

File classification: SWYDDOGOL-DIM ANGEN MARC OFFICIAL - NO MARKING

OFFICE OF POLICE & CRIME COMMISSIONER	
LEAD CHIEF OFFICER:	Assistant Chief Constable Edwards
TITLE:	Stop and Search Report
DATE:	5th June 2019
TIMING:	BI Annual
PURPOSE:	For monitoring
1.	<u>RECOMMENDATION</u>
1.1	This report is for monitoring by the Police and Crime Commissioner.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	The Superintendent of Operational Support chairs the Operational Tactics Meeting which feeds into OEEB and Scrutiny. The OPCC chair the Legitimacy and Scrutiny Panel meeting.
2.2	<p>The Operational Tactics Meeting has representatives from each Local Policing Area (LPA) and senior representatives from other work stream areas. Members of the Independent Advisory Group (IAG), the Police and Crime Commissioner's Office and the Federation also attend to allow for scrutiny, accountability and transparency.</p> <p>Since the last report in October 2018 the Stop Search Plan has been updated to include progress against</p> <ul style="list-style-type: none"> • HMICFRS recommendations 2016 and 2017 • Best Use of Stop Search Scheme • All Party Parliamentary Group for Children (APPGC) recommendations • HMIC PEEL Recommendation. • Internal TIAA Recommendations Aug 2017 and Review March 2018 • Assaults on Police Officer 7 Point Plan • Feedback from Stop Search IAG Working Group • Feedback from Internal Scrutiny Panels and Working Groups • Internal 17 point Action Plan in response to HMIC AFIs <p>Progress against these recommendations is monitored internally through the Meeting and the Operational Efficiency and Effectiveness Board.</p> <p>This is also published on the Force's external website. This plan is a template that has been agreed nationally between the Police Public Encounters Board (PPEB) and HMICFRS as being suitable for external assessment of a Force's progress in respect of Stop and Search.</p>

	<p>With the launch of the new Gwent Police website, the information in relation to stop and search has been updated and enhanced to give greater access to our residents.</p>
3.	ISSUES FOR CONSIDERATION
3.1	<p>Points of note arising out of the plan</p> <p>1. RIDE ALONG SCHEME</p> <p>The Ride Along Scheme continues to be popular.</p> <p>In the last six months, there have been 192 applicants.</p> <p>Applications have peaked around times coinciding with recent recruitment campaigns e.g. CSO and Control room. This means that in total we have had 1371 applicants since we launched the scheme in August 2015.</p> <p>Performance Data in relation to the scheme continues to be reported to the quarterly Operational Tactics Meeting. To ensure that we learn from the experiences that members of the Public have, feedback is fed back to local LPU command teams via the meeting unless it requires immediate attention when processes are in place to report straight to command teams.</p> <p>There have been no reports of any adverse experiences during the period.</p> <p>East LPA have commenced an initiative with young people attending Polisol courses. All the young people attending are not currently engaging in education and are vulnerable and susceptible to serious and organised crime. Initial feedback from sessions around stop and search was that there appeared to be a disconnection between the young people, tutors and the police service.</p> <p>We are utilising the Ride Along for both tutors and the young persons who normally would fall outside of the age range for the scheme. Contacts in the East LPA are CI Paul Davies or CSO Jenny Mullis.</p> <p>2. BEST USE OF STOP SEARCH SCHEME</p> <p>The force has voluntarily participated in this scheme since its introduction in August 2014.</p> <p>We have recently conducted a review of this Scheme to ensure we continue to be compliant (given the digital impact on Stop Search processes), especially around ease of access to complaint procedure regarding Stop and Search.</p> <p>Professional Standards Department (PSD) staff have been engaged in ensuring that the conduit for complaints regarding Stop and Search is as transparent and smooth as possible in the new digital format. The removal of a hard copy form at point of search has removed the guidance to those searched regarding complaints.</p> <p>DSD have now developed a digital receipt for us for Stop search and</p>

launched it on various platforms including Social Media.

There have been no complaints regarding Stop Search in the last 12 months.

Members of the Operational Tactics Meeting (including IAG members) have again led on Op Sceptre II in March 2019. Building on the success of Op Sceptre 1, they have again focused on addressing the reticence of Student officers around Stop Search and the associated use of BWV.

Both operations have contributed to a noticeable increase in Stop search activity.

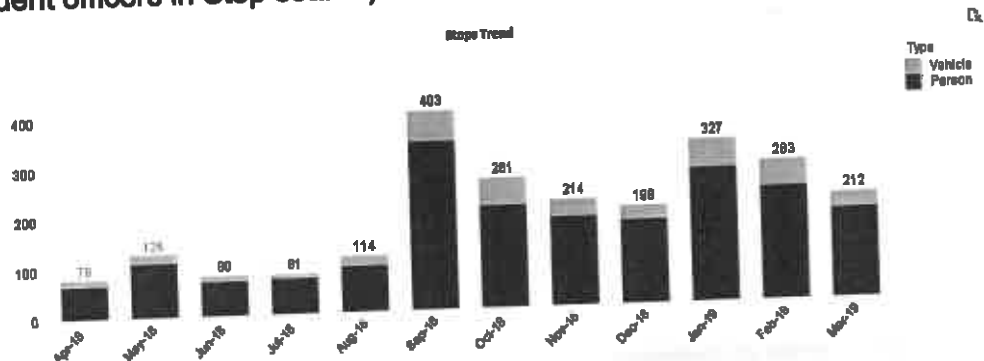
3.2 Operational updates of note

See embedded attachment for last 6 months data, in the NEW format, designed to enhance discussion at Op Tactics Meeting, in areas that HMIC have identified that require scrutiny.



Stops Presentation
Feb 2019.pptx

The trend of Stop Search use in Gwent has increased significantly since September 2018 (launch of Op Sceptre 1, and a concerted effort to engage Student officers in Stop search).



Op Sceptre activity in September 2018 and March 2019 was specifically aimed at Probationer Constables receiving 'on street' tuition from experienced LSO /ASU officers in Stop Search to try to alter the culture. It was also intended to embed a culture by learning that if exercised correctly Stop Search is an excellent policing tool in making our 'public spaces' safe environments.

Positive outcomes from Stop Search now stand at 24%, effectively 1 in 4, which is a big improvement and indicates the 'grounds' are being applied correctly. It indicates that our 'hot spot' intelligence led approach is identifying the correct areas and persons to stop and search.

Total Stops 1592

Total Positive 381 (23.9%)

A large number of Stop Search forms were rejected by HO as 'Insufficient Grounds'. Every one of these have been investigated and checked. It was established that the grounds did exist and the Stop Search was compliant, but the actual rationale and grounds for the Stop were not fully articulated and recorded on the Form. For example, an officer recorded grounds for a Stop and search on a form as "refused to look at me", for an incident at a known drugs hot spot. There was specific intelligence and briefing items that persons at this location were using a particular bush as cover to do 'deals. The officer on seeing a person exiting this bush with a small plastic bag in his hands, challenged the individual who then turned away from the officer. However, the officer simply recorded the grounds as "refused to look at me".

Our Race Disproportionality Ratio (RDR) has increased over the last 6 months from averaging around 3 last year to 4.7. This increase is due to the largest percentage of stop searches being carried out in Newport where the demographic is such that this has resulted in a growth in disproportionality.

Although this figure is still around half the national average, this increase needs to be properly understood and linked to appropriate intelligence led operations where relevant. The tactics meeting are working with equality and diversity to understand this figure and the reasons for it rising but it thought that it is due to a number of intelligence led stop search operations being carried out in a community where BAME is higher.

It has been identified that there needs to be a number of improvements made to the data available in relation to BAME stops in order to undertake meaningful analysis. For example, the ability to identify repeat BAME stop and search subjects, and the availability of accurate outcome data broken down by ethnicity.

Analysis will also seek to link BAME stops data with custody and arrest figures in order to further identify and understand any disparity that may occur further into the criminal justice process.

The Legitimacy Scrutiny Panel, chaired by the OPCC, continues to involve BAME community members in the independent scrutiny of stop and search records and body worn video footage. There is a focus on BAME stops as part of this process, which includes scrutiny of all BAME stops records in order to inspect the quality of grounds and outcomes compared to those of White stops.

No Section 60 Authorisations have been authorised within the 12 month period. (a sect 60 is a power to impose Search criteria on a specific area IF we anticipate Disorder/Use of weapons)

Training - Work continues to develop the Virtual Reality Stop search training, via a working group of L&D and operational officers feeding in 'live' scenarios of varying complexity and simplicity.

The HMIC recommendations have been converted into a 17 Point Action Plan that is monitored and progressed through the Operational Tactics Meeting. All are being progressed and/or completed, with the only real 'issue' being with the IT interaction between point of search and data collection still raising

	<p>issues and time delays for accurate data</p> <p>An External Scrutiny Panel consisting of IAG members commenced in September 2017, chaired by T/Insp Dave Seymour, and this has added real value and transparent scrutiny, and uses Body Worn Video (BWV) to review stops.</p> <p>The latest report contains very complimentary comments from IAG members on how civil HGP officers are during Stop Searches, often when confronted with extreme hostility and aggression.</p> <p>This groups latest feedback following scrutiny was:-</p> <ul style="list-style-type: none"> • Improved data quality although some gaps remained • 80% of grounds believed to be reasonable • Continued increase of the RDR due to higher number of BAME stop-searches for the 6-month period • Drugs stops remain the highest purpose for stops – 80% of BAME stop-searches for the dlp sample • NFA remains the most common outcome, but an increase in positive outcomes overall and use of alternative disposals compared to the last period • Higher arrest rate for BAME drugs stops compared to white stops • Positive feedback on the BWV footage observed <p>To assist us in understanding how our searches are conducted, the OPCC hosts a 6 monthly Scrutiny Panel to allow members of the community to review body worn video footage. Feedback from this review process over the last 12 months has been incredibly positive, with officers commended for:</p> <ul style="list-style-type: none"> • Communicating in a civil manner at all times, despite often highly charged situations • Treating vulnerable people with respect and dignity whilst carrying out their professional duties • Managing and de-escalating tense and often dangerous situations • Using force in a proportionate and reasonable way, ensuring the welfare of subjects • Ensuring the lawful use of their powers by complying with relevant legislation and guidance <p>The force has now made BWV a 'personal issue' item of officers PPE so the numbers of Stop searches recorded by BWV is expected to increase significantly, as previously, the 'pool system' of BWV led to numerous defects and unavailability issues with BWV around Stop search.</p>
4.	<u>NEXT STEPS</u>
4.1	<ul style="list-style-type: none"> • Continue progress against recommendations contained within the stop

	<p>and search action plan.</p> <ul style="list-style-type: none"> • Specifically monitor performance around reasonable grounds and ethnicity of persons stop searched looking for trends and particular focus on the quality of form completion. • Continue targeted community engagement initiatives • Monitor feedback from complaints/persons stop searched • Continue to action feedback from Insp Seymour's Working group that review stop search activity. Reinforce with staff that provided the principals of Stop search are adhered to there is nothing to fear from conducting Stop Search, provided the reasonable grounds are met and fully/accurately recorded on the Stop Search form to HMICFRS required standards. • Further develop the Qlikview data capture as a tool for managers and supervisors and simultaneous seeking to resolve the IT issues as they are reported to us by staff • Change the 'culture' among newer officers of reluctance to conduct Stop search for fear of complaints, and to use ASU and LSO trained staff to teach student officers the 'street craft' of how and when to conduct a stop search • Continue to monitor and encourage the use of BWV in stop Search • Continue to support all Op Sceptre initiatives
5.	<u>FINANCIAL CONSIDERATIONS</u>
5.1	There is no cost implication at this time.
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	There is no specific staffing or personnel implication associated with this report. Although the Operational Tactics Meeting requires representation from a number of work streams, it is not anticipated at that time that there will be any additional work generated.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	The implementation of the plan and Stop Search Policy with associated Equality Impact Assessment enhance the legal foothold in respect of Stop and Search and mitigate against the potential for any litigation, which may be brought against the Force.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
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>Her Majesty's Inspectorate of Constabulary and previous National Police Improvement Agency findings indicate no evidence of discriminatory or</p>

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	prejudicial practices, influencing Gwent Police's approach to stop and search.
8.2	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.
9.	<u>RISK</u>
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. It will also minimise the impact on Public confidence when powers and procedures have not been correctly adhered too.
10.	<u>PUBLIC INTEREST</u>
10.1	The document can be made available to the public.
11.	<u>CONTACT OFFICER</u>
11.1	Supt Fernquest Tactical Lead Stop Search/Operational Tactics Board Chairperson
12.	<u>ANNEXES</u>
12.1	None.

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For OPCC use only

Office of the Chief Constable

I confirm that the **Stop & Search** report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for monitoring purposes.

Signature:



Date: 07.05.19

Police and Crime Commissioner for Gwent

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.

Signature:



Date:

6/6/19