pdf

³ Police and Crime Evidence Act (PACE) 1984

http://www.sixthformlaw.info/01_modules/mod1/1_2_criminal_process_courts/1_2_1_police_powers/02_s_and_s_sec1.htm

Table 1.1: 2016 'Dip sampled' analysis (records)				Table 1.2: Analysis of all stop (65 search record 1/1/2016- 30/6/16			
Category		Number	%	Category		Number	%
Grounds	Insufficient	20	30.8%	Gender	Male	455	69.3%
	Grounds Met	45	69.2%		Female	26	4.0%
Purpose	all stated				Not recorded	176	30.0%
Power	all stated			Grounds	Not recorded	174	26.6%
Age	Under 17	7	11%	Age	Under 17	53	8.1%
	18 to 25	22	34%		18 to 25	252	38.6%
	26 to 35	17	26%		26 to 35	108	16.5%
	36-45	12	19%		36-45	55	8.4%
	46-55	1	1%		46-55	4	0.6%
	56-65	0			56-65	0	
Gender	Male	59	90.8%	Ethnicity	Not recorded	118	18.0%
	Female	0	0.00%		White	480	73.1%
	Not recorded	6	8.2%		A2 - Asian - Pakistani	11	1.7%
Ethnicity	White	58	89.2%		a3-Asian Bangladeshi	1	0.2%
	M1 Mixed Caribbean	1	1.5%		A9 - Other Asian Background	1	0.2%
	A2 - Asian - Pakistani	1	1.5%		b1 - Black Caribbean	5	0.8%
	b9 - Other Black Background	1	1.5%		b9 - Other Black Background	3	0.5%
	B2 - Black African	2	3.1%		B2 - Black African	2	0.3%
	m3 Asian	1	1.5%		m2 Asian	3	0.5%
	not stated	1	1.5%		M1 Mixed Caribbean	13	2.0%
Copies	0% provided				M9- Other Mixed background	5	0.8%
Outcomes	NFA	43	66.2%		N3- officer Called away	6	0.9%
	Arrested	10	15.4%		O9 - other	2	0.3%
	Penalty	3	4.6%		W9 White other	4	0.6%
				Purpose & Powers	Not recorded	1	0.2%
				Outcomes	Damage Incurred	1	0.2%
					NFA	394	60.3%
					Arrested	65	9.9%
					Penalty	19	2.9%

	Advise	5	7.7%		Advise	20	3%
	PND	1	1.5%		PND	0	0
	Cannabis warning	2	3.1%		Cannabis warning	16	2.5%
					Evidence located	30	4.6%
					Summonsed	6	0.9%
					Property Seize	9	1.3%
					Nil Located	77	11.8%
					Cautions	6	0.9%
					Not recorded	1	0.2%
					Copies	0 % provided	

Dip Sample Analysis for 2015 v 2016						
Table 1.3						
Categories	2015 Dip sample ⁴	2016 Dip sample ⁵		Categories	2015 Dip sample	2016 Dip sample
<u>Gender</u>				<u>Age</u>		
Male	89%	91% (59)		Under 16	8% (16)	11% (7)
Female	(179)	0%		17-25	49% (97)	34% (22)
Not recorded	8% (16)	9% (6)		26-35	23% (45)	26%(17)
	3% (5)			36-45	12% (24)	19% (12)
				46-55	6% (11)	1% (1)
				56-65	1% (1)	0%
				Over 66 years	0%	0%
				Not recorded	2% (3)	3% (6)
<u>Ethnicity</u>				<u>Copies</u>		
Not recorded	6% (11)	2% (1) ⁶		Declined	133	
White	77% (154)	89% (58)		Provided	11	
Total Other	185 (35)	9% (7)		Not practicable	40	
				Not stated	12	
<u>Purpose</u>				<u>Outcome</u>		
Not recorded	7% (13)	0%		NFA	77%(154)	66% (43)
				Arrested	8% (15)	15% (10)
				Advise	0%	8% (5)
				Penalty	0%	5% (3)
				Summonsed	2% (4)	0%

⁴ 2015dip sample: April 1st 2014 - March 31st 2015 200 (8%) of 12 months

⁵ 2016 dip sample: Jan 1st 2016 – 30th June 2016 stops records 65 (10%) of 6 months,

				Cautioned	1% (2)	0%
				FPN	4% (7)	0%
				Other	5% (9)	2% (1)
				PND	0%	2% (1)
				Not stated	4% (7)	0%
Powers				<u>Grounds</u>		
Not recorded	1% (2)	0%		Insufficient Grounds	No specific numbers ⁷	31% (20)
				Grounds Not stated	0% (0)	0%

Dip Sample Exercise : FINDINGS

- **Overall Quality**

The 65 records that were examined by the members of the dip sampling group found that the quality was good. This outcome is based on the facts that in nearly all of the 65 records examined, all stop and search categories were completed.

However when comparing the quality of the dip sample against the quality of all 653 stop and searches records for the dip sample period, as outlined in table 1.2, this provides a different picture. Since mobile data was introduced in October 2015 there has been a national issue regarding the transfer of information from the hand held devices to the Crime Management Unit (CMU) which creates a stop and search record. These records are utilised to monitor stop and search legitimacy and performance. However of the 1037 recorded stop and search during 1st January and June 30th 2016 only 653 were transferred into stop and search records. Therefore, 40% of the stop and searches conducted cannot be examined. In addition, of the 653 stop and search records transferred 30% of records didn't record the gender, 18% didn't record ethnicity and 27% didn't record the grounds. This means that the report can't provide an accurate conclusion regarding proportionality of ethnicity, gender and grounds. Gwent Police are aware of the issues surrounding the data and are working to rectify these issues, however this report evidences the impact of the current technical flaws.

- **Grounds**

From the 65 records examined within the dip sampling exercise, 69% illustrate sufficient grounds met. When analysing the 31% (equating to 20 records) that did not demonstrate 'reasonable grounds', the key reasons were;

- Acting suspiciously: Seven records, the Police Officers recorded, 'acting

	<p>suspiciously' as the grounds for the stop and search. However, without further collective intelligence and context regarding the suspicious behaviour this does not meet section 5.4 of PACE 1984 Code A requirements.</p> <ul style="list-style-type: none"> ➤ Smelt cannabis: The Police Officers recorded on three records that the reason for the stop and search was they could smell cannabis. Without additional information, such as seeing paraphernalia, this is not enough to stop and search an individual. ➤ Personal criminal background or un-met grounds: On two records the Police Officer stated the grounds were based on the persons known criminal history and the stop and search was conducted in order for them to establish if they had offended. Two other persons were stopped and searched with no clear intelligence relating to them as individuals, there needed to be further intelligence or information from the Police Officer to illustrate 'reasonable grounds'. ➤ Ground not completed: Three records stated 'as above' in the grounds category. In 2 of the records the wording was incomplete and 1 stated T4ST, which the group were not clear of what this abbreviation meant. <p>When considering the dip sample data against the whole dip sample period, (see table 1.2) this illustrates a flaw in the dip sample exercise. Due to the small sample size it did not identify operational system issues, such as the overall high number of records that had not recorded the grounds for the stop and search (174 records). This is a significant issue that needs to be rectified in order for effective monitoring and compliance with PACE 1984 for all stop and searches.</p> <ul style="list-style-type: none"> • Gender 59 records from the 65 records dip sampled, were people who identified as male and six records omitted to state the gender. The lack of females stopped and searched within the dip sample can be partly explained by the overall low number (4%) of females stopped and searched during this dip sample period (see table 1.2). One of the limitations of the small sample size is that it failed to highlight an issues regarding unrecorded gender for some of the stop and searches. Table 1.2 evidences that over a quarter (176 records) of the stop and search records had no gender recorded. Therefore, as stated above, to analysis compliance with best use of stop and search scheme and provide any factual conclusions regarding gender, the stop and search data that is transferred into stop and search records needs to be accurate. • Age The 65 records examined in the dip sample demonstrated that 18 to 25 years olds are the highest age bracket that are stopped and searched (34%). This is consistent when compared to all the stop and search records for this
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period and the dip sample records findings from 2015 (see table 1.3). However it is worth noting that during 2015 nearly half (49%) of the people within the dip sample were 18 to 25, therefore a significant drop in stop and searches for this age bracket has been demonstrated.

- **Ethnicity Proportionality**

The dip sample, 89% (58) of stop and search records recorded their self-identify as white British, 9% (6 records) as a minority ethnicity and one record did not state any ethnicity. The dip sample is not a large enough sample to help demonstrate if the Force is proportionate and fair regarding ethnicity. Utilising all the stop and search records for this period, as per table 1.2, this illustrates that 486 identified themselves as either white British or white other, 44 identified from a minority ethnicity and 124 records with no ethnicity recorded (In 6 cases no gender recorded as the Officer was called away). Based on this information the race disproportionality ratio (RDR) is 2.24 ⁸, (please see table 1.4). The national RDR is 7.0, therefore we are proportionately stopping people. When comparing the dip sample figure to previous years data for Gwent Police (as per table 1.5 below) it is evident that the RDR has risen slightly, however it is worth noting the significant amount of records that have no ethnicity recorded as this means that this information can only be used as an indicator and not to draw conclusions regarding policy or operational decisions.

1st January – 30th June 2016:

Table 1.4

BME stops figure:

44 Stops (Total 'BME' Stops) / 22377 (Total 'Black Minority Ethnic (BME) ' Population) = 0.00196630

White stops figure:

486 (Total 'White' Stops) / 554377 (Total 'White' population) = 0.00876038

0.00896458 (BME stops figure) / 0.00370289 (White stops figure) = **2.2445373**

Table 1.5

Stop & Searches	# of Stops (Total)	# of Stops ('White')	# of Stops ('BME')	% of Stops ('White')	% of Stops ('BME')	RDR
2014/15	2324	2029	200	87.30%	8.60%	2.427
2015/16	1143	1011	81	88.50%	7.10%	1.977

- **Outcomes**

⁸ RDR helps evidence whether different groups of people are being stop and searched disproportionality more than others.

No further Action (NFA) is the most common outcome within the dip sample, accounting for 66% of the stop and searches. This finding is consistent with the overall six month stop and search data which illustrated 60% of stop and searches resulted in NFA. However, with over 20% of the records incomplete it is difficult to provide definitive conclusion. In addition, when comparing the outcomes data with 2015 dip sample results, 11% more stop and searches in 2015 resulted in NFA's indicating an improvement during 2016 in the quality of stops. This is also illustrated by arrests increasing from 8 % in 2015 to 15% in 2016 (see table 1.3).

However, this area again highlights the limitations of the dip sample size and the needs for accurate and full data. The arrest outcomes from the whole dip sample period is 9.9% which is only slightly higher than the 8% rate in 2015, suggesting that arrest rates for stop and search haven't greatly improved as alluded to within the dip sample data 2016 (15%).

- **Copies**

All records for the six month period indicated that no copies were provided to any individuals that were stopped and searched. To help establish trend, when examining the outcomes of the dip sample exercise from 2015, (illustrate in the table below 1.3) this illustrated that only 11 copies (5.5%) were provided to individuals, 133 declined and 40 stated impractical. This helps demonstrate that previously there have been low levels of copies provided, however further explanation and clarity needed to be given to explain why no copies have been provided to all 653 individuals.

Dip sample Exercise: CONCLUSIONS

- **Quality of records**

Further work with CMU and Officers needs to continue to ensure, as quickly as possible, all stop and searches are compliant in Gwent with the best use of stop and search scheme.

- **Dip sampling analysis – sample size**

The findings of the dip sample illustrate some limitations that using a small sample can have. The small 10% dip sample of records failed to identify that a large number of records had incomplete data, which is a key recommendation of the report. Secondly, using a small dip sample of records means that some categories are under or over represented. For example, within the dip sample 15% of stops were self- identified as BAME, however when compared to the total percentage of BAME people stops during this period the representation drops to 9%. Therefore by just using the dip sample data this could cause disproportionate concern regarding proportionality.

It is recommended that the Stop and Search Board and the OPCC

Executive Board discuss using all stop and search records for the six month period prior to the commencement of each 'dip sampling' exercise, This approach will provide more accurate analysis of legitimacy and any recommendations made will be based on a more robust quantitative evidence. The exception is the analysis of the grounds used, this will be more difficult to analyse on a larger scale therefore, the current process for assessment is recommended to remain.

- **Areas for operational development / training**

Some areas of clarity for Officers are listed below to ensure all Officers are confident in what amounts to 'reasonable grounds' in line with PACE 1984 code A.

- Acting suspiciously: Officers need to document further collective intelligence and context regarding the suspicious behaviour.
- Smelt cannabis: This is no longer sufficient grounds to stop someone, there needs to be additional information that supports the stop and search.
- Personal criminal background: Some individuals were stopped and searched to establish if they had offended, this is not sufficient grounds.
- Ground not completed: A reminder to officers that on the mobile data app all fields must be completed even if they have stopped and searched a number of people.

There could be opportunities to feed these observations via a Guardian bulletins, Stop and Search training sessions and refresher training sessions.

- **Age**

The dip sampling provides the evidences that the focus should continue to be targeted at young people aged 18-25 years old to increase their level of knowledge and understanding of their rights if they are stopped and searched. As illustrated in the introduction, this process now encompasses engagement with young people as part of 'Part (b) Officer conduct and Quality of Encounter'.

B) Officer Conduct and Quality of Encounters:

i)Body Worn Video Camera Dip Sample: FINDINGS

The introduction of body worn video cameras has provided the dip sampling group with a first hand opportunity to further examine stop and search encounters and increase transparency and proportionality of this process.

An observation form was created to evaluate two key areas. Firstly, whether the stop and search was legal, and secondly, whether the Officers conduct and treatment during the encounter was professional, respectful, clear and fair.

(Appendix Two)

There was only a small sample of body worn videos that were available within this time period (11 in total). The dip sample group viewed 6 videos. Three of these were was not suitable as the recording did not show a current stop and search and one was not a stop and search of an individual.

The three body worn video footage that were appropriate and provided the group with the following findings;

Legitimacy	Did the Officer State:		
Powers	yes	no	yes
Purpose	no	yes	yes
Grounds	yes	yes	yes
Officer Conduct and Treatment		Officer response Conduct	
Did the Police Officer inform the individual of their station /warrant number		No	No yes
Did the Police Officer inform the individual that they could have a copy of the record		No	yes yes
Act professionally		Y	yes yes
Treat with respect		Y	yes yes
Communicated Clearly		Y	yes yes
Treated you fairly		Y	yes yes

Body Worn Video Camera: CONCLUSIONS

The following observation were made;

- Officer identification: Ensure all Officers are reminded to inform individuals of their station or warrant number.
- Within the three videos examined the conduct of all Police Officer during the stop and search was excellent.
- Limitation/Difficulties: Body Worn Cameras have additional difficulties with regards to continuity of the footage. There is a reliance on the Officers during an encounter to video accurately. However, this can be difficult for Officer to ensure at all times, due to the stop and search circumstances.
- Lighting: From the footage examined the lack of lighting was an issue and this impacted on the ability to accurately observe what was being searched and the surrounding environment was sometimes difficult.
- Training and safeguarding: A number of benefits to using the body worn video cameras during a stop and search include; both parties safety, it

	<p>helps the preserving of evidence and operational learning. One of the videos examined was an excellent example of Police Officer conduct and legitimacy. The group requested that the Officer in question received positive feedback and if possible the footage used for training purposes.</p> <ul style="list-style-type: none"> ➤ Increased usage: The group felt that a key recommendation was to further encourage Officers to utilise their body worn cameras during stop and searches. <p>It is noted that these observations have been made from a very small number of videos and therefore by encouraging the use of body worn cameras when Police Officers are conducting stop and searches, it is envisaged that a larger dip sample will be available to examine at the next dip sample.</p> <p>ii) 'Quality of Encounter' satisfaction surveys: FINDINGS</p> <p>The Police volunteer working with the Community Cohesion Coordinator, contacted 25 people during August that had been stopped and searched. These people were selected at random from the stops and searches undertaken during July. However, no one answered the telephone, illustrating some of the challenges of the exercise. This process will need to be discussed at the stop and search board.</p> <p>iii) Engagement with Young People: FINDINGS</p> <p>The OPCC will work with the Positive Future programme⁹, to help establish the level of understanding that young people in Gwent have regarding their rights if they were to be stopped and searched by the Police. In addition, once the level of understanding has been established, the programme will be used to promote awareness of their rights in the event that they are stopped and searched by the Police. This process will commence in October 2016 with a 'knowledge survey' regarding 'Know your Rights' for young people engaged with Positive Futures and simultaneous training for all staff. In November an awareness workshop will be conducted for young people and a further 'knowledge survey' is scheduled for January 2017, aligned to the next 'Quality of Encounters Process'</p> <p>The knowledge surveys will be undertaken annually to record and monitor awareness, and identify where work needs to be undertaken.</p>
4.	<p><u>NEXT STEPS</u></p> <p>Governance</p> <p>This report will be provided to the OPCC Executive Board and any observations made will be provided to the Stop and Search Board for their consideration and further action taken.</p>

⁹ Positive Futures engages with nearly 10,000 young people across Gwent through sport,

Quality of records

The Stop and Search Board will continue to monitor both the accuracy of stop and searches that are populated into stop and search records and monitor whether all categories are completed accurately. Specific focus will be given to ethnicity, gender and grounds, ensuring compliance with Best Use of Stop and Search Scheme.

Copies

Clarity will be needed at the Stop and Search board to understand why no copies were provided to any of the 653 people stopped and searched.

Dip sample Size and effective data analysis

The Stop and Search Board to be presented with the report and agree the sample size for the next 'dip sample exercise'. It is recommended that all stop and search records from the preceding six month period is utilised.

Sufficient Grounds

The 'dip sample group' will continue to scrutinise a 10%-20% dip sample of stop and search 'grounds'. This is essential as this was an area that the HMIC PEEL inspection stated needed improvement.

Quality of Encounters Survey and Body Worn Video Camera

A meeting is to be arranged with the dip sample representatives to discuss the quality of encounters survey and the body worn video camera exercise so that both exercises provide a valuable insight into the conduct of officers and the quality of stop and searches in Gwent.

Future legislative changes to stop and search requirements and any associated impacts will be monitored by the OPCC and implemented through the Stop and Search Board.

Young People Engagement regarding 'Know Your Rights':

The following steps will be taken forward;

- October 2016: Staff training for Positive Futures employees will take place and a 'knowledge' survey undertaken with their engaged young people to set an awareness baseline.
- November 2016: Following the results of the survey, a young people's awareness workshop for young people regarding their rights if they are stopped and searched will take place, the session will also cover conduct during a stop and search to avoid conflict.
- January 2017: Positive Futures will undertake another survey with their young people to evidence if there has been a visibly increase in knowledge and understanding of stop and search rights.

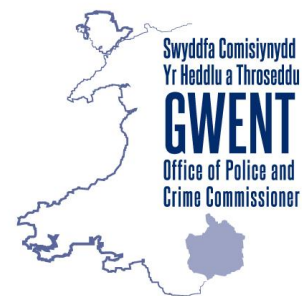
	<p>Further Engagement</p> <p>Wider engagement across all communities to be discussed with the OPCC engagement officer to increase awareness across all communities of their right if they were stopped and searched.</p>
5.	<p><u>FINANCIAL CONSIDERATIONS</u></p> <ul style="list-style-type: none"> ➤ IAG members' costs are met by Gwent Police; there is no additional expenditure relating to this exercise. ➤ Welsh Language translation costs for the Positive Future Survey will need to be met by the OPCC.
6.	<p><u>PERSONNEL CONSIDERATIONS</u></p> <p>There are no additional personnel considerations; the dip-sampling exercise is undertaken as part of the OPCC's normal working arrangements.</p>
7.	<p><u>LEGAL IMPLICATIONS</u></p> <p>Under section 5.4 of PACE Code A, police forces in consultation with Police and Crime Commissioners must 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 level.</p> <p>The exercise also falls within the Commissioner's wider accountability duties.</p>
8.	<p><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></p> <p>Legitimacy and Fairness is Equality Objective two within the Joint Strategic Equality Plan 2016-2020. The stop and search dip sampling process is a core activity within this objectives. This demonstrates clear commitment to ensuring that we regularly monitor the use of stop and search powers to ensure they are used fairly, proportionately and lawfully.</p> <p>Under the Equality Act 2010, when police officers are carrying out their functions, they also have a duty to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it, and take steps to foster good relations between those persons. 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> <p>Equality monitoring data has been recorded as part of the survey and will be used to help identify where further improvements or focused engagement are required.</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>Any decision to exercise the powers contained within the stop and search procedure must be based on the principles of legality, legitimate aim and proportionality as required under the Human Rights Act.</p>

9.	<p><u>RISK</u></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>
10.	<p><u>PUBLIC INTEREST</u></p> <p>The dip-sampling exercise can help promote public confidence in the use of stop and search powers and the results are also provided to the IAG to form part of their stop and search discussions. The report is also published on the OPCC website.</p>
11.	<p><u>CONTACT OFFICER</u></p> <p>Rachel Allen – Policy Officer (Victims), OPCC</p>
12.	<p><u>ANNEXES</u></p> <p><u>Appendix One – Dip sampling stop and search records evaluation form</u></p> <p><u>Appendix two – Body worn camera footage evaluation form</u></p>

Appendix One

STOP & SEARCH MONITORING FORM

DATE:



RECORD NUMBER:

Fields Completed? Y/N

LPU _____ Gender ☐ M / ☐ F

Birth year (where recorded)

☐

Self-defined Ethnicity code. If 'N', is reason provided?

☐☐

Power

☐

Purpose

☐

Grounds

☐

Outcome _____

☐

Copy provided

Comments/Query?

Record Inspected by:

Appendix two

Body Worn Camera Footage: OBSERVATION FORM

Record No:

1. Legitimacy

	Stated to the individual Y/N
Powers stated	
Purpose	
Grounds	

2. Officer Conduct and Treatment

	Stated to the individual Y/N and add comment if required
Did the Police Officer Inform the individual of their name or Warrant Number and station?	
Did the Police Officer inform the individual they could have a copy of the record by email or from a police station	
Did the Police Officer...	
Acted professionally?	
Treated you with respect	
Communicated clearly	
Treated you fairly	