

Stop & Search

A response to the public consultation on police powers of stop and search, July 2013 from the Thames Valley Police Stop and Search Independent Advisory Group

This contribution is submitted by an “expert group” comprised of lay people with a specific interest in Stop & Search. This group has monitored Stop & Search in the Thames Valley for eighteen months, working closely with senior members of Thames Valley Police with the remit of an Independent Advisory Group (IAG). As such we have analysed data, posed detailed questions and held Thames Valley Police to account on this contentious subject. Our experience suggests that such an approach, throughout England and Wales, would be a viable and effective contribution to both community cohesion and public trust in the police.

The very nature of Stop & Search is to be intrusive and in a liberal society, like ours, can be interpreted as an objectionable invasion of much cherished human rights. For some ethnic minority sections of the population in Thames Valley, Stop & Search has been reported as being so routine as to be a normal aspect of life.

Such concerns led to representations being made to the Chief Constable of Thames Valley Police in 2010/11 by one of the areas’ Race Equality Councils as, analysing the data freely provided by Thames Valley Police, it appeared that black and Asian minorities were being subjected to Stop & Search far more frequently than their white counterparts.

At that time members of the Asian community were three times more likely to be Stop & Searched than whites and blacks were six times more prone.

Thames Valley Police was highlighted by the Equality and Human Rights Council (EHRC) as having such disproportionate instances of Stop & Search that it was prepared to serve notice that the Force was acting illegally. After discussions not only with the EHRC but also with Wycombe Race Equality Council, Thames Valley Police Chief Constable, Sara Thornton, introduced a new range of policies aimed to address the EHRC’s criticisms. These included additional supervision and training for every Officer, monitoring of all Stop & Search paperwork submitted by a superior Officer and independent scrutiny of Stop & Search by an advisory group made up of members of the public (the SSIAG).

The EHRC detailed criteria that it wished monitored and the SSIAG considered the data at a series of meetings over eighteen months. In attendance at each of these meetings there was always an Officer of Assistant Chief Constable rank. It is the opinion of the SSIAG that the volume of data required by the EHRC was far in excess of the data necessary for meaningful discussion; however this was produced and is available to the Home Secretary.

Throughout SSIAG meetings Thames Valley Police representatives were completely open, frank and honest and took every point raised in a constructive manner. The SSIAG maintained complete confidence that Thames Valley Police seriously wished to work with the group to give a full

understanding of the data that was collected each quarter. As a model of transparency this could be used as a benchmark, if the Home Secretary were minded to institute similar monitoring operations in England & Wales.

The SSIAG was very concerned at its initial meetings that Thames Valley Police were, in effect, being called upon to establish politically correct disproportionality objectives that each of its Local Police Areas would be expected to meet. An EHRC representative observed SSIAG meetings and refuted this; however the “targets” that Thames Valley Police were to be measured against always sat uncomfortably with the group. The SSIAG received an assurance from the Chief Constable that Officers, on the street, were fully aware that there was no expectation that they should achieve a “certain balance”.

The SSIAG firmly recommends that the Home Secretary maintains this approach. In the Thames Valley, we are quite sure that individual Officers must continue to make judgements based on their own initiative, and that intelligence led criteria should be the major determining factor in all instances of Stop & Search.

The Minutes of SSIAG meetings and all the data considered is openly available on the Thames Valley Police website. The Home Secretary may wish to pronounce this as best practice.

As can be seen by the tone of this report the SSIAG is very supportive of the way that Thames Valley Police has introduced and monitored its current Stop & Search policy. Even the most critical observer of Stop & Search in Thames Valley (“It’s a way of life”) considered the introduction of the Chief Constables’ initiative to be a major step forward.

In her announcement of the Stop & Search Consultation the Home Secretary was at pains to underline that Stop & Search is an essential tool in the fight against crime and gathering intelligence. The SSIAG is in total accord with her view. Her reiteration that the disproportionate Stop & Search of ethnic minorities is viewed as a problem though needs further consideration. The SSIAG firmly believes that monitoring of Stop & Search data by independent groups is an essential part of checking the performance of Police Forces. The raw data though needs greater explanation.

Given the limited, and decreasing, resources available to Chief Constables it is all the more necessary to deploy Officers efficiently. An obvious consideration has to be where crime (i.e. crime that may be reduced by Stop & Search) occurs and Thames Valley Police produced details of “Hot Spot” areas.

There is a striking correlation between crime hot spots and areas of poor housing, poor health, lower life expectancy, deprivation, poor schooling etc. These areas can expect to have higher levels of police attention than elsewhere. The SSIAG notes in passing that improvements in these social factors is the only long term way to further decrease crime.

In the Thames Valley these areas tend to be populated in higher numbers by those of ethnic minority background. Asian and black people are intrinsically no more likely to be offenders than any other group; but if police activity is focused on high crime areas and there is a disproportionate number of black and Asian people living/working/etc. in that area then it is inevitable that the Stop

& Search figures will reflect the community there and be seen as disproportionate against the overall population.

The SSIAG wishes to underline that when considering Stop & Search data it is important to consider the types of crime that Officers are seeking to prevent. It is entirely possible that if data were collected on a totally different set of parameters the conclusion would be at complete variance with the data that we researched. As an example, what percentage of search warrants related to fraud involve premises owned by white people, and how proportionate is that percentage?

The analysis of Stop & Search data in Thames Valley included raw data on disproportionality broken down by area, with the disproportionality ratios shown in the chart below. Wycombe figures are of note as in almost every quarter it did not reach the “target” set by the Chief Constable.

Table 2.1	Q1	Q2	Q3	Q4	Q5	Q6	Q1	Q2	Q3	Q4	Q5	Q6
	Black	Black	Black	Black	Black	Black	Asian	Asian	Asian	Asian	Asian	Asian
Bracknell Forest	3.3	1.9	1.9	3.2	4.3	3.6	0.2	0.2	0.6	0.4	0	0.3
Slough	3.3	2.5	4.1	2	1.9	3.3	2	2.1	2.1	1.8	1.9	1.9
Windsor & Maidenhead	2.8	2	0.7	3.7	1.7	2.4	2.8	2	1.9	2	2.4	1.7
Reading	2.8	3	3.5	3.3	3.1	2.5	2.9	2.7	1.9	2.6	1.9	2.6
West Berkshire	1.6	4.6	2.3	2.1	1.7	1	1.2	2.1	1.1	0.4	1.1	0.8
Wokingham	2.3	4	2.5	3	1.4	2.2	2.9	1.9	2.8	1.8	2.6	2.2
Aylesbury Vale	2.6	3.2	1.5	2.9	3.6	6.4	5	4.8	3.7	3.7	4.5	5
Chiltern	2	1.1	1.7	0.7	0.5	1.7	2.1	3.5	3	2.2	6.1	3.2
South Bucks	2.5	0	1.5	2.4	2.4	1.7	1.3	1.4	1	1.3	1.8	2.1
Wycombe	3.4	5.8	5.7	6.4	9.3	6.2	3.9	3.2	2.9	6.7	5	4.2
Milton Keynes	3.5	4	3.3	3.4	2.7	3.8	1.2	1.3	1.3	1.5	1.3	1.1
Cherwell	2.4	2.6	2.6	3.8	3.1	3	3.9	4.5	1.5	1.7	1.6	2.1
Oxford	3	2.6	3.7	2.4	2.6	2.2	2.9	1.2	2.2	1.4	1	1.4
South Oxfordshire	6	2.4	1.7	1.8	1.2	2.4	1.6	0.6	0.5	0.7	1.2	0.4
Vale of White Horse	2.4	0.9	1.9	0.2	0.5	3.2	1.1	1	1.1	0.7	0.5	0.7
West Oxfordshire	0	0	0	1.8	0.8	0	0.6	1.2	1.6	0.7	0.5	0.8

Wycombe contains areas as outlined above that mitigate towards large ethnic minority populations and the SSIAG was not surprised at the data for Wycombe. However the performance of the Wycombe LPA is exemplary in that it leads Thames Valley Police in terms of crime reduction, conviction rates etc. As a community, Wycombe is proud of its varied and cosmopolitan background. The local police enjoy excellent relations with all parts of this community.

These relations have not come about by accident. The LPA Commander and his deputy are seen as an integral part of the community. They are open, approachable and totally professional and have earned the respect and trust of the community. This is the key to acceptance of data that might be seen as critical. Above all the citizens of Wycombe wish to feel safe on the street and local management of the force has delivered this, even with recent terrorist activity and current sex trafficking charges. There is strong pressure on the Commander to reduce crime in general but drug related crime in particular. This is being achieved, with Stop & Search being a powerful tool enabling that achievement.

Thames Valley Police Chief Constable, Sara Thornton, has delivered revised training on Stop & Search to all operational staff. Not only are the mechanics and legal requirements encompassed, but so is the intangible effect of how Officers present themselves when conducting a Stop & Search. Officers need to be polite and explain the reason for the exercise of this power - poor delivery will result in the episode being counter-productive in terms of public relationships. The SSIAG believes that the attitude of the Officer shapes the perception of the person stopped. In the Thames Valley, work is underway to make Stop & Search a productive process, even though the results of Stop & Search, as measured by subsequent arrests etc., can be perceived as being in need of improvement.

The Home Secretary made mention of the poor “productivity” of Stop & Search. In pure figures it does appear that many of those stopped and searched are found to have committed no offence or, in the judgement of the Officer, that no further action is required. Given that black and Asian people are disproportionately stopped and searched, then this should be closely monitored.

The SSIAG however notes that within Thames Valley Police this has improved; and we are comfortable that, as long as each Stop & Search is monitored as per the revised Thames Valley Police policy by a superior Officer combined with public scrutiny of the data, there is little real cause for concern.

In summary then:

- Public involvement in checking Stop & Search data is essential.
- Specialist Independent Advisory Groups present an excellent platform to deliver accountability.
- The Thames Valley Police policy and review model may be seen as Best Practice.
- Local Area Commanders are the key to public confidence.