

Stop and Search Scrutiny Report

1st January – 31st March 2015



Date: 08/05/2015
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Introduction

This report details stop and search scrutiny which has taken place relating to the period of the 1st January to the 31st March 2015. This report examines the various forms of scrutiny which have taken place and highlights points of learning arising from that scrutiny.

Community Complaints Trigger

During this period there were no investigations pertaining to the use of stop and search powers which were finalised by the Professional Standards Department.

** Only the content of finalised complaints investigations can be scrutinised for the purposes of this report due to sensitivities surrounding on-going investigations.*

Strategic Independent Advisory Group

19th March

The March 2015 stop and search performance report was presented to the Strategic Independent Advisory Group for scrutiny. There were no matters raised by the group concerning the performance report.

Public Scrutiny Group

26th February

The Stop and search Public Scrutiny Group was formed and met on the first occasion as a group on Thursday 26th February. During this initial meeting the group were given an introduction to stop and search legislation, the purpose of the powers, HMIC inspections and the Home Office Best use of stop and search scheme.

Many of the members of the group are young people aged between 17 and 25 years old and so had their own personal experiences of stop and search encounters. This prompted discussion and questions from the group to speak about “what if” scenarios, so that the group could be clear in their minds about what stop and search legislation entitles the police to do and the rights of those who are searched.

Early discussions appeared to show strong points of view about the interaction between the officer and member of the public being searched. The group wanted to explore this issue further by seeing some demonstrations or even real life stop and search scenarios. An action was carried forward to explore the viewing of body worn video footage of stop searches which had taken place.

The group were provided with various documents to scrutinise including the most recent stop and search performance report and a copy of all of the stop searches that took place in Chelmsford/Maldon in January and their recorded ‘Reasonable grounds for suspicion’.

During this scrutiny the group highlighted stop and search reference number SS/E/717/2015 as requiring more extensive grounds to justify the search taking place. Following the meeting feedback was provided to the officer who had conducted this search.

26th March

The group were provided with lists of all of the stop and searches which took place during February 2015 in the districts of Basildon, Chelmsford/Maldon, Southend and Thurrock. The search reference number, officer collar number and reason for the search (reasonable grounds for suspicion) were provided.

In total 189 records were examined and 11 records were deemed not to contain a suitable reason for conducting the search. 7 records were identified as having been recorded in error.

The group made the following observations:

- A very large proportion of searches were conducted due to the smell or suspected presence of cannabis
- A couple of search records stated that the person searched appeared nervous. The group felt that this was not good enough grounds to stop and search someone as often people are nervous when they come into contact with the police, even if they haven't done anything wrong. This is particularly the case in respect of young people, as various members of the group felt the presence of the police could be intimidating. The group would like the police to recognise the difference between **acting nervously** and **acting suspiciously**.
- The group highlighted that certain types of behaviour could be due to mental health problems, such as "acting confused and agitated".
- It was highlighted that on occasions there was not enough evidence to explain why the search was being conducted or what was being searched for.
- The group were pleased to see that certain searches had taken place based on the circumstances described on the search record.
- The term 'Suspicious circumstances' often does not provide enough explanation as to what made the circumstances suspicious.

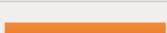
Essex Police Survey

Results of the Essex Police Anonymous Stop and Search survey can be found below. These results reflect the questions asked concerning public satisfaction with stop and search encounters. These results were taken on 08/05/2015.

PAGE: STOP AND SEARCH SURVEY

1. When you were stopped and searched did the officer:

	Yes	No	Rating Count
Explain why you were being searched?	62.0% (44)	38.0% (27)	71
Tell you what item you were being searched for?	43.7% (31)	56.3% (40)	71
Give you their name?	35.2% (25)	64.8% (46)	71
Explain which law you were being searched under?	46.5% (33)	53.5% (38)	71
Offer you a copy of the stop and search form or receipt?	57.7% (41)	42.3% (30)	71
	answered question		71
	skipped question		0

3. Did the officer treat you with respect?			
		Response Percent	Response Count
Yes		38.0%	27
To some extent		23.9%	17
No		36.6%	26
Don't know/can't remember		1.4%	1
answered question			71
skipped question			0
4. Was it the right decision to stop and search you?			
		Response Percent	Response Count
Yes, in the circumstances		26.8%	19
Possibly		16.9%	12
No it was wrong		52.1%	37
Don't know/can't remember		4.2%	3
answered question			71
skipped question			0