



Lancashire
Constabulary

police and communities together

REPORT TO: Strategic Scrutiny Meeting

DATE: 22nd August 2018

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SUBJECT: Best Use of Stop & Search – Position Update

1. Issue for Consideration

The purpose of this report is to provide an update to the Commissioner in respect of the Force's progress and position relating to the Best Use of Stop and Search (BUSS) scheme.

2. Recommendation

The Commissioner is asked to note the report and comment on items discussed.

3. Background

The Force signed up to BUSS in 2014. The overarching aims were to improve the effectiveness and legitimacy around our deployment of Stop & Search.

Despite no indication or evidence of confidence issues relating to Stop & Search across Lancashire's communities, the Constabulary embraced the opportunity to assess its performance, in particular around recording of grounds (legitimacy), outcomes of interactions (effectiveness) and transparency of approach.

The scheme had a number of requirements, the key issues being:

- Quality of Grounds
- Recording of different positive outcomes (other than just 'arrest or No Further Action')
- Public information and Scrutiny
- Training and Awareness for officers

- Supervisory oversight

In 2013 Her Majesty's Inspectorate of Constabulary (HMIC) assessed that 56% of Lancashire 'grounds' recorded on Stop & Search forms were adequate in justifying the use of the power. At this time positive outcome rate (arrests) fluctuated around the 8% mark. Levels of searches across the force stood at between 1200-1500 per month.

In late 2015 the HMIC Legitimacy Inspection noted the following

- There was no statistical difference in terms of the likelihood of minority groups being stopped and searched than any other group in Lancashire.
- 80% of records inspected had 'sufficient grounds' recorded – a significant improvement but still too low.
- The Constabulary were not 'fully compliant' with the BUSS scheme. The areas highlighted were lack of clear Community Complaints Trigger, providing the public with an opportunity to observe officers and publishing a link to police.uk on its website. We were 'suspended' from the scheme. Grounds were not being sufficiently recorded and officer understanding questioned. All these areas were highlighted as areas for improvement.
- Praise was noted for our new Scrutiny Panel and our monitoring of the effectiveness of the power.
- Overall we received a grading of 'requires improvement'.

Within weeks the Constabulary had rectified the technical issues around complaints trigger and publishing of data, and were 'accepted' back on to the scheme.

The Independent Scrutiny Panel, chaired by Carolyn Mercer, gathered momentum and over the past couple of years has provided officers and supervisors with a public perspective on the use of the powers, in particular feedback and debate on the quality of grounds.

A full roll out of the national College of Policing training package was completed to all operational staff, having been amended to suit Lancashire's approach and priorities. All Student Officers receive this package.

Independent Scrutiny Panel members and the Office of the Police and Crime Commissioner (OPCC) Audit and Ethics staff have also attended training sessions.

Paper forms are now obsolete and the handheld Samsung devices are now fully functioning with up to date Stop & Search platform .The Constabulary records all required data as per the national scheme, and feed this in to police.uk for public viewing.

An HMIC reassessment in Spring 2017 within the Police Effectiveness, Efficiency and Legitimacy (PEEL) inspection outlined **93% compliance** in acceptable grounds (again a significant improvement), as well as commentary on how well officers appeared to understand their powers and impact on communities as well as praise for the governance and scrutiny structures the Constabulary has in place.

Numbers of searches across the force have dropped significantly since the BUSS scheme was introduced, with around 250-300 searches per month. However, positive outcome rates are healthy. Arrest rates stand at around 15%, and all positive outcomes (charge, arrest, PND, summons, RJ / Community Resolutions) stand around the 27-30% of searches conducted.

Next Steps

In order to build upon the progress made the Constabulary needs to continue to enhance community confidence in our use of stop and search whilst ensuring that officers have the knowledge and confidence to apply the power to effectively prevent and detect crime. Key areas of work ongoing in the coming months:

- Greater links between the Independent Scrutiny Panel with OPCC, in order to ensure further independence in the vital work being undertaken by the panel. This has been agreed in principle between the constabulary, Independent Panel and the OPCC. The details and logistics are being worked through.
- Use of Volunteers to support scrutiny and broaden out public engagement across the force.
- Officer support – anecdotally willingness in using the powers may have been impacted with the increased scrutiny. Analytical work has been commissioned recently to better understand this, which will also use officer surveys to gather views and understand if this is indeed an issue.
- Re-launch of the Ride Along programme, with greater involvement of co-ordination through the OPCC.
- Tactical Deployment – analytical work has been commissioned to map out the use of stop and search against Place based issues, Organised Crime Group activity and crime. A Business Intelligence Dashboard has been developed which will inform Place leaders and NHP staff about the effectiveness of the power in their area, as well as proportionality / diversity information.

4. Implications

Financial:	None
Legal:	None
Equality Impact Assessment:	None
Risks and Impact:	Corporate governance and local oversight at SMT level must continue, otherwise there is a risk that a) we will miss opportunities to learn and improve (effectiveness of tasking and legitimacy of deployments) and b) we will become 'non-compliant' with the national scheme. Impact ultimately will be on protecting the public and confidence.
Link to Police and Crime Plan:	Effective and Legitimate use of Stop & Search, and continuous learning and improvement through public interaction and scrutiny are vital components in tackling crime and reoffending, and developing safe and confident communities.

