**Warwickshire and West Mercia**

**Trust Integrity and Ethics Committee**

**Report into Stop and Search**

**27 April 2017**

Background

The 2016 HMIC Peel Report into Legitimacy raised a number of concerns about how both forces conducted and recorded instances of Stop and Search. Too many records did not contain sufficient reasonable grounds and these records were not being sufficiently identified or addressed by supervisors. Neither force was complying with the Best Use of Stop and Search (BUSS) scheme. Both were graded as ‘Requiring Improvement’ and suspended from BUSS.

The principle aims of BUSS are to achieve greater transparency, community involvement and to support a more intelligence led approach leading to an increase in the stop and search to positive outcome ratio.

HMIC also looked at how the forces conduct race and diversity monitoring, in particular the disproportionate use of stop and search among BAME communities. In September 2015, prior to the HMIC Inspection, the Force Intelligence team conducted some research to further understand disproportionality rates and reviewed all the forces BME data. Disproportionality is a complicated issue, however the review enabled a much better understanding and included

* how disproportionality ratios are worked out (eg.using census data from 2011 which is now out of date);
* how postcode data affects the ratios ie. how the ratios do not take into account those people stopped and searched who travel into the forces’ area but do not form part of the resident demographic population;
* how specific intelligence led operations affect BME ratios and also how a small resident population of BME community within the force areas can impact on the data and possibly distort it.

 The mis-use of stop and search has been a priority for national government and seen as ‘an unacceptable affront to justice’. The correct use of Stop and Search was made a priority by both Chief Officers.

A stop and search is most likely to be effective when:

* the search is a justified and lawful use of the power that stands up to public scrutiny
* the officer has a genuine and objectively reasonable suspicion that they will find a prohibited article or item for use in crime
* the search was necessary and was the most proportionate method the police officer could use to establish whether the person has such an item.
* the person understands why they have been searched and feels they have been treated with respect

HMIC identified the main areas for improvement in the Alliance as

* The accurate recording of reasonable grounds
* The adequate supervision of the reasonable grounds records

To achieve full compliance with BUSS there needed to be

1) Data publishing: a link from the Alliance websites to the Police.uk website and LPA data information available on the websites.

2) Community complaints trigger: these should be updated onto the forces’ external and internal websites and included within shift briefings. Complaints are also to be a standing agenda item at IAG meetings

3) Ride Alongs: These should be publicised by being updated onto the stop and search website page, through the IAGs, via a social media campaign and incorporated into Citizens Academies

4) Reduce the use of Section 60 Criminal Justice and Public Order Act 1994 searches by raising the authority levels to grant permission, limit the authority durations and improve public consultation.

5) Adherence to the BUSS scheme

6) Race and diversity monitoring particularly relating to BME groups and young people.

The alliance was originally non-compliant with 3 of these 6 elements (Nos 1, 2 and 3)

Action taken by The Alliance

Following the release of the HMIC Legitimacy report in February 2016, Detective Chief Inspector Sharron Cannings (Force Intelligence) and two colleagues (Sergeant Charlie Parker and PC Richard Jones from uniform policing roles ) conducted a ‘root and branch’ review to bring in changes to achieve compliance. This review was undertaken against the Alliance Vision and Values, Code of Ethics and Confidence in Policing protocols.

Other actions included

* Peer Review from Supt Andy Cox of Northants Police (a force of similar size and diversity to WM and W and who achieved a rating of ‘Good’) Supt Cox made 28 recommendations for improvement.
* Support from Metropolitan Police National Improvement Team
* A review of all forces that were graded as ‘Good’
* Establishment of a Stop and Search Action Plan
* A review of

 i) the forces’ websites – both external and internal communications,

 links to the police uk website and the use of social media

ii) Training processes and the re-enforcement of reasonable grounds guidance and the accurate recording of data. This included shift briefings, officer safety briefings and student officer training. The recording of data onto the stop and search database has been significantly changed and tightened up. The supervising officer now reads every record and contacts the officer concerned if records are inadequate. If the chasing emails are ignored for 6 days the LPA inspector is informed.

DCI Cannings and her team have also been reviewing all records for the Alliance to support and ensure compliance.

* In the longer term, further training is to be given on unconscious bias and procedural justice in line with the College of Policing national curriculum and APP guidance;
* The implementation of team coaches/peers in the LPAs
* Community engagement with IAGs, BME Advisory Gps, Citizens Academy, School PSOs, OPCC websites, Ride Alongs, Warwickshire Race/Equality partnership, TIE Committee, Worcester College Public Service Course
* Disproportionality reviews: continue regular reviews of all BME stop and search data which is also shared with BME IAG and LIAG’s for discussion.
* Transparent public scrutiny panels through the LIAG’s.
* Ongoing monitoring through the Governance structure.

Outcomes

The Alliance was re-inspected by HMIC in July 2016 and found to be fully compliant with all elements of the BUSS scheme and reinstated onto the scheme by the Home secretary. The Alliance was also identified as having areas of ‘best practise’.

To sustain this improvement,

* BUSS is being embedded into the daily business of policing
* There is an ongoing and very regular evaluation of processes and data collection
* The Alliance is to adopt the College of Policing National Curriculum into existing training processes (which includes procedural justice and unconscious bias training)
* The Ride Along, IAG and scrutiny panel management and other methods of community engagement to continue and be re-enforced where necessary
* The websites are to be regularly updated and maintained.
* Ways are found to work with Athena after its implementation as necessary.
* Incorporate stop and search into the ongoing development of agile working through development of a stop and search mobile application.

Since the HMIC Legitimacy Report of Spring 2016, the recording and proportionality of Stop and Search has improved enormously.

 I feel confident that with all the safeguards and processes in place and the appointment of a fulltime officer for Stop and Search to keep a daily overview and review of the scheme to ensure the Alliance’s performance doesn’t slip, their performance will continue to improve.

Susanna McFarlane

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