



## **NPCC Fortnightly Meeting**

### **Review of the current use of stop and search powers in North Wales Police**

#### **Background**

The use of stop and search powers nationally, has been under great scrutiny for many years and the Home Office and College of Policing has offered much guidance and instruction to forces in an attempt to 'improve' its use.

In 2014, Theresa May (then Home Secretary) stated, in a speech to Parliament, that she wanted to see a significant reduction in the use of stop and search powers:

...I want to make myself absolutely clear: if the numbers do not come down, if stop and search does not become more targeted, if those stop-to-arrest ratios do not improve considerably, the government will return with primary legislation to make these things happen. – *Theresa May (April 2014)*.

There has been continual criticism of police use of stop and search particularly around the perceived targeting of young, black males. These figures state that black males are seven times more likely to be stop and searched than white males. This figure was arrived at by looking at the total number of stop and searches a particular ethnic group was subjected to and dividing it by the percentage that the ethnic group makes up of the population of the UK as a whole. Further Home Office Research (Palmer, 2018)<sup>1</sup>, states that this data is flawed and gives a false impression that these powers are racist or are being used by the police in a racist manner.

In 2017, the College of Policing issued official guidance stating 'the smell of cannabis is not enough' to formulate grounds to stop and search. This has been included in recent training to NWP staff (NCALT and classroom based during PST courses) and has caused some debate and dissatisfaction.

Merseyside police have publically gone against this advice with Chief Constable Andy Cooke stating he disagreed with the College advice:

'The guidance in my view is wrong and the law does not preclude it. Smell of cannabis is sufficient to stop search and I will continue to encourage my officers to use it particularly on those criminals who are engaged in serious and organised crime' – *Chief Constable Andy Cooke (2017)*.

Merseyside Police have bucked the national trend and increased the use of stop and search by 50% in the last 12 months.

The high profile negative coverage of the use of stop and search has led to forces scrutinising its use and providing guidance to front-line officers.

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<sup>1</sup> Palmer, A - *The Stop Search Race Myth – The Spectator (March 2018)*



In North Wales Police, the use of stop and search powers has decreased by 68% since 2013 which suggests the ongoing public debate over the legitimacy of these tactics is having an adverse effect on officers' confidence or willingness to use the powers.

## Purpose

Stop and search powers mainly serve to prevent offences relating to drug possession and supply, acquisitive crime and offences involving possession of weapons.

YTD in north Wales, we are experiencing a 24.6% increase in offences using weapons, drugs offences are up by \*\*\*% and burglary and theft are up by 7.1% and 2.7% respectively. There is also a significant increase in the volume of OCG / County-Lines type activity linked to drug supply and violence across the force.

The purpose of this paper is to review the use of stop and search powers across north Wales to determine if, as an organisation, we are comfortable that it is being used fairly and appropriately and that our staff are trained and confident to utilise the powers to tackle weapon enabled crime, drugs offences and acquisitive crime.

In order to make recommendations around the future use of stop and search in north Wales, I will consider two main factors:

1. Compliance - Are we doing things right? (Are we following best practice outlined by the College of Policing and the Home Office?)
2. Effect - Are we doing the right things? (Has the implementation of this 'best practice' had an adverse impact on our ability to prevent certain crime types?)

## Compliance

Recent HMIC legitimacy inspections have provided an area for improvement around stop and search:

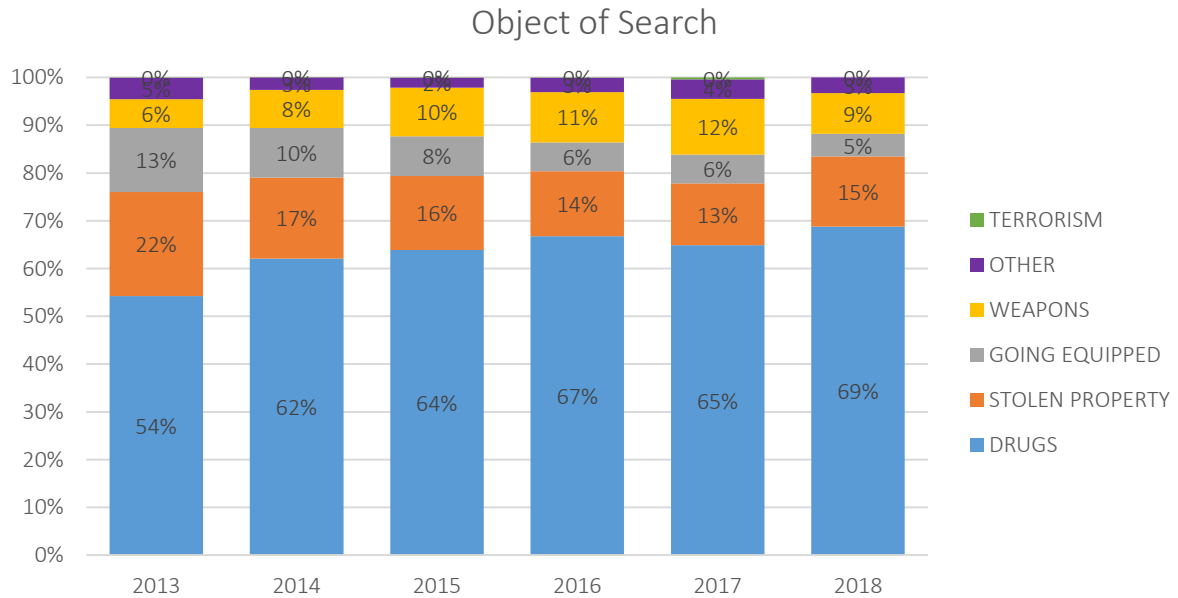
*The force should improve its process for regularly scrutinising a broad range of stop and search data and information, to gain a better understanding of the relationship between age, gender, ethnicity and the number of stop and search encounter that resulted in outcomes that were linked to the original reason for search.*

This AFI is being addressed in consultation with the HMIC liaison and is expected to be closed off at the next visit. In order to address the AFI, a new annual report has been published online, the stop and search form has been amended to be more explicit around these aspects and the stop and search pages on the force internet page have been redesigned to enable public feedback.

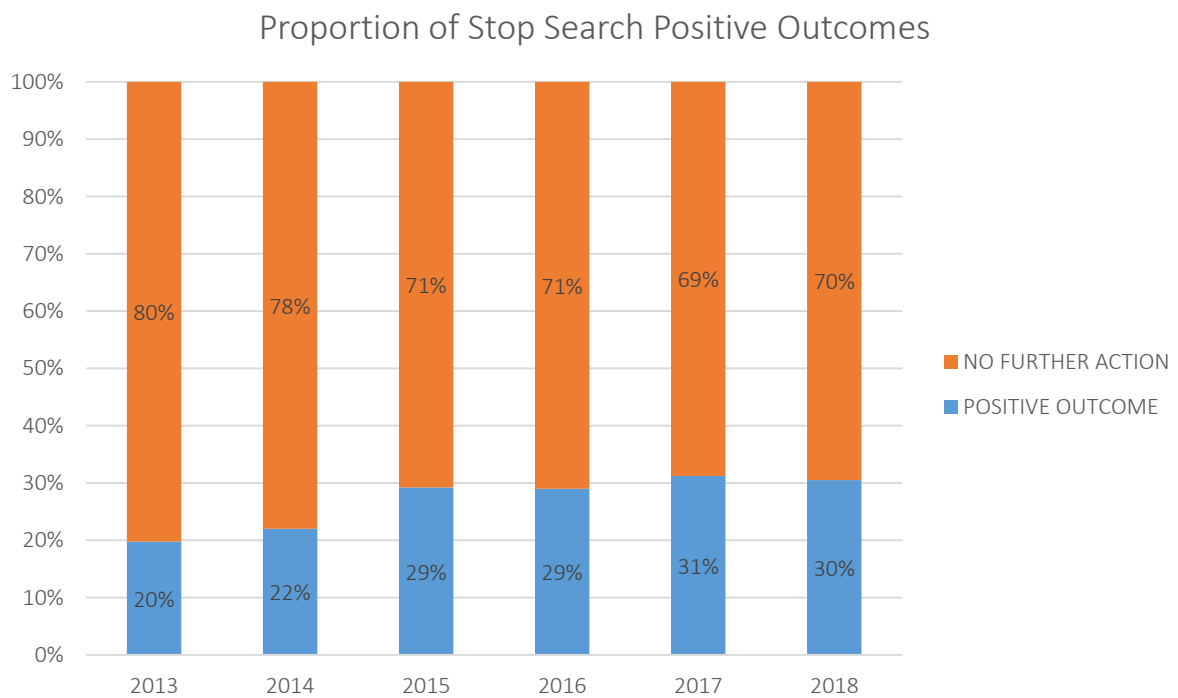


### Performance

On average, the force carries out approximately 4-5 searches per day, the majority of which are for drugs offences.



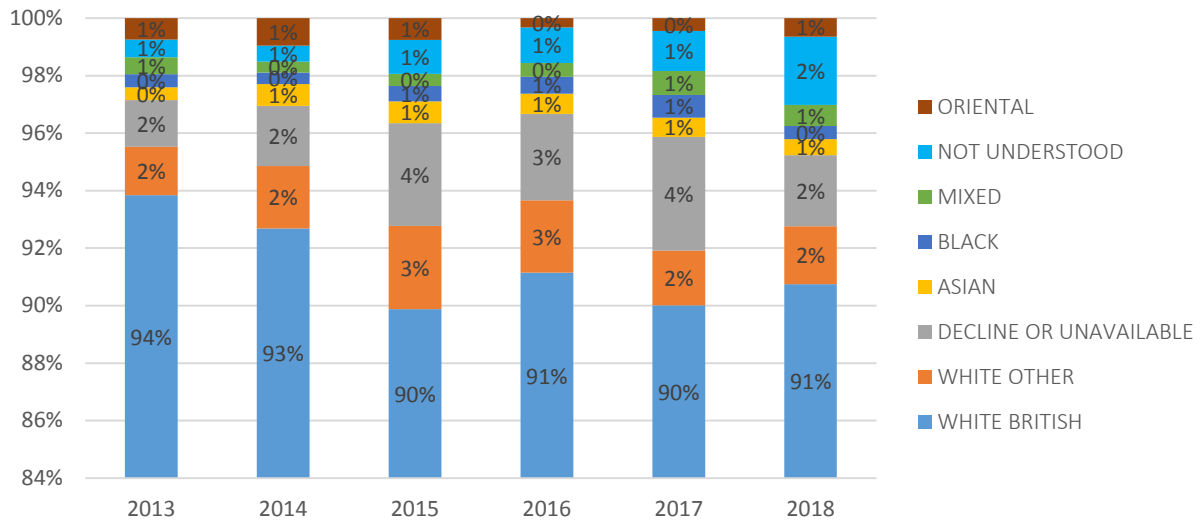
The 'find rate' for stop searches has increased over the last five years from 20% in 2013 to 30% in 2018.





The diversity split for the searches is presented in the below graph and, whilst there are a number of discrepancies when compared to the 2011 census population data, there are no concerns regarding the fair proportionate use of the powers. This is explained in more detail in the published public document.

Ethnicity of Individuals Stop Searched



### Scrutiny

There are currently a number of levels of scrutiny around the use of stop and search powers:

- Public Encounters Board
- Stop and search scrutiny panel (independent) – reviewing forms and viewing body worn video
- Quarterly dip samples – Forms reviewed by patrol inspectors
- Ride Along Scheme – Low uptake but available via the website
- Public feedback (anonymous) via the website

### Staff Consultation

As part of this research, a discussion thread was started on 'My Voice'. This discussion had 748 views and but generated just 14 replies. The comments made are summarised below:

- A lack of leadership by first line supervisors who do not expect or measure officers proactivity

### Training



The force training material has been reviewed and the trainers spoken to. The content appears appropriate and pitched in a positive way. It is focussed on fairness and diversity but in no way suggests the powers should not be used or that officers will be criticised for their use.

The trainers receive feedback from students that they feel the scrutiny is due to the improper use by larger forces and we 'suffer the consequences'.

The trainers have highlighted the skill fade they see in new recruits who simply have not used the powers often enough to maintain competence or confidence.

Anecdotally there appears to be some feeling that officers young in service do not have the competence or confidence to use the powers (attributed to a training need). Research has shown this is not the case, correct use of stop and search was a key message delivered to the Probationer Assessment Officers 15-16 months ago and this has had a positive impact on the use of stop and search powers by younger in service officers.

Stop / Searches recorded, by Length of Service			
LOS Band	YTD	Last YTD	Difference
01. <2	133	14	850.0%
02. 2-5	205	229	-10.5%
03. 6-10	200	232	-13.8%
04. 11-15	112	118	-5.1%
05. 16-20	92	125	-26.4%
06. 21-25	49	62	-21.0%
07. 26-30	17	18	-5.6%
Unable to Trace	35	59	-40.7%
<b>Total</b>	<b>843</b>	<b>857</b>	<b>-1.6%</b>

The above table shows an 850% increase in the use of stop and search by those in their probation period which can confidently be attributed to the work of the Probationer Assessment Constables. There appears to be a greater issue with the proactivity of longer in service constables with every other category showing a reduction year to date.

### Other Proactivity

In order to put this issue into context, other proactivity has also been considered. The traffic offence report (TOR) process came into being in 2014 and, despite force-wide campaigns, this too has seen a significant reduction in recent years. Overall numbers of TORs have reduced by approx. 50% since 2014 which suggests the lack of proactivity is not limited to just stop and search.

### Summary

Stop and search is an identified tool to combat acquisitive crime, drug offences and weapon enabled crime. All of these crime types are showing significant increases year to date and are linked to the force priorities around organised crime and safer neighbourhoods. It can therefore be assumed that more effective, target use of stop and search powers would disrupt some of this criminality and assist in creating a 'safer north Wales'.

North Wales Police is fair and proportionate in its current use of stop and search powers and understands any discrepancies in the data. This will be confirmed when the AFI is signed off by HMIC.



The training offered to new recruits is currently pitched at the right level and probationer constables appear confident and competent in the use of these powers.