



**Lancashire
Constabulary**
police and communities together

JOINT MANAGEMENT BOARD

ITEM 3	DATE: 12 JUNE 2015
BEST USE OF STOP AND SEARCH (BUSS)	
REPORT BY: T/SUPT IAN DAWSON	
Executive Summary This reports sets out the latest position in relation to the Constabulary's progress against the 13 recommendations of the Best Use of Stop and Search announced by the Home Secretary in her statement to Parliament on 30th April 2014.	
Recommendation The Police and Crime Commissioner and Chief Constable are asked to consider the report.	
Signature Police and Crime Commissioner Date	Signature Chief Constable Date

PART II

1. Background and Advice

The Best Use of Stop and Search Scheme was announced by the Home Secretary in her statement to Parliament on 30th April 2014.

The principal aims of the Scheme are to achieve greater transparency, community involvement in the use of stop and search powers and to support a more intelligence-led approach, leading to better outcomes, for example, an increase in the stop and search to positive outcome ratio.

The features of the Scheme are:

- Data Recording – forces will record the broader range of stop and search outcomes e.g. arrests, cautions, penalty notices for disorder and all other disposal types. Forces will also show the link, or lack of one, between the object of the search and its outcome.
- Lay observation policies – providing the opportunity for members of the local community to accompany police officers on patrol using stop and search.
- Stop and search complaints 'community trigger' – a local complaint policy requiring the police to explain to local community scrutiny groups how the powers are being used where there is a large volume of complaints.
- Reducing section 60 'no-suspicion' stop and searches by –
 - raising the level of authorisation to senior officer (above the rank of chief superintendent);
 - ensuring that section 60 stop and search is only used where it is deemed necessary – and making this clear to the public;
 - in anticipation of serious violence, the authorising officer must reasonably believe that an incident involving serious violence will take place rather than may;
 - limiting the duration of initial authorisations to no more than 15 hours (down from 24); and
 - communicating to local communities when there is a section 60 authorisation in advance (where practicable) and afterwards, so that the public is kept informed of the purpose and success of the operation.

By adopting the Scheme, forces will use stop and search strategically, which will improve public confidence and trust.

The Board will recall that at the Strategic Scrutiny meeting held on the 24 June 2014 it was agreed that the Police and Crime Commissioner would monitor the Best Use of Stop and Search Scheme (BUSS) on a bi-yearly basis.

A detailed Action Plan incorporating the 13 requirements of the Scheme was developed by the Constabulary to achieve the necessary compliance (Annex 1). However, the

recent HMIC report “**Stop and search powers 2: are the police using them effectively and fairly?**”, following their January inspections and surveys of officers, has identified a further 11 new recommendations with very clear direction and timescales. These recommendations build on the previous requirements and are being assessed alongside Lancashire’s progress and Action Plan, and a new Action Plan is currently being developed.

Implementation Timescales

The date for full implementation of the recommendations was set as 30th November 2014. However, recent communication from Her Majesty’s Inspector of Constabularies (HMIC) has asked, in relation to HMIC recommendations from 2013 and the BUSS requirements, that they ‘*expect all forces to have completed, or to be making good progress in relation to, the recommended actions by November 2015*’. Due to the work undertaken to meet full implementation as outlined in the Action Plan, Lancashire is in a strong position to deliver all requirements well before November 2015.

Strategic Oversight

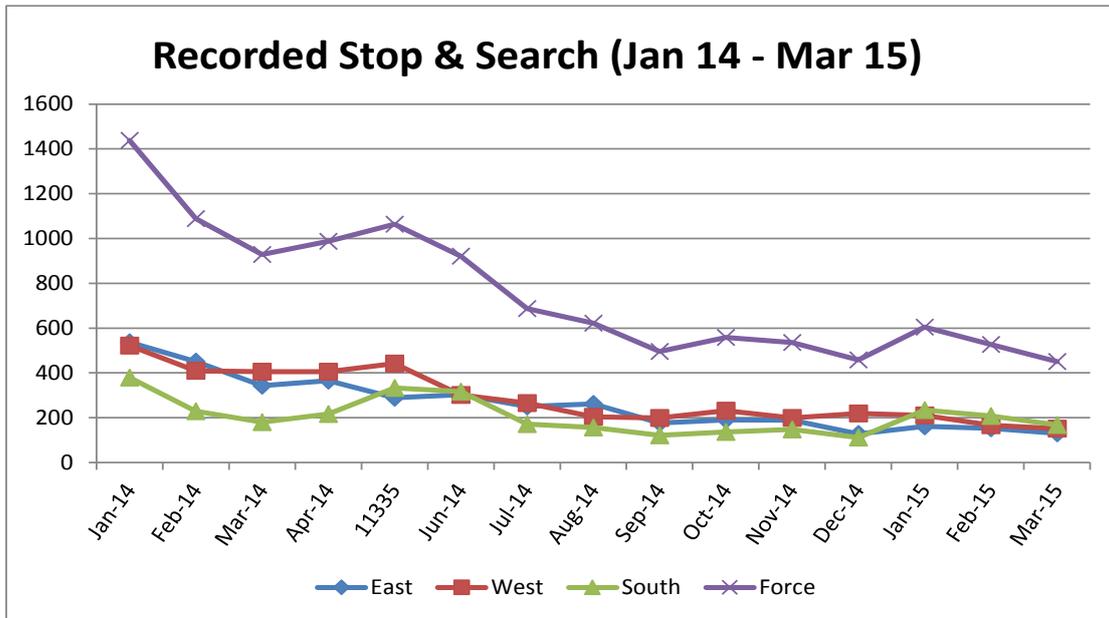
It is proposed to incorporate Stop & Search progress and monitoring into Divisional Quality Meetings and the Ethics Committee. The emphasis is on the proportionate, proper and respectful use of Stop & Search rather than pure performance data. Independent Advisory Groups (IAGs) will continue to provide independent observations and oversight

The Office of the Police and Crime Commissioner (OPCC) has been, and continue to be, engaged in the development of BUSS. The progress has also been reviewed by the Chief Officer Group and OPCC.

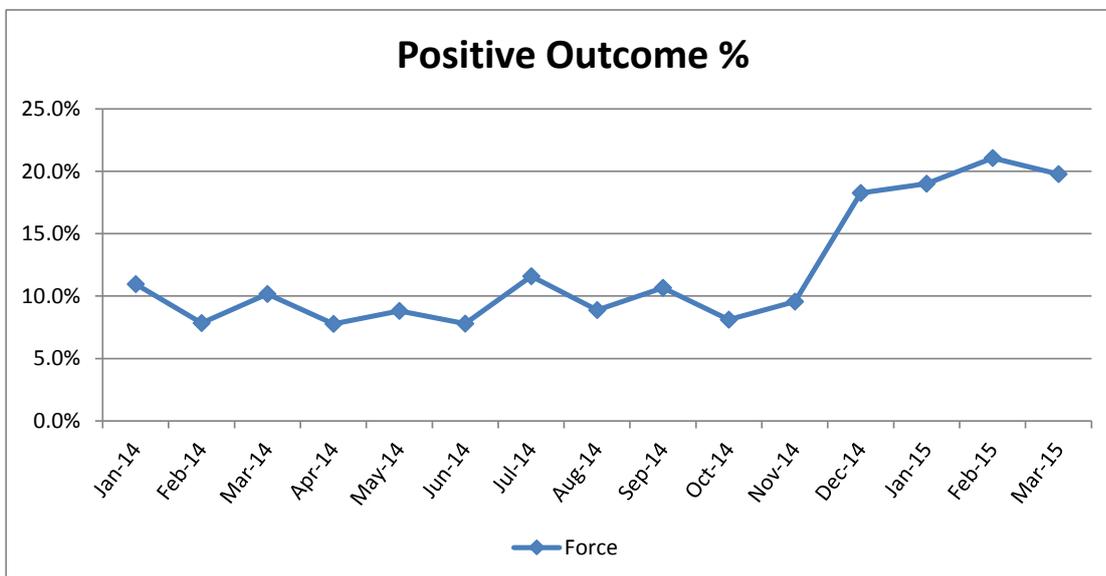
Outcomes – BUSS Early Performance Progress

A quarterly product is being developed to review and evaluate the effectiveness of Stop and Search in Lancashire. Below are some examples of data taken from the first quarter of 2015 (January to March).

The graph shows that there has been a steady decline in the overall numbers of Stop and Search recorded between January 2014 to March 2015, except for South Division. This has, however, been at a static level since prior to the introduction of the Best Use of Stop and Search scheme.



However, as the graph below shows there has been an increase in arrest conversion rate (from around 9% to 13%) and overall positive outcomes (circa 21%) in the first quarter of 2015 (Jan-Mar). This very encouraging and may be a sign of more thought going into grounds for searches and better use of utilisation of powers, on the right people. On-going monitoring, analysis and scrutiny is being undertaken as described in this paper. The new data captures how many of the positive outcomes were directly linked to the object of the search. In the first quarter of 2015, this stands at 254 out of 316 positive outcomes (80.4%).



The chart below shows the diversity breakdown of searches conducted across the county. This data can also be broken down into numbers of searches directly associated with the object of the search (e.g. S1 Pace or S23 Drugs etc.). Further evaluation and demographic representation is also to be included in future products.

ALL	Total	White	%	Black	%	Asian	%	Vehicle	%	Other	%
West	528	507	96.0%	3	0.6%	4	0.8%	12	2.3%	2	0.4%
East	444	345	77.7%	3	0.7%	77	17.3%	18	4.1%	1	0.2%
South	610	569	93.3%	10	1.6%	25	4.1%	6	1.0%	0	0.0%
FORCE	1,582	1,421	89.8%	16	1.0%	106	6.7%	36	2.3%	3	0.2%

Diversity breakdown of all searches above

Potential Future Requirements

As outlined earlier the recent HMIC report “**Stop and search powers 2: are the police using them effectively and fairly?**” following their January inspections and surveys of officers has identified a further 11 new recommendations with very clear direction and timescales. These recommendations are being assessed alongside our progress and Action Plan and a new Action Plan is being developed. These recommendations include specific reference to Chief Constables and Police and Crime Commissioner (PCC) examples of which are below;

- Chief Constables should work with their PCCs to find a way of better using technology to record relevant information about stop and search, which complies with the law and reveals how effectively and fairly the power is being used.
- Chief Constables should, in consultation with the PCC, ensure that they comply with the code of practice by explaining to the public the way stop and search powers are used and by making arrangements for stop and search records to be scrutinised by community representatives. This should be done in a way that involves those people who are stopped and searched, for example, young people.

Draft national stop search standards are also due to be published imminently following the stop search project board which took place on 15th May.

HMIC have made it clear that they are considering the introduction of a requirement to record all vehicle stops in future (akin to a re-introduction of Stop & Account). This will have a significant impact on officer time, administration burden and technology development requirements if introduced.

2. Links to the Police and Crime Plan

3. Consultation

4. Implications

- Legal**
- Financial**
- Equality considerations**

5. Background Papers

6. Public access to information

Information in this form is subject to the Freedom of Information Act 2000 and other legislation.

Part 1 of this form will be made available on the PCC website within 3 working days of approval. Any facts/advice/recommendations that should not be made available on request should not be included in Part 1 but instead on the separate Part 2 form.

Officer declaration	Date
LEGAL IMPLICATIONS – As above	
FINANCIAL IMPLICATIONS – As above	
EQUALITIES IMPLICATIONS – As above	
CONSULTATION – As above	
<p>Director to the Office of the Police and Crime Commissioner (Monitoring Officer)</p> <p>I have been informed about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lancashire.</p> <p>Signature.....Date.....</p>	