

OFFICE OF POLICE & CRIME COMMISSIONER	
LEAD CHIEF OFFICER:	T/DCC Jon Edwards
TITLE:	STOP and SEARCH BI ANNUAL REPORT
DATE:	26 November 2019
TIMING:	Bi Annual
PURPOSE:	For monitoring
1.	<u>RECOMMENDATION</u>
1.1	This report is for the Commissioner to note progress around the Force's approach to Stop and Search activities.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	Gwent Police's Stop and Search Board continued until the end of the financial year 2016/2017. Following the restructuring of force Boards and Meetings, Stop and Search has now been Incorporated into the Operational Tactics Board. This is chaired by Superintendent, Operational Support.
2.2	<p>The Operational Tactics Board has representatives from each Local Policing Area (LPA) and senior representatives from other work stream areas. Members of the Independent Advisory Group, Gwent Police Diversity Officer, the Police & Crime Commissioner's Office and the Federation also attend to allow for scrutiny, accountability and transparency.</p> <p>Since the last report in March 2019, the Stop Search Plan has been updated to include progress against :</p> <ul style="list-style-type: none"> • HMICFRS recommendations from 2016 and 2017 and feedback from the recent inspection In July 2019. • Best Use of Stop Search Scheme. • All Party Parliamentary Group for Children (APPGC) recommendations. • Internal Audit Recommendations August 2017 and Review March 2018. • Assaults on Police Officer 7 Point Plan. • Feedback from Stop Search Independent Advisory Group (IAG) Working Group. • Feedback from Internal Scrutiny Panels and Working Groups. • Gold Group on Stop Search. <p>Progress against these recommendations is monitored internally through the 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 the Force's progress in respect of Stop and Search.</p> <p>The information in relation to Stop Search has been updated and enhanced to give greater access of information to our residents via INFOLINK pages via the Website.</p>

3. ISSUES FOR CONSIDERATION

3.1 Points of note arising out of the plan :

1. Ride Along Scheme

The Ride Along Scheme continues to be popular. Since 1st April 2019 there have been 152 applicants.

Once again, applications have peaked around times coinciding with recent recruitment campaigns e.g. PC and FPOC. This means in total we have had 1532 applicants since we launched the scheme in August 2015.

Performance Data in relation to the scheme continues to be reported quarterly to the Operational Tactics Board. To ensure that we learn from the experiences that members of the Public have, feedback is given to local LPA Command Teams via the board, unless it requires immediate attention when processes are in place to report directly to command teams.

There have been no reports of any adverse experiences during the period.

Previously, we commented on the targeted work that the East LPA have commenced in attempting to attract young people from BAME communities and persons undergoing Police courses. This has started to come to fruition within this period and have had an increased number of applicants from persons either identifying themselves as from a BAME background or from Eastern Europe. Credit must be given to Mr Brian Amos.

Below is an example of positive feedback during this period :-

"It took away my fear of the Police...100%, it has helped change my view of the police and the challenges they face. Police are not given enough credit."

2. The Best Use of Stop Search Scheme

Since its introduction in August 2014, Gwent has voluntarily participated in this scheme. In 2015, Gwent was one of only 11 forces nationally complying with all five aspects of the scheme.

We have recently conducted a review of this scheme to ensure we have maintained our compliance, particularly around the ease of access to the complaint procedure.

National Lead DCC Hancock of British Transport Police endorsed compliance with this voluntary scheme at the Stop Search Continuous Professional Development day. Gwent's Strategic Stop Search Lead - Supt Fernquest, attended this event.

Professional Standards Department continue to ensure that complaints regarding Stop and Search are managed in a transparent and smooth manner following the implementation of the new digital format.

All Stop and Search encounters are now recorded electronically on Officers' Personal Devices. Officers are no longer able to provide a hard copy of the form at the time of the 'stop', which means that members of the public no longer have guidance on how to make a complaint. This has been mitigated by the pro-active work of our Corporate Communications and Professional Standards Departments who have ensured that the public are aware of the different methods and processes of how to make a complaint.

During the last 12 months there has been one complaint relating to Stop Search. This was recorded as 'Dissatisfaction With Service'. The complaint relates to an individual who was allegedly 'stopped' on 16 occasions during one calendar month. It is worth noting that this complaint was made by a relative of the individual. The Operational Tactics Board is due to discuss this incident with the LPA Representative at the next Board.

Members of the Operational Tactics Board (including Independent Advisory Group members) have led on 'Op Sceptre II' in March 2019 and 'Op Sceptre III' in September 2019.

'Operation Sceptre' is a national campaign which aims to educate people about the dangers associated with using and carrying knives. As part of the operation we are encouraging officers to continue to use their 'stop search' powers.

Building on the success of 'Op Sceptre I and II', 'Op Sceptre III' is still focused on addressing the fears of Student officers around Stop Search and the associated use of Body Worn Video.

'Operation Sceptre III' Results - 16th to 27th September 2019

Intel Logs	65 Submitted Force wide
Arrests	22 Force Wide

Both operations have contributed to a noticeable increase in our Stop and Search activity. We have utilised the specialist skills of licenced search trained officers who have accompanied our student officers to provide 'on the street' training and guidance in the appropriate use of Stop and Search. This experience has provided our student officers with the necessary support and guidance in the use of these powers and has helped to remove the negative misconceptions around Stop and Search.

Positive feedback for 'Op Sceptre' has been circulated both internally and externally to address the public fears over knife crime and to make our communities safer.

While "bladed weapons" has been identified as a key search reason on the stop search record it still trails behind drugs, which remains the main object of the stop search.

3.2 i. Operational Updates of Note

Diagram 1. shows Stop and Search data for the last 12 months. This data is designed to enhance discussions at the Operational Tactics Board in areas that HMICFRS have identified require. A new more detailed report has been produced, which will inform the next Operational Tactical Board set to be held in December.

From December 2019, all Operational Tactics Meetings will be steered through the introduction of a new Performance Report around Stop Search and Use of Force. A report has recently been produced and shared with the HMICFRS, this answers questions in the way Gwent Police approaches these areas.

Diagram 1.

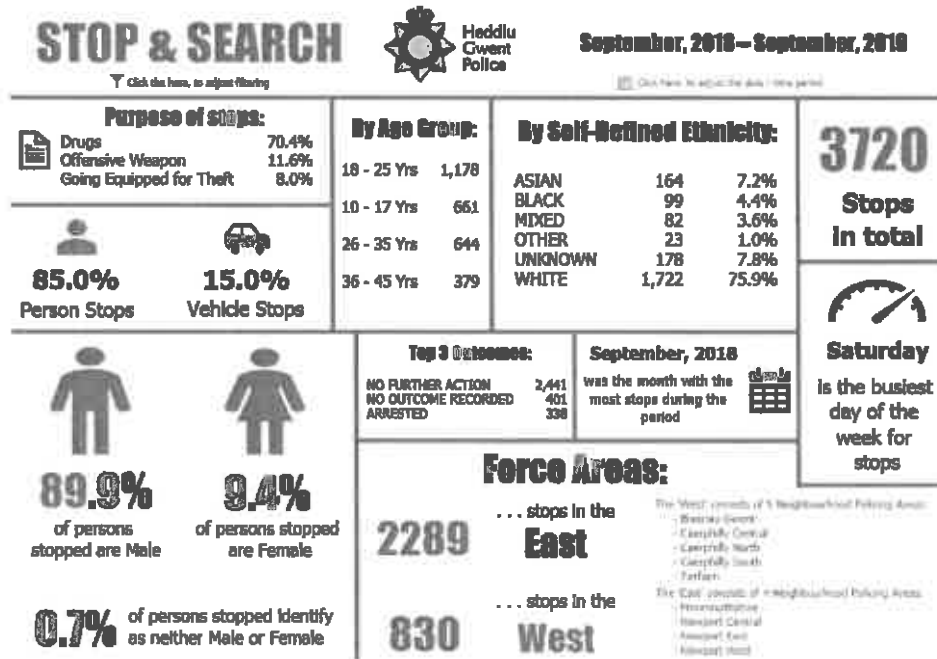
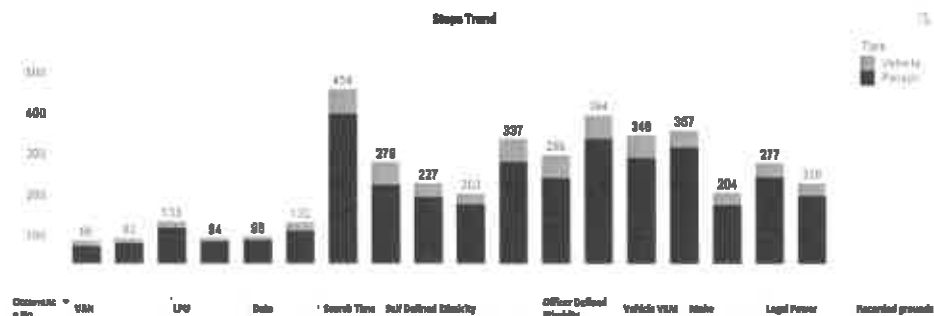


Diagram 2. shows the trend of Stop Search use in Gwent. Since the launch of Operation Sceptre I in September 2018, the numbers have increased significantly due to concerted effort engaging Student Officers'.

Diagram 2.



Successful outcomes on Stop Search remains steady at 22%, with a find rate of 17%. These statistics highlight a big improvement, which indicates 'grounds' for search are being applied correctly. It also indicates that the 'hot spot' intelligence led approach identifies correct areas and individuals to Stop Search.

Our main concern and drive is around data quality of our Stop Search forms. This issue may be exacerbated by the frequent amendments to the national form.

Diagram 3. Shows our Race Disproportionality Ratio (RDR) has increased over the last 6 months, averaging around 4.7 last year to 4.98 this year.

Diagram 3.

Race Disproportionality Ratio

LX

Population (All Stated Ethnicities)	White Population	BME Total Population	% Population 'White'	% Population 'BME'	# of Stops (Total)	# of Stops ('White')	# of Stops ('BME')	% of Stops ('White')	% of Stops ('BME')	RDR
576,754	554,377	22,377	96.1%	3.9%	3,169	2,283	456	72.2%	14.4%	4.98
£ 760	£ 604	106	89.5%	1.0%	7	7	0	100.0%	0.0%	0.000

Although around half the national average, this increase needs to be understood and linked to appropriate intelligence led operations where relevant.

The Operational Tactics Board discusses in depth individuals who have been stopped on more than 3 occasions, taking into consideration, both diversity and organised crime group (OCG) patterns to the ward area(s) concerned. The Board also reviews Officers' who have conducted 10 or more stops in a given period.

The Operational Tactics Board has been keen to widen its IAG membership with a particular focus to try to attract a representation of different age groups. Brian Amos GWP Positive Action Outreach Worker has undertaken positive engagement in local communities with the objective of recruiting Black, Asian and Minority Ethnic (BAME) representatives from younger age groups to the IAG to assist in the scrutiny of Gwent Police's stop and search activity.

We have sought to analyse Stop and Search data in conjunction with our Custody and arrest information to provide a more holistic picture, which will assist in identifying and understanding any disparity in the Criminal Justice process in respect of BAME members.

The Legitimacy Scrutiny Panel, which is chaired by the Office of the Police and Crime Commissioner (OPCC), continues to involve BAME community members to independently scrutinise Stop and Search encounters by Gwent Police Officers. As part of this process the quality of search records, the grounds and outcomes of the stop and the body worn video footage of the encounter are all scrutinised and reviewed to identify best practice and areas for improvement. All BAME Stop and Search encounters are reviewed during this process and compared against all other stops.

II. BODY WORN VIDEO (BWV) USE

BWV is now a personal protection equipment (PPE) 'personal issue' item to all Officers. The number of Stop Searches recorded by BWV is expected to increase significantly.

April 2019 saw a review undertaken by T/Supt Grindlay in the non-use of BWV in Stop Search encounters. This highlighted a majority of cases where Officers opted to use the category of 'Officer Discretion' as a reason not to use BWV. These stops should have been recorded on BWV and have been addressed with the individuals concerned.

An internal communication strategy to address this issue along with Inspector Level Audits and scrutiny by the Operational Tactics Board chair has resulted in the number of Stop Searches being captured on Body Worn Video. Current percentages have risen from 42% to 62%.

III. SECTION 60 USE

No 'Section 60' Authorisations have been authorised within the 12 month period

(A 'Section 60' is a power to impose Search criteria on a specific area if we anticipate Disorder or Use of weapons). Gwent Police is involved in the review of the 'Impact of Relaxing of Restrictions around Section 60 Searches. This review is ongoing until April 2020.

IV. OPCC INVOLVMENT

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:

- 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
- Concerns have been raised regarding officer safety from some BWV footage. This has been fed back to the individual officers and also incorporated into OST training scenarios.

4. NEXT STEPS

- 4.1
- Continue progress with recommendations contained within the ACC Stop Search action plan.
 - Monitor performance around reasonable grounds and ethnicity of persons stop searched. Looking for trends and focus on the data quality and depth of data available to the Operational Tactics Board.
 - Continue targeted community engagement initiatives, specifically those tasked to Diversity Leads (Brian Amos – Positive Action Outreach Worker and Gareth Hughes - Head of Diversity and Inclusion).
 - Monitor feedback from complaints/persons Stop Searched.
 - Continue to review and action Stop Search activity feedback from Insp Rees' Working group. Reinforce to Officers' the need to adhere to the law and the guidance on the use of the stop search power and to ensure that forms are fully/accurately recorded.
 - To further develop the Qlikview data capture as a tool for managers and supervisors and simultaneous seeking to resolve the IT issues as they arise.

	<ul style="list-style-type: none"> • Continue to monitor and encourage the use of BWV in Stop Search. • Continue to drive positive Stop Search messages via internal and external Communications Strategy • Continue to support all Operation 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 Board 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 findings indicate no evidence of discriminatory or prejudicial practices, influencing Gwent Police's approach to stop and search.</p>
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 to.
10.	<u>PUBLIC INTEREST</u>
10.1	Yes. The data contained would be in the Public Interest.
11.	<u>CONTACT OFFICER</u>
11.1	Supt Fernquest Tactical Lead Stop Search / Operational Tactics Board Chairperson.
12.	<u>ANNEXES</u>
12.1	

For OPCC use only

Office of the Chief Constable

I confirm that the above Bi-Annual Stop Search report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for approval / Information / monitoring purposes.


Signature:

Date: 05/11/19

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:

26/11/19