

DECISION NO:

OFFICE OF POLICE AND CRIME COMMISSIONER

TITLE: Stop and Search Dip Sample Exercise - June 2017

DATE: 5th July 2017

TIMING: Routine

PURPOSE: For scrutiny/monitoring

1. RECOMMENDATION

To note the outcomes of the dip-sample exercise undertaken on 15th June 2017 and consider the observations arising from the activity.

2. INTRODUCTION & BACKGROUND

In January 2013, the Office of the Police and Crime Commissioner (OPCC) implemented a procedure to dip-sample stop and search records held by Gwent Police (Decision Log PCCG-2013-001). The dip-sampling group consists of Independent Advisory Group (IAG) members, the OPCC Policy Officer with responsibility for Equality and Diversity, Gwent Police's Diversity and Inclusion Manager and the Diversity and Inclusion Officer, who provides advice to the group on operational queries arising during the scrutiny exercise.

During June 2017, the Policy Officer and Diversity and Inclusion Manager met with the Superintendent for Operational Support (who leads on stop and search for Gwent Police) to discuss any issues or concerns that could provide an additional focus for the exercise. It was also agreed that there are issues with the current technological application used by officers to record stop and search encounters, which was reflected in the overall analysis of the records for the six-month dip-sample period. This observation is expanded upon later in the report.

3. ISSUES FOR CONSIDERATION

A) Legitimacy and Grounds of the dip-sample records

A total of 922 stop and search records were submitted to the Crime Management Unit (CMU) from across the Gwent Police area for the dip-sample timeframe of 1st July 2016 to 31st December 2016. The total number of stop and search records were shared equally between the dip sampling group members and 92 records (a 10% sample) were randomly selected and individually examined against the stop and search best use of stop and search scheme criteria which was set out within the record monitoring form.

Individual group members evaluated their randomly selected records (23 entries 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 recommendations from previous inspection by Her Majesty's Inspectorate of Constabulary (HMIC). Section 5.4 of the Police and Criminal Evidence Act (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 officers on what amounts to 'reasonable grounds'.

Table 1.1 provides analysis of the records dip-sampled and Table 1.2 gives the overall figures for the 922 records for the same period.

Table 1.1				Table 1.2			
Dip sample analysis (92 records 01/07/2016 - 31/12/16)				Overall analysis (922 records)			
Category		Number	%	Category		Number	%
Gender	Male	70	76	Gender	Male	668	75
	Female	4	4		Female	75	8
	Not recorded	18	20		Not recorded	179	19
Grounds	Not recorded	0	0	Grounds	Not recorded	7	0.8
Age	Not recorded	15	16	Age	Not recorded	189	20
	Under 17	16	17		Under 17	155	17
	18 to 25	23	25		18 to 25	298	32
	26 to 35	23	25		26 to 35	158	17
	36-45	13	14		36-45	93	10
	46-55	2	2		46-55	23	2
	56-65	0	0	56-65	6	0.6	
Ethnicity	Not recorded	12	13	Ethnicity	Not recorded	179	19
	A01 - Asian	1	1		A01 - Asian	4	0.4
	A02 - Asian Pakistani	1	1		A02 - Asian Pakistani	11	1
	A03-Asian Bangladeshi	0	0		A03-Asian Bangladeshi	1	0.1
	A09 - Other Asian Background	0	0		A09 - Other Asian Background	9	1
	B01 - Black Caribbean	1	1		B01 - Black Caribbean	5	0.5
	B02 - Black African	0	0		B2 - Black African	3	0.3
	B09 - Other Black Background	1	1		B09 - Other Black Background	4	0.4
	M01 - Mixed Caribbean	0	0		M01 - Mixed Caribbean	12	1
	M02 - Mixed African	0	0		M02 - Mixed African	2	0.2
	M03 - Mixed Asian	1	1		M03 - Mixed Asian	4	0.4
	M09 - Other Mixed Background	0	0		M09 - Other Mixed Background	4	0.4
	N03- Officer Called Away	2	2		N03- Officer Called Away	10	1

	O09 - Other	0	0		O09 - Other	3	0.3
	W01 – White British	72	78		W01 - White	672	73
	W02 – White Irish	1	1		W02– White Irish	2	0.2
	W09 - White Other	0	0		W09 - White Other	7	0.8
Purpose	Not recorded	0	0	Purpose	Not recorded	4	0.4
Power	Not recorded	0	0	Powers	Not recorded	3	0.3
Outcomes	Advise	8	9	Outcomes	Advise	53	6
	Arrested	12	13		Arrested	101	11
	Caution (Simple of Conditional)	1	1		Caution (Simple of Conditional)	4	0.4
	Damage Incurred	0	0		Damage Incurred	1	0.1
	Evidence Located	4	4		Evidence Located	33	4
	Khat or Cannabis Warning	2	2		Khat or Cannabis Warning	32	3
	No Further Action (NFA)	50	54		No Further Action (NFA)	512	55
	Nil Located	5	5		Nil Located	120	13
	Other	2	2		Other	11	1
	Penalty Notice for Disorder	4	4		Penalty Notice for Disorder	17	2
	Person Located	0	0		Person Located	5	0.5
	Property Seized	2	2		Property Seized	14	1
	Summonsed	2	2		Summonsed	8	0.9
	Not Recorded	0	0		Not Recorded	6	0.7
Copy Provided	None Recorded			Copy Provided	None recorded		

Table 1.3 provides a rolling 6-month comparison for the current and previous dip-sample exercises.

Table 1.3 Dip Sample Rolling 6-month Comparison for 1st January – 30th June 2016 against 1st July to 31st December 2016					
Categories	Jan to June 2016	Jul to Dec 2016	Categories	Jan to June 2016	Jul to Dec 2016
<u>Gender</u>			<u>Age</u>		
Male	91% (59)	76% (70)	Under 17	11% (7)	17.4% (16)
Female	0%	4% (4)	18-25	34% (22)	25% (23)
Not recorded	9% (6)	20% (18)	26-35	26%(17)	25% (23)
			36-45	19% (12)	14% (13)
			46-55	1% (1)	2% (2)
			56-65	0%	0%

			Over 66 years	0%	0%
			Not recorded	3% (6)	16% (15)
Ethnicity			Copies		
Not recorded	2% (1)	13% (12)	Declined	0%	Not recorded
White	89% (58)	79% (73)	Provided	0%	throughout
Total Other	9% (7)	5% (5)	Not practicable	0%	
			Not stated	0%	
Purpose			Outcome		
Not recorded	0%	0%	Advise	8% (5)	9% (8)
			Arrested	15% (10)	13% (12)
			Caution	0%	1% (1)
			Damage Incurred	0%	0%
			Evidence Located	0%	4% (4)
			Khat or Cannabis	0%	2% (2)
			Warning		
			NFA	66% (43)	54% (50)
			Nil Located	0%	5% (5)
			Other	2% (1)	2% (2)
			Penalty Notice	5% (3)	4% (4)
			Person Located	0%	0%
			Property Seized	0%	2% (2)
			Summoned	0%	2% (2)
			Not recorded	0%	0%
Powers			Grounds		
Not recorded	0%	0%	Insufficient	31% (20)	7.6% (7)
			Grounds		
			Grounds Not	0%	0%
			stated		

Dip-sample exercise findings

Overall quality

The 92 records examined during the dip sample were found to be of varying quality with missing data found across a range of categories as detailed in table 1.4.

Table 1.4 – Data Not Recorded					
Dip sample (92 records 01/07/2016 - 31/12/16)			Overall analysis (922 records)		
	Number	%		Number	%
Ward Area	21	23	Ward Area	292	32
Age	15	16	Age	189	20
Sex	18	20	Sex	173	19
Ethnicity	12	13	Ethnicity	178	19

As a result of incomplete fields, it has not been possible to draw accurate conclusions regarding proportionality of ethnicity and gender. Gwent Police is aware of the concerns surrounding the accuracy of stop and search data and the links to the technological issues experienced; work to resolve these issues is being undertaken following recent discussions and will be reported on in due course .

The previous exercise reported a discrepancy between the total number of searches undertaken during the period compared to the number of records that had been transferred to onto the system by the CMU. No such discrepancy was noted during this exercise, possibly due to the time delay in undertaking the July to December 2016 exercise. This will be monitored as part of each future exercise.

Grounds

From the 92 records examined within the dip sampling exercise, 92% illustrated sufficient grounds met. Of the remaining 8% (7 records) that members felt did not demonstrate 'reasonable grounds', key reasons were identified as:

- Insufficient explanation:
 - Two records stated "See remarks" or "As per remarks"; however, no additional information was present in the data provided for the exercise;
 - Two records lacked sufficient detail regarding the grounds for the stop;
 - Two records suggested that the subjects were known to the officers and were therefore intelligence led; however, this is not confirmed in the grounds and provides some ambiguity; and
 - One record stated "On old school grounds" without providing any other grounds for suspicion;

In addition, one record was found where the Outcome did not match the Grounds, stating "Drugs were handed over" with an outcome recorded of 'Nil located'. This raised a query over whether the appropriate Outcome for the encounter had been entered onto the form by the officer.

There has been one significant change to the recording of Grounds since the last dip sample exercise. Following the Spring Inspection by HMIC and discussion with the College of Policing, there has been an amendment to the official position regarding vehicle searches on the Grounds of 'Smelled cannabis', which is now deemed acceptable. HMIC has written to all Chief Constables to set out their revised position in respect of searches based solely on the smell of cannabis (not specifically within vehicles). This has contributed to a reduction in the number of Grounds-related queries for drugs during this period. Furthermore, Gwent Police undertook officer training on stop and search between November 2016 and January 2017 which may also have contributed to the reduction in queries.

When considering the dip sample data against the whole dip sample period, (see table 1.2), the number of records with incomplete grounds reflects the small number of incomplete entries for this period (7 records). This is a significant improvement on the January to June 2016 dip sample, where 174

records had missing Grounds.

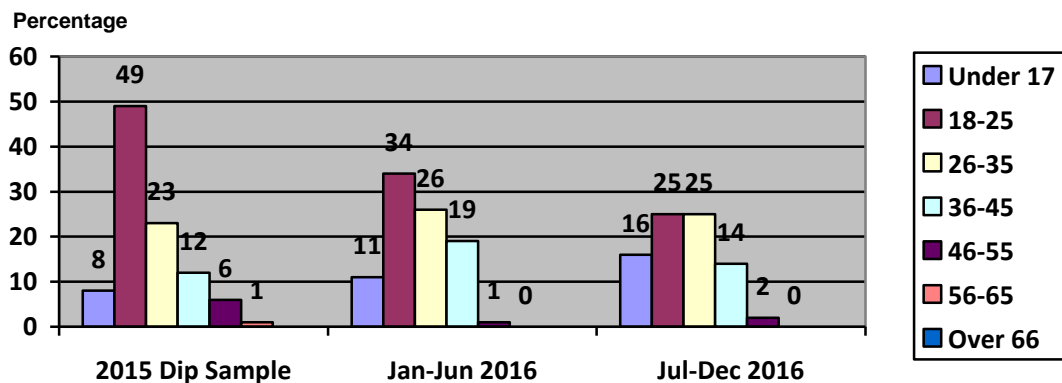
Gender

63 records from the 92 dip sampled related to individuals who identified as male; four identified as female and 18 records omitted to state the gender. This reflects the overall trend for encounters during the period with more males being stopped than females; however, there were around 20% of records (18 entries) where subjects' gender identity was missing from the record set. Therefore drawing meaningful conclusions from the data is not possible.

Age

The 92 records examined in the dip sample demonstrated an equal number of searches for the 18 to 25 and the 26 to 35 age brackets (25% in each case). However, a comparison across the last three dip samples suggests that, whilst there has been a reduction in the number of searches for 18-25 year-olds, there has been an increase for the 'Under 17' age range.

Table 1.5 - Age Comparisons across dip sample exercises



Further analysis regarding the location of stops for under 17 year-olds identified that a maximum of two encounters had taken place within a single ward area (Blaina). All other encounters were recorded as single events within each ward. A maximum of three stops occurred within two separate sectors (Caerphilly Central and Torfaen) with two stops recorded in a further two sectors (Blaenau Gwent and Caerphilly North). When compared to all the stop and search records for this dip-sample period, the 18 to 25 age bracket recorded the highest number of stop and search encounters (28 %), followed by the 26 to 35 age bracket (17%) and the 'Under 17' age range (17%). Therefore, there were no identifiable factors or issues within the exercise to account for the perceived increase for the 'Under 17' age range.

Ethnicity proportionality

Dip-sample analysis showed that 78% of people (72 records) stopped and searched during the period identified themselves as White British with 1% (1 record) identifying as White Irish. 5% (5 records) self-identified as a minority ethnicity and 13% (12 records) did not state any ethnicity. However, the dip-

sample is not large enough to help demonstrate whether Gwent Police is proportionate and fair regarding ethnicity.

Applying all the stop and search records for this period as per table 1.2, it is seen that 74% (681 records) identified themselves as either White British, White Irish or White Other; 6% (59 records) identified with a minority ethnicity; 0.3% (3 records) identified as Other and 19% (179 records) showed no ethnicity recorded. In a further 1% of stops (10 records), no ethnicity was recorded as the Officer was called away. Based on this information, the race disproportionality ratio (RDR) for Gwent is 2.14 (Table 1.5).

Table 1.5 – RDR for Gwent, 1st July – 31st December 2016

Black Minority Ethnic (BME) stops figure:

59 Stops (Total BME Stops) / 22377 (Total BME Population) = 0.00263663

White stops figure:

486 (Total 'White' Stops) / 554377 (Total 'White' population) = 0.00122840

0.00263663 (BME stops figure) / 0.00370289 (White stops figure) = **2.1463937**

Applying the RDR helps evidence whether different groups of people are being stop and searched more disproportionality than others. When compared to the national RDR of 7.0, Gwent Police continues to stop people proportionately.

When comparing the total data for 2016/17 to previous years (Table 1.6) it is evident that the RDR for Gwent Police rose significantly in 2014/15 and has since peaked during 2016/17.

Table 1.6 – Year-on-year comparison

Stop and Searches	# of Stops (Total)	# of Stops ('White')	# of Stops (BME)	% of Stops ('White')	% of Stops (BME)	RDR
2013/14	4597	4303	225	93.6%	4.9%	1.295
2014/15	2318	2148	203	92.7%	8.8%	2.314
2015/16	1770	1597	143	89.9%	8.1%	2.227
2016/17	1410	1248	127	88.5%	9.0%	2.521

It should be noted that Gwent has seen a significant and progressive reduction in the number of recorded stops encounters year-on-year since 2013/14, falling from 4,597 in 2013/14 to 1,440 in 2016/17. This has resulted in a large decrease in the number of encounters recorded for 'White' ethnicities and, whilst a small reduction has also been seen across BME stops, this has subsequently increased the RDR from 1.295 in 2013/14 to 2.521 in 2016/17. This reduction was previously highlighted at Gwent Police's former Stop and

Search Board in an attempt to understand the reasons behind the changes; however no definite conclusions were reached at that time. It is difficult to draw conclusions regarding policy or operational decisions having an impact on numbers as a significant amount of records across this four-year period lack a recorded ethnicity; therefore this information should only be used as an indicator of proportionality.

Outcomes

No Further Action (NFA) is the most common outcome within the dip-sample, accounting for 54% (50 records) of the stop and searches. This finding is consistent with the overall six month stop and search data which illustrated that 55% (512 records) of stop and searches resulted in NFA. All the dip-sample records had completed Outcomes and only 0.7% (6 records) of the total number of records for the period showed incomplete entries. This is a slight increase on the previous dip-sample which showed only one record as incomplete in this regard. In addition, when comparing the Outcomes data from 2015 with the current dip-sample results, a 22% reduction in NFA Outcomes is seen. This potentially indicates an improvement in the quality of stops throughout 2016. Whilst there has been a slight decrease in arrests from 15% in the previous dip-sample to 13%, this is an increase on the number noted within the 2015 dip-sample. In terms of the 'Under 17' age range, of the 16 records for this group only two encounters resulted in an arrest, with 10 Outcomes showing as NFA.

For all records in the dip-sample period, only 11% show the Outcome as 'Arrested', which is only marginally higher than in previous exercises. As in previous dip-sample reports, this continues to suggest that arrest rates for stop and search haven't greatly improved since 2015. However, during the current exercise an increase in the use of alternative outcomes was noted; for example, 8.7% were provided with advice; 5% of searches resulted in 'Nil Located' (as regards possible stolen property or drugs and/or drug paraphernalia); and 4% resulted in either 'Evidence Located' or the issue of a 'Penalty Notice' (Table 1.3).

Copies

During the six month period for the dip-sample, no copies of records were provided to any individuals that were stopped and searched at the time of the encounter. This is due to the implementation of mobile data in 2015/16 and the use of electronic forms to record stop and search encounters. There is currently no facility in place to enable officers to issue a copy record or a receipt at the time of the encounter (officers were previously able to provide a copy of the completed record the person stopped). Options had been previously discussed at the Stop and Search Board with the suggestion that copies of records could be obtained from a police station by the individual in question. PACE Code A (section 3.8 (e)(i)) requires a copy of the record or a receipt to be provided to anyone requiring it following a stop and search encounter. As such, this is being revisited with the Operational stop and search lead and the Diversity and

Inclusion Manager to ensure consideration is given to all options currently available.

Dip-sample exercise - conclusions

Impact of Mobile Data

The CMU continues to process all stop and searches for Gwent Police. With the exception of a small number which are manually uploaded within the CMU, all records are now processed electronically (officers have been allowed to complete paper copies as a contingency). Further to discussions with the Superintendent and the CMU, the following issues have been identified:

- Time-consuming duplication through the data entry process within the CMU;
- Duplicate stop and searches occurring due to accidental, multiple submissions by officers as a result of poor or non-existent data connectivity;
- Stop and search locations differing on Niche to the actual location given by the officer. For example, if an officer stops and searches someone in Duffryn but their device does not connect until they return to the station in Pill, the address recorded for the search will be Pill Police Station; and
- Recording of stop and searches by Gwent officers who are co-located within South Wales Police that have been undertaken in the South Wales Police area. This may provide inaccurate stops figures as the record is retained by Gwent Police.

As a result of identifying the above, joint work between the CMU, Project Fusion and the Niche support team is being undertaken to resolve the issues with the stop and search form. Progress will be monitored through the Use of Force Meeting and other meetings with the Operational stop and search lead.

Quality of records

During the analysis of all records, a number of duplicate entries were identified. This will have provided an inaccurate total number of stop and search records for the six-month period and also potentially have affected the analysis across all data areas. Therefore, it should be assumed the results of the dip-sample are similarly flawed; however, as the selection of individual records was undertaken at random from a larger quantity of records from a sequential date range, the impact is most probably minimal.

The technical work planned to resolve the issues with the stop and search forms should drive some of the improvements to the overall quality of records. Furthermore, it is anticipated that the officer training undertaken earlier in the year will be reflected in record quality within the next dip-sample exercise. Progress in both these aspects will continue to be monitored to ensure that, as a result, all stop and searches in Gwent are compliant with the best use of stop and search scheme.

Dip sampling analysis – sample size

The findings of the dip sample illustrate some of the limitations present when using a small sample. The 10% sample of records failed to reflect the sometimes larger number of records with incomplete data, which is a key consideration within the report. Secondly, using a small sample of records means that some categories may be under or over represented, or not acknowledge the impact of missing data. For example, within the dip sample 13% of stops did not have any ethnicity recorded; however when compared to the total percentage of stops during this period the figure increases to 19%. Using only the dip-sample data could alter the perception of proportionality in some cases.

A recommendation was made in the previous dip-sample report that all stop and search records for the six month period are discussed prior to the commencement of each dip-sample exercise to provide more accurate analysis. In order to better inform the direction of each dip-sample exercise, the OPCC Policy Officer meets with the appropriate Gwent Police colleagues to ensure consideration is given to any known issues or areas for improvement linked to external inspections and recommendations. To try to improve the robustness of quantitative evidence, consideration will be given to increasing the sample size for each exercise and making the number of records examined in each case consistent; i.e. 150 records forming x% of the total number of stop and search encounters recorded within each time period. However, cognisant this will have an impact on the time taken to undertake the dip-sample, consideration will be given to increasing the number of dip-sample participants to mitigate this impact as well as any other tools available to support the process.

Areas for operational development/training

As identified through the analysis, there has been a reduction in the number of queries around 'reasonable grounds'. However, the following have been listed below for clarity related to what amounts to 'reasonable grounds' as per PACE Code A:

- Known subjects/personal criminal background: some individuals were visually identified by officers during the encounter but it was not made clear if the stop and search was intelligence-linked. Stopping an individual only because they are known to police officers does not constitute reasonable grounds.
- Ground not completed correctly: details for the Grounds of the stop must be provided in every case.

It is anticipated that the impact of recent stop and search training will continue to be reflected in forthcoming dip-sample exercises.

Age

The dip-sample analysis provided continued evidence for the need for focused

activity regarding young people aged between 18 and 25 years to increase their knowledge and understanding of their rights if they are stopped and searched. This engagement is already being undertaken with young people aged 17 and under.

The dip-sample exercise also flagged concerns regarding:

- The welfare of minors following drug or alcohol-related stops where the individual was identified to be 'under the influence', but the Outcome was recorded as NFA. Further officer notes were not available within the record set to determine whether or not any action had been undertaken by officers in this regard; and
- Whether encounters were undertaken in a manner appropriate to the age of the individual stopped and searched.

Dependent on the availability of body-worn video for encounters for this age group, it may be possible to undertake a specific review of any footage linked to records. This would provide reassurance or areas for learning regarding the quality of current encounters with 10 to 17 year olds. This could also be extended to include 18 to 25 year olds if required.

B) Officer Conduct and Quality of Encounters:

i) Body-worn video dip-sample – findings

Due to technical issues, the group was unable to review any body worn video relating to the record set analysed. Attempts to address these issues have been made with Gwent Police and the Joint Scientific Investigation Unit (JSIU). Following discussions with the Superintendent it has been agreed that alternative arrangements will be made to review the video sample to ensure the exercise is completed. In future, this part of the dip-sample will be supported by Gwent Police's Diversity and Inclusion Officer, allowing greater alignment of dip-sample records with any available body-worn video and live-time questioning of the process by dip-sample group members during the review of available footage.

ii) Engagement with young people - findings

The OPCC is working with the Positive Future programme 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 identified the programme will be used to promote awareness of their rights in the event that they are stopped and searched. This process commenced in October 2016 with a 'knowledge survey' regarding 'Know Your Rights' for young people engaged with Positive Futures, simultaneous training for all programme staff and, in November, an awareness

workshop conducted with young people. Feedback from this engagement was positive and will be built on for future activity. The knowledge surveys will be undertaken annually to record and monitor awareness, and identify where work needs to be undertaken.

Consideration will continue to be given to wider public awareness of 'Know Your Rights'.

4. NEXT STEPS

Governance

This report will be provided to the OPCC Executive Board and any observations made forwarded to the Use of Force Meeting for consideration and any further action required. At the request of the Assistant Chief Constable, future activity will incorporate scrutiny of Gwent Police's use of force and the process will be adapted to accommodate this. It is proposed that a dip-sample exercise covering 1st January to 30th June 2017 takes place in November 2017.

To ensure consistent use of terminology with the All-Party Parliamentary Group for Children (APPGC) and to reflect the increased remit around use of the name of the dip-sample group will be changed to Legitimacy Scrutiny Panel. The Terms of Reference for the Scrutiny Panel will be reviewed before November 2017 to ensure that it remains relevant to the remit of the group.

Quality of records

The technical issues with stop and search forms and the identified missing data have already been highlighted within this report, along with the remedial activity in place. The accuracy of original stop and search data and subsequent system-held records and the completion and accuracy of all categories will be monitored through the Use of Force Meeting and other arrangements with Gwent Police colleagues. Specific focus will be given to ethnicity, gender and grounds, ensuring compliance with Best Use of Stop and Search Scheme. In addition, the overall numbers of stop and search encounters recorded will continue to be monitored.

Copies

The issue of supplying a copy or receipt if requested by the person stopped and searched will be revisited to ensure that all available options are explored. Research into how this is undertaken in other policing areas is currently being undertaken in support of this.

Dip-sample size and effective data analysis

The membership of the dip-sample group will be reviewed to support the anticipated increase in the sample size. Improvements in data analysis as a result of this change will be noted in future reports.

Sufficient 'Grounds'

The Scrutiny Panel will continue to dip-sample a 10% minimum of records in support of previous HMIC inspection recommendations for improvement. Consideration will also be given to the appropriateness of 'whole system' analysis.

Children and young people

With the introduction of Child Centred Policing within Gwent, a greater emphasis will be placed on welfare issues and age-appropriate stop and search encounters. Appropriate linkages will be made with Gwent Police colleagues to ensure that any observations or learning from scrutiny exercises are shared.

Body-worn video

The body-worn video for this dip-sample will be reviewed as an extension of the next scrutiny exercise. Currently, there are low numbers of videos relating to stops encounters. This has been acknowledged at the Use of Force Meeting and work is ongoing to increase the prevalence of body-worn video use generally.

Future legislative changes to stop and search requirements and any associated impacts will be monitored by the OPCC and implemented through the appropriate mechanisms within Gwent Police.

Engagement with young people regarding 'Know Your Rights':

The following plans are currently in place regarding the 'Know Your Rights' project:

- A 'knowledge survey' is scheduled for mid-to-late 2017, aligned to the next 'Quality of Encounters Process'; and
- Beginning in September 2017, a joint Positive Futures/All Wales School Liaison Programme approach will be rolled-out with the aim of delivering two lessons in two different schools within each local authority area, by April 2018. This will be evaluated to inform planning for the 2018/19 school year.

Further engagement

Wider engagement linked to 'Know Your Rights' will be discussed with the OPCC Engagement Officer and other colleagues as appropriate to increase awareness across all communities. Where opportunities or specific needs are identified, these will be incorporated into the Engagement Plan.

5. FINANCIAL CONSIDERATIONS

LAG members' costs are met by Gwent Police; there is no additional expenditure for the OPCC relating to this exercise.

Welsh Language translation costs for the Positive Futures survey have been met by the OPCC.

6. PERSONNEL CONSIDERATIONS

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

7. LEGAL IMPLICATIONS

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.

The exercise also falls within the Commissioner's wider accountability duties.

8. EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS

Legitimacy and fairness form an objective within the Joint Strategic Equality Plan 2016-2020. The stop and search-dip sample process is a core activity within this objective. 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.

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-sample process aims to help ensure that the stop and search procedure is being used effectively, proportionately and justifiably across all communities in Gwent.

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.

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.

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.

9. RISK

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-sample process aims to help ensure that encounters are undertaken appropriately.

For the purposes of the exercise, the stop and search data has been anonymised. This limits any issues regarding data protection. All members of the scrutiny panel have been vetted according to Gwent Police processes.

10. PUBLIC INTEREST

The scrutiny exercise can help promote public confidence in the use of stop and search powers. In addition to discussion at the OPCC Executive Board and the Use of Force Meeting, the report is also provided to the IAG to form part of their stop and search discussions and to allow any further feedback to be considered. The report is also published on the OPCC website.

11. CONTACT OFFICER

Caroline Hawkins – Policy Officer, OPCC

12. ANNEXES

None