Suffolk Police and Crime Commissioner

Making Suffolk a safer place to live, work, travel and invest

ORIGINATOR: CHIEF CONSTABLE	PAPER NO. AP15/82

SUBMITTED TO:	ACCOUNTABILITY AND PERFORMANCE PANEL – 15 DECEMBER 2015

SUBJECT:	USE OF STOP SEARCH IN SUFFOLK – DECEMBER 2014 TO AUGUST 2015

SUMMARY:

1. This report provides analysis of stop and search for the twelve month period December 2014 to August 2015.
2. The number of "Stop and Search" used by Suffolk officers has decreased by an average of 30.4% since the commencement of the new Home Office Stop and Search standard.
3. The majority of stop and searches are in relation to drugs and the majority result in no further action being taken. Less than 6% are strip searches, and these are almost always in relation to drugs.
4. 'Black and Minority Ethnic' people are 2.7 times more likely to be stopped and searched than people of 'White' ethnicity. This rate has reduced from a peak of 3.5 since new Home Office standards were introduced.
5. Nine out of ten people stopped and searched reported that they understood the reasons for their search and were treated with respect and dignity by the officer(s).

RECOMMENDATION:

1. The Accountability and Performance Panel is asked to take account of the steps that the Constabulary is taking to ensure stop search legislation is used fairly and effectively.

1. USE OF STOP/SEARCH IN SUFFOLK, DECEMBER 2014 TO AUGUST 2015

1.1 A new database for recording Stop and Search and Stop and Account was implemented in Suffolk in December 2014, as directed by the Home Office. The rationale behind the new database is to allow for greater governance of the use of Stop and Search powers, and allow for the identification of trends in the use of powers by individual officers, teams or stations. The new database also allows for increased data collection on Stop and Search outcomes.

1.2 The Home Secretary wrote to all forces in April 2014 following the findings of an HMIC inspection of how stop and search powers are used. Two main concerns raised were that:

a) the HMIC found that fewer than half of police Forces in England and Wales complied with PACE 1984 requirements that arrangements are in place for stop and search records to be scrutinised by the communities they serve

b) some forces set officer targets in relation to stop and search

1.3 As a result, the Home Office and College of Policing introduced the 'Best Use of Stop and Search' scheme. Participating Forces were asked to record the use of stop and search in more detail going forward in order to show the link (or otherwise) between the object of the search and the outcome. The scheme also introduced lay observation policies to enable members of the public to accompany officers on patrol and a 'community trigger' whereby police must explain to the public how powers are being used when there is a large volume of complaints

1.4 This report (and future reports) is based on data collected from the new database. With its implementation, some delays in inputting paper stop and search forms into the new database have arisen, and records to the end of September have not been fully inputted at the time of writing. Therefore, the time period which this report covers is December 2014 to August 2015. Also, on this occasion, as data is not aligned fully with 'quarter' time periods, data are largely presented for the period as a whole. It is anticipated that in future reports, reporting will revert to quarterly to allow for temporal comparisons.

2. OVERALL TRENDS[1]
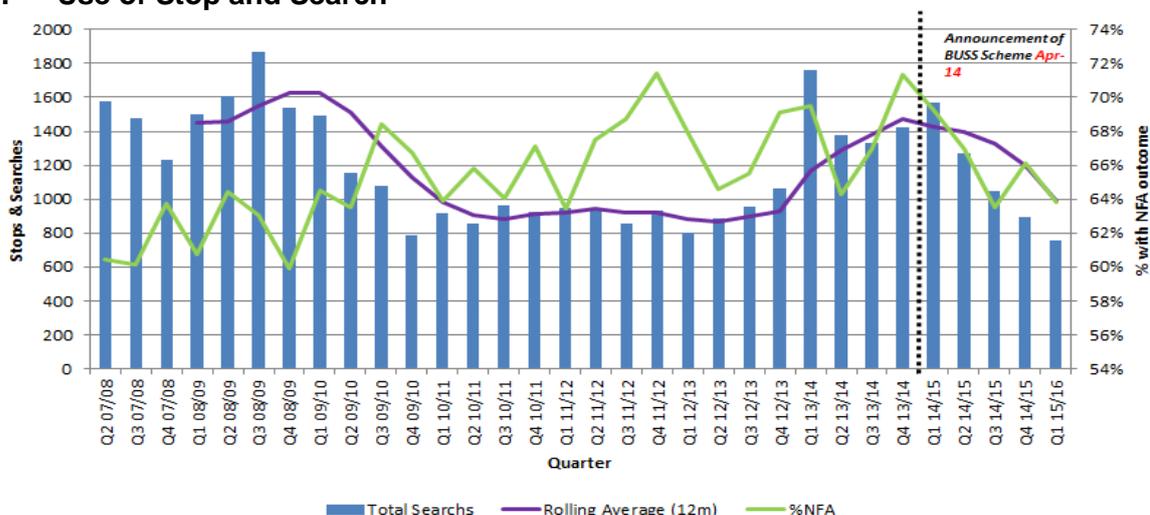
2.1. Use of Stop and Search

Figure 1: Long-term trends in use of Stop and Search in Suffolk

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[1] Rolling average based on a 12 month period

2.1.1 Figure 1 displays long term trends in Stop and Search over time. As discussed in the last report, there has been a steady decrease in the use of stop and search over the course of 2014/15, which coincides with the announcement of the Best Use of Stop and Search (BUSS) scheme by the Home Secretary in April 2014. On average, the usage of stop and search has decreased by 30.4% since the introduction of BUSS. In Q1 2015/16, levels of stop and search usage were at their lowest since figures began in 2007/08.

2.1.2 Figure 2 displays the trend in usage of stop and search in Suffolk since the new database and accompanying forms were introduced in December 2014. As discussed in the previous report, the introduction of Best Use of Stop and Search in April 2014 coincided with a steady decrease in the use of stop and search during 2014/15. In 2013/14 usage peaked, seeing an average of around 420 stop and searches per month. Since the introduction of BUSS, there has been an average of 267 per month. The proportion of searches resulting in a No Further Action (NFA) outcome has remained largely stable from Q3 2014/15 onwards, at 64% to 66%. Previously, NFA rates of around 70% or above have been recorded.
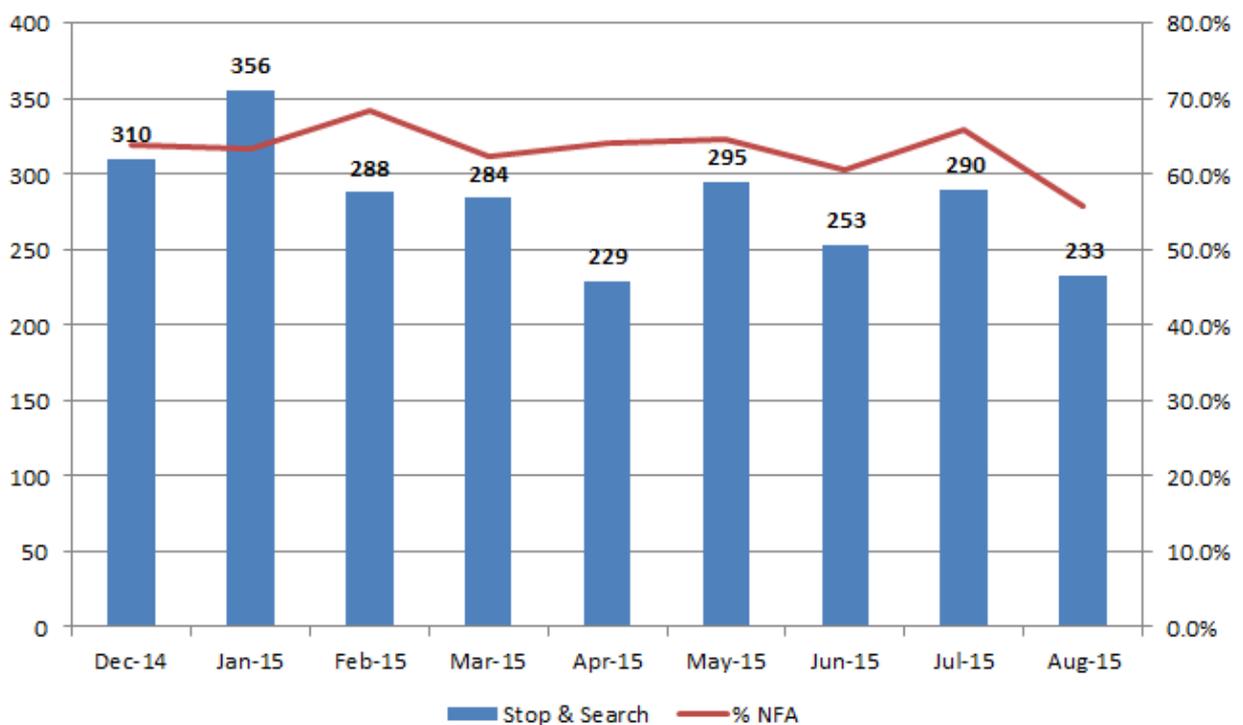

Figure 2: Volume of Stop and Search and % NFA Outcomes Dec-14 to Aug-15
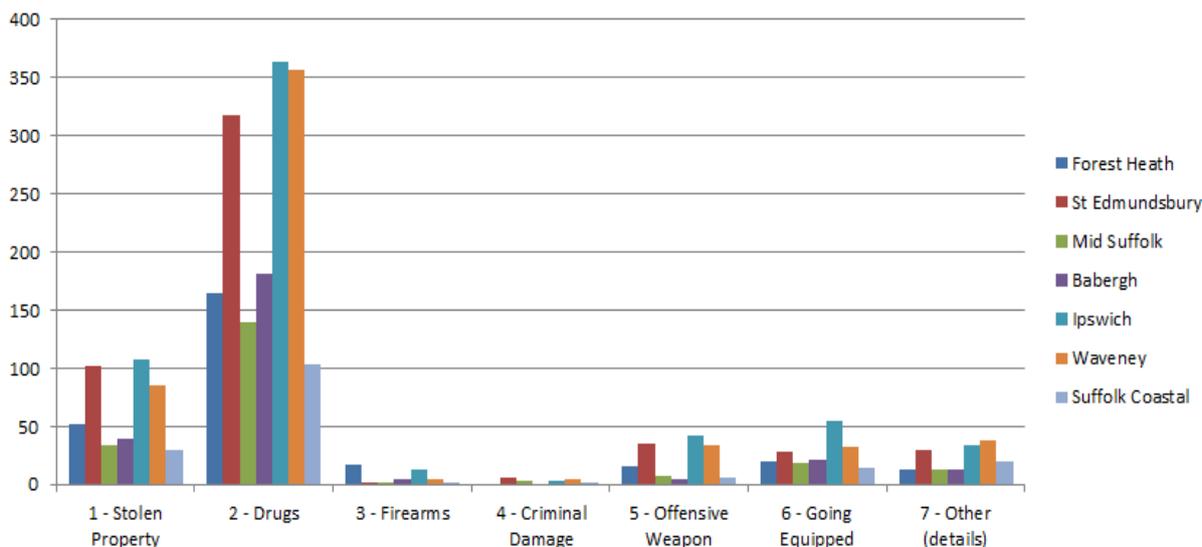
2.2. Reasons for Search

Figure 3: Object of search by district

2.2.1 Figure 3 displays reasons for stops and searches to be undertaken in Suffolk, broken down by geographic district. The prevalence of the use of the tactic in relation to drugs is immediately apparent, accounting for two thirds of all stops and searches over this period. Unsurprisingly, the highest volumes of these searches have taken place in the three main centres of population in Suffolk - Ipswich, Bury St Edmunds and Lowestoft as this is where police intelligence indicates most drug dealing and usage activity takes place.

2.2.2 57% of stop and searches for drugs are carried out against persons aged under 25 years old. This is broadly consistent with the profile of drug supply in Suffolk. The profile of all offenders dealt with by police for supply of drugs between December 2014 and August 2015 in Suffolk shows that 52% of offenders were aged under 25 years old.

2.3. Use of Strip Search

2.3.1 Between December 2014 and August 2015, there were 135 strip searches, accounting for 5.7% of all stop and searches in Suffolk. Figure 4 displays the reasons for those strip searches, with 95% being drug related. Drug dealers are known to use various tactics to conceal drugs about their person, including the 'plugging' of drugs in bodily cavities, hence the high prevalence of the use of strip searches in relation to drugs.
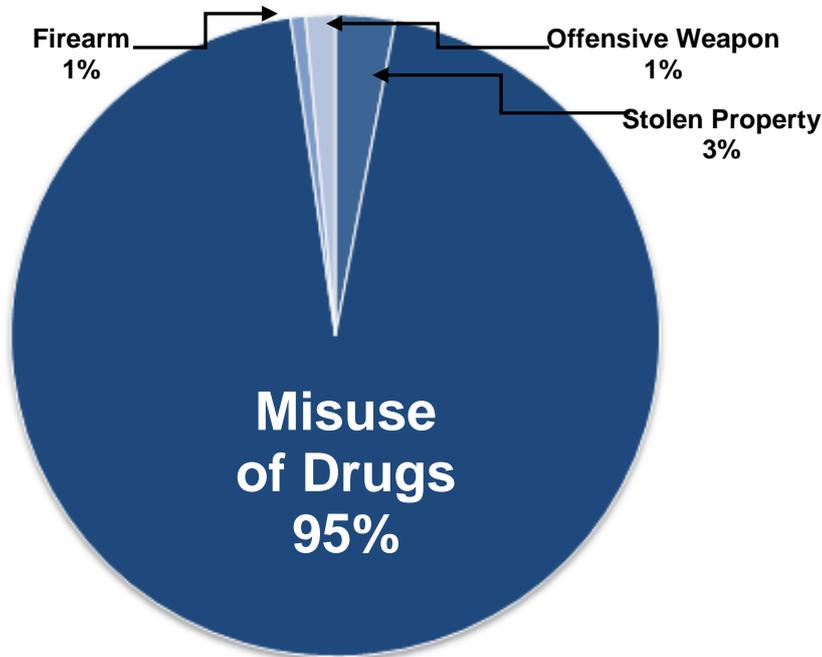
Figure 4: Suffolk Strip Search by reason

2.3.2 43% of all strip searches are undertaken on BME persons (including the "Any other white classification"), 54.8% on persons of White (British) ethnicity, with the remainder comprised of persons who have declined to define their ethnicity. The item(s) being searched for is / are found in 37.7% of strip searches.

2.3.3 The age breakdown of persons subject to strip searches is reflective of the higher proportions of strip searches carried out for drugs, with 48.1% of all strip searches on persons aged under 25 y/o. Table 1 provides the age breakdown of those persons subject to a strip search. As mentioned in section 2.2.2, the age profile is consistent with that of persons involved in drug supply offences in Suffolk.

Table 1: Age breakdown of people subject of a strip search

Age category	Strip Searches	%
Under 20 y/o	37	27.4%
20 - 24 y/o	28	20.7%
25 29 y/o	24	17.8%
30 - 34 y/o	14	10.4%
35 - 39 y/o	9	6.7%
40 - 44 y/o	8	5.9%
45 - 49 y/o	8	5.9%
50+ y/o	3	2.2%

2.4. Stop and Search Outcomes

Table 2: Suffolk Stop and Search Outcomes

Outcome	Count	%
1 - Summons/Charged by post	55	2.2%
2 - Caution (simple or conditional)	52	2.0%
3 - Khat or Cannabis Warning	158	6.2%
4 - Penalty Notice for Disorder	31	1.2%
5 - Community Resolution	53	2.1%
6 - No Further Action	1610	63.4%
7 - Charged	133	5.2%
N.S.	446	17.6%

2.4.1 The most common outcome for Stop and Search in Suffolk is No Further Action, accounting for almost three quarters of all outcomes, with a further 17.6% of searches where the outcome is not recorded, as displayed in table 2.

2.4.2 Further investigation has shown there has been an error on the forms used by officers, which meant an outcome code for 'arrested' had not been created. This error has now been corrected, however all database records created since the introduction of the new forms in December 2014, with no outcome recorded, will need to be reviewed and the appropriate outcome code updated.

2.4.3 The proportions of stop and search where NFA is the recorded outcome vary from district to district, ranging from 52% in Suffolk Coastal, to 70% in Waveney.

2.5 Proportionality in the Use of Stop and Search

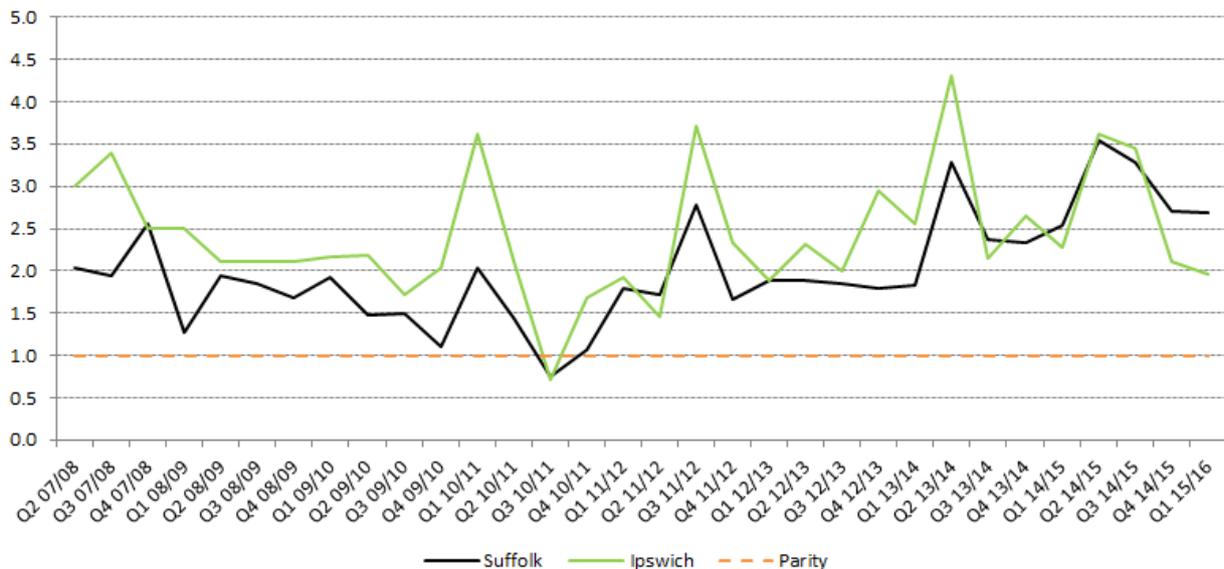*Figure 4: Proportionality in the use of Stop and Search in Suffolk*

2.5.1 Figure 4 displays the ethnicity proportionality of the use of stop and search for Suffolk as a whole and for Ipswich (where the use of stop and search is most prevalent). As a guide, if the proportionality figure is equal to 1, it equates to parity – or that a BME person has had an equal likelihood of being subject to a stop and search as a white

person. Where the figure is greater than one, BME people have been dis-proportionately subject to the use of stop and search compared to white people[2].

2.5.2 Black and Minority Ethnic' people are 2.7 times more likely to be stopped and searched than people of 'White' ethnicity. As figure 4 displays, this rate has reduced across Suffolk since new Home Office standards were introduced. The reduction has been particularly apparent in Ipswich, dropping from 3.5 to 2.0 between July 2014 and June 2015.

2.5.3 In order to add some context to proportionality, table 3 displays volumes of stop and searches over time in Suffolk at district level, broken down by white and BME stop and searches. The overall trend in Suffolk is one of decline in the number of stop and searches carried out, on persons on both white and BME ethnicity.

Table 3: Suffolk Stop and Search by district, broken down by white / BME ethnicity

	Suffolk			Babergh			Forest Heath			Ipswich			Mid Suffolk			St Eds			Suffolk Coastal			Waveney		
	Total	White	BME	Total	White	BME	Total	White	BME	Total	White	BME	Total	White	BME	Total	White	BME	Total	White	BME	Total	White	BME
Q1 2011/12	951	816	73	83	81	2	81	72	2	165	126	30	57	55	2	260	236	16	84	74	8	194	172	13
Q2 2011/12	942	793	68	86	74	4	65	60	4	219	176	32	27	26	0	209	192	13	68	61	6	221	204	9
Q3 2011/12	854	716	100	47	44	3	91	77	11	196	128	59	26	25	0	208	184	15	79	74	3	200	184	9
Q4 2011/12	930	813	70	59	58	0	80	74	5	200	145	42	31	29	2	228	210	11	65	57	6	247	240	4
Q1 2012/13	802	684	64	82	74	7	83	72	9	145	107	25	22	16	4	193	180	8	72	58	5	190	177	6
Q2 2012/13	887	727	68	103	98	1	121	106	8	145	104	30	48	44	1	216	191	11	64	53	4	145	131	13
Q3 2012/13	959	827	78	99	99	0	90	79	8	213	165	41	69	60	5	181	166	7	76	60	9	207	198	8
Q4 2012/13	1064	933	82	122	119	2	118	99	15	138	93	34	69	63	2	243	224	10	61	52	8	297	283	11
Q1 2013/14	1759	1510	141	252	229	8	141	117	15	221	154	49	91	83	2	394	345	29	103	91	10	535	491	28
Q2 2013/14	1376	1087	183	125	113	5	164	120	24	309	183	98	95	82	5	279	251	13	71	56	14	316	282	24
Q3 2013/14	1329	1116	132	67	62	2	124	102	15	352	265	71	108	98	5	261	226	20	103	90	7	292	273	12
Q4 2013/14	1420	1211	143	140	128	8	133	118	6	304	222	73	167	153	8	337	307	19	102	86	11	227	197	18
Q1 2014/15	1570	1320	170	97	88	6	180	138	35	364	272	77	123	115	2	342	311	20	150	136	9	288	260	21
Q2 2014/15	1268	1015	181	88	73	11	122	102	17	336	216	97	80	75	3	257	225	18	171	150	16	201	174	19
Q3 2014/15	1053	862	138	78	74	4	80	65	14	291	189	81	58	50	6	235	218	10	114	100	9	183	166	14
Q4 2014/15	927	800	110	112	101	10	91	75	12	217	167	46	82	80	2	177	152	20	54	49	3	194	176	17
Q1 2015/16	776	665	89	83	70	12	98	86	8	190	148	36	81	70	9	157	133	20	28	25	2	139	133	2

2.5.4 Furthermore, table 4 displays stop and search over the same period, showing the percentage of all stop and searches on persons of BME ethnicity, along with the proportionality value. For Suffolk overall, the most recent two quarters have seen reductions in both percentage of overall searches of BME ethnicity, and in the proportionality value. At a district level, the figures tend to fluctuate more, predominantly due to the smaller volumes of stop and searches.

Table 4: Proportionality of Suffolk Stop and Search by district

	Suffolk		Babergh		Forest Heath		Ipswich		Mid Suffolk		St. Edmundsbury		Suffolk Coastal		Waveney	
Quarter	% BME	Prop.	% BME	Prop.	% BME	Prop.	% BME	Prop.	% BME	Prop.	% BME	Prop.	% BME	Prop.	% BME	Prop.
Q1 2011/12	7.7%	1.8	2.4%	1.1	2.5%	0.3	18.2%	1.9	3.5%	1.7	6.2%	1.7	9.5%	3.0	6.7%	3.3
Q2 2011/12	7.2%	1.7	4.7%	2.4	6.2%	0.8	14.6%	1.5	0.0%	0.0	6.2%	1.7	8.8%	2.7	4.1%	1.9
Q3 2011/12	11.7%	2.8	6.4%	3.1	12.1%	1.6	30.1%	3.7	0.0%	0.0	7.2%	2.0	3.8%	1.1	4.5%	2.1
Q4 2011/12	7.5%	1.7	0.0%	0.0	6.3%	0.8	21.0%	2.3	6.5%	3.3	4.8%	1.3	9.2%	2.9	1.6%	0.7
Q1 2012/13	8.0%	1.9	8.5%	4.3	10.8%	1.4	17.2%	1.9	18.2%	11.9	4.1%	1.1	6.9%	2.4	3.2%	1.5
Q2 2012/13	7.7%	1.9	1.0%	0.5	6.6%	0.9	20.7%	2.3	2.1%	1.1	5.1%	1.4	6.3%	2.1	9.0%	4.3
Q3 2012/13	8.1%	1.8	0.0%	0.0	8.9%	1.2	19.2%	2.0	7.2%	4.0	3.9%	1.0	11.8%	4.2	3.9%	1.8
Q4 2012/13	7.7%	1.8	1.6%	0.8	12.7%	1.7	24.6%	2.9	2.9%	1.5	4.1%	1.1	13.1%	4.3	3.7%	1.7
Q1 2013/14	8.0%	1.8	3.2%	1.6	10.6%	1.5	22.2%	2.6	2.2%	1.1	7.4%	2.1	9.7%	3.1	5.2%	2.5
Q2 2013/14	13.3%	3.3	4.0%	2.0	14.6%	2.3	31.7%	4.3	5.3%	2.9	4.7%	1.3	19.7%	7.0	7.6%	3.7
Q3 2013/14	9.9%	2.4	3.0%	1.5	12.1%	1.7	20.2%	2.2	4.6%	2.4	7.7%	2.2	6.8%	2.2	4.1%	1.9
Q4 2013/14	10.1%	2.3	5.7%	2.8	4.5%	0.6	24.0%	2.6	4.8%	2.5	5.6%	1.5	10.8%	3.6	7.9%	4.0
Q1 2014/15	10.8%	2.5	6.2%	3.1	19.4%	2.9	21.2%	2.3	1.6%	0.8	5.8%	1.6	6.0%	1.8	7.3%	3.5
Q2 2014/15	14.3%	3.5	12.5%	6.8	13.9%	1.9	28.9%	3.6	3.8%	1.9	7.0%	2.0	9.4%	3.0	9.5%	4.7
Q3 2014/15	13.1%	3.3	5.1%	2.4	17.5%	2.5	27.8%	3.4	10.3%	5.7	4.3%	1.1	7.9%	2.5	7.7%	3.7
Q4 2014/15	11.9%	2.7	8.9%	4.5	13.2%	1.8	21.2%	2.2	2.4%	1.2	11.3%	3.3	5.6%	1.7	8.8%	4.2
Q1 2015/16	11.5%	2.7	14.5%	7.8	8.2%	1.1	18.9%	2.0	11.1%	6.1	12.7%	3.7	7.1%	2.2	1.4%	0.7

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[2] Based on the ethnic breakdown for Suffolk / Ipswich given in the latest census (2011) - ONS

2.5.5 A potential limitation of using census population data on which to base proportionality calculations is that not all persons subject of stop and search in Suffolk will be resident in the county. Between December 2014 and August 2015, there were a total of 3,091 stop and searches – 2,310 were on subjects resident in Suffolk, 495 on subject's resident outside Suffolk and 286 where the address was not stated. Therefore, a further analysis was undertaken at a County level, looking at proportionality of stops and searches only where the postal address of the subject is identified as within Suffolk, displayed in table 5.

Table 5: Suffolk stop and search broken down by postal address

	Total	White	BME	Ethnicity N.S	% BME	Prop.
Postal Address in Suffolk	2,310	2,057	207	46	9.0%	2.0
Postal Address outside Suffolk	495	361	124	10	25.1%	6.8
Postal Address not given	286	226	26	34	9.1%	2.3
Total	3,091	2,644	357	90		

2.5.6 Table 5 demonstrates the effect stop and searches on person's resident outside Suffolk have on overall figures. For the reasons stated in 2.5.5, it is argued this is a fairer way of looking at proportionality of stop and searches in Suffolk, if using the demographic profile of Suffolk residents as a basis for judging proportionality. Clearly, the use of stop and search remains disproportionate when looking at this sub-sample, but not as disproportionate.

2.5. Community Satisfaction / Quality of Service

Table 6: Responses to the question: Did you understand the reason for being searched?

	Total	Male	Female		Asian	Black	Mixed	N Codes	Chinese/Other	White
Didn't Answer	11.38%	9.17%	1.17%	**Didn't Answer**	6.25%	9.27%	5.83%	56.90%	25.00%	10.41%
NO	1.45%	1.25%	0.12%	**NO**	0.00%	2.65%	3.88%	8.62%	0.00%	1.10%
YES	87.17%	74.55%	10.38%	**YES**	93.75%	88.08%	90.29%	34.48%	75.00%	88.49%

2.6.1 Table 6 displays the responses to the question 'Did you understand the reason for being searched?' As the table shows, the majority of respondents did understand the reason for the search (87.17%) with a further 11.38% not answering the question. Just 1.45% of respondents answered that they did not understand why they were searched.

Table 7: Responses to the question: Did you feel you were treated professionally, respectfully and with dignity?

	Total	Male	Female		Asian	Black	Mixed	N Codes	Chinese/Other	White
Didn't Answer	12.95%	10.54%	1.55%	**Didn't Answer**	6.25%	11.26%	5.83%	58.62%	25.00%	12.08%
NO	1.21%	1.09%	0.17%	**NO**	0.00%	1.99%	5.83%	3.45%	0.00%	0.91%
YES	85.84%	76.30%	10.37%	**YES**	93.75%	86.75%	88.35%	37.93%	75.00%	87.01%

2.6.2 Table 7 displays responses to the question 'Did you feel you were treated professionally, respectfully and with dignity? Responses are similar to the previous question, with 85.9% of respondents answering that they did.

3.   OPERATIONAL ACTIVITY

3.1   The Stop and Search Reference Group (SSRG) is a community group set up to:

- Openly discuss the disproportionality in 'Stops and Searches' of Black and Minority Ethnic (BME) people
- Improve trust and confidence in the way Police conduct Stops and Searches
- Improve community cohesion in Suffolk

3.2   Whilst the SSRG has been running in Suffolk for some time, the location of these meetings will be changing to the University Campus Suffolk site in Ipswich in order to attract further interest in the group from a new and wider audience.

3.3   This section outlines some of the operational context within which the Stop and Search tactic has been used in Suffolk this year.

3.2   East Suffolk

3.2.1   In East Suffolk, a number of operations have used the stop and search tactic. Operation Caldera relates to the dealing of Class A drugs in Leiston, where the SNT used section 23 searches as a tactic against key persons involved. Under section 23 of the Misuse of Drugs Act 1971, if a constable has reasonable grounds to suspect that any person is in possession of a controlled drug in contravention of this act or of any regulations made thereunder, the constable may search the person, and detain them for the purpose of the search.

3.2.2   Operation Whale targeted Class A dealing in certain town parks in East Suffolk. This was to address both public and intelligence reports suggesting drug dealing was occurring in these areas. The stop and search tactic was used in conjunction with a drugs dog in an overt role in order to provide good grounds for the stop and search by virtue of the dog identifying individuals who may have been in possession of drugs.   This led to a number of cannabis warnings being issued and further intelligence being gained.

3.2.3   Consideration is being given to the tactical use of stop and search in relation to dwelling burglary in Lowestoft, however the results of crime and intelligence analysis will be considered prior to implementation.

3.2   West Suffolk

3.2.1   In West Suffolk, seven operations have used stop and search as a particular tactic over this period. Examples include it being used as part of the response to burglary dwelling series' to identify offenders and locate stolen property, and as part of the response under operations targeting drug supply to disrupt offenders and seize monies, vehicles and drugs.

3.3   Ipswich

3.3.1   Stop and search is one tactic that has been used to support Operation Volcanic in Ipswich. The overall objective of this operation is to disrupt the various Class A drug dealing businesses in the town. The majority of these are organised by gangs in London utilising young people and vulnerable people to deal drugs on their behalf in the Ipswich area.

3.3.2   The use of stop and search powers by officers in a targeted and intelligence led manner has contributed to frustrating, dismantling and disrupting dealers of Class A controlled drugs and by gathering intelligence / evidence on other persons involved in the supply of Class A controlled drugs.

3.3.3   Two recent examples include:

- Officers observed a white male approaching class A drug users in Christchurch park, he was detained for a search and found to be in possession of 58 wraps of class A drugs. As a result he has been charged with possession with intent to supply class A drugs.

- A known white male class A drug user who had been identified as a drugs runner in Ipswich was seen approaching other users and dealing drugs. He was searched and as a result, a further address was identified where a second person (black male) was found inside and a total of 258 wraps and a quantity of cash were recovered. Both men were charged with possession with intent to supply class A drugs.

3.3.4   The use of stop and search in such a way, as part of an holistic approach to class A drug dealing in Ipswich, has helped to ensure that the wider public are not adversely affected by any increase in serious acquisitive or violent crime that accompanies any widespread increase in Class A drug availability.

3.3.5   Between December 2014 and August 2015, 82 stop and searches have been flagged as being linked to Operation Volcanic. 28 (or 34%) of these have resulted in a strip search. 35.7% of Volcanic searches have been used on persons of white ethnicity, and 60.1% on persons of BME, with ethnicity not stated in 3.5% of cases.

3.3.6   However, a point worthy of noting is the fact that when looking at the postal addresses given by persons stopped in relation to Operation Volcanic, 51 give a postal address in Suffolk, 19 give a postal address outside Suffolk, and 12 where the address is not given.

3.3.7   The NFA rate for stop and searches flagged as Op Volcanic is 54.2% (45 of 83).

4   NATIONAL COMPARISON

4.1   As reported in the previous document, the latest national data, published in April 2015, are for the financial year 2013/14. This shows Suffolk with the 5th lowest volume of stop and search in the country (from 4th in 2012/13) and 8th lowest rate (from 4th) with seven searches per 1,000 head of population compared to a national average (excluding London) of 13.5.

4.2   Given the historic nature of national stop and search data reporting, it is of limited use. The next national data will be published in April 2016 for the financial year 2014/15.

5   BEST USE OF STOP AND SEARCH (BUSS) / HMIC INSPECTIONS / ALL PARTY PARLIAMENTARY GROUP FOR CHILDREN (APPGC) RECOMMENDATIONS

5.1   The Home Office has requested that all police forces in England and Wales provide returns in relation to progress against actions arising from Best Use of Stop and Search, HMIC PEEL Inspections and APPGC (in terms of use of stop and search on children and young people) in one standardised format.

5.2   Appendix A displays the latest version of the Suffolk and Norfolk collaborated response to progress against these actions. All of the recommendations contained within have been loaded into the force tracking system, and progress against them is monitored at the Joint Operational Improvement Group (chaired by Deputy Chief Constables), where the Constabulary's lead for stop and search (ACC Rachel Kearton) is held to account.

5.3   This plan is also available to members of the public via the Suffolk Constabulary website via the following link:

http://www.suffolk.police.uk/aboutus/equalityanddiversity/stopandsearch2.aspx

6.   FINANCIAL IMPLICATIONS

6.1   There are no financial implications associated with this report.

7.   OTHER IMPLICATIONS AND RISKS

7.1   There are no other implications or risks associated with this report.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No
Has the PCC's Chief Finance Officer been consulted?	No
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes
Have human resource implications been considered?	No
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Yes
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Yes
Has communications advice been sought on areas of likely media interest and how they might be managed?	No
Have all relevant ethical factors been taken into consideration in developing this submission?	Yes