

## **Background information to Police and Crime Committee’s review of stop and search**

*This document contains correspondence, written submissions, notes of meetings and site visits as part of the Police and Crime Committee’s review of stop and search*

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Your ref: 11/2013  
Our ref:  
18 June 2013

Dear Ms McCartney,

Thank you for my invitation to attend the Police and Crime Committee in July to discuss the MPS approach to stop and search. The MPS takes its responsibilities for the use of Stop & Search powers very seriously, recognising the important influence it has on the policing of London and the confidence of Londoners in the MPS. Since the Commissioner outlined his vision in February 2012 and the STOP IT programme was launched the MPS has made sound improvements in how stop and search is used.

Overall use of stop and search powers has fallen from around half a million a year to 350,000 and the occasions where someone is arrested or is found in possession of illegal items (the positive outcome rate) has risen from 13.7% in Feb 2012 to 20.8% in May 2013. The number of pre planned section 60 authorities has dropped by 95% and disproportionality figures for May 2013 for black people was 2.4 to 1 and for Asians 1.1 to 1. I think you may agree this is a considerable improvement from 15 months ago and is testament to the desire to deliver the Commissioner's vision, *"To achieve the highest level of trust and confidence in the police's use of stop and search as a tactic for keeping our streets safe. As a consequence, the use of stop and search in London will become more effective and targeted, leading to better outcomes. It will be conducted with dignity and respect, and be used primarily to protect our communities from violent and key crimes"*.

In relation to the three specific issues you raised please see the relevant responses below.

Please let me know if you require any clarification of this response or further information and I look forward to meeting you in July.

Yours sincerely,

Andy Morgan Superintendent

- [Details of the monitoring arrangements the MPS has in place regarding the use of stop and search, both centrally and locally](#)

Each London Borough has a Local Monitoring Group (LMG) with responsibility for scrutinising the use of stop and search. Each group will meet with a local Senior Leadership Team officer to discuss operational practice. The chairs of these groups meet quarterly in the form of the Community Monitoring Network (CMN) which operates under the direction of the Mayor's Office for Policing and Crime (MOPAC). MPS officers attend the CMN and are held to account in relation to Pan-London use of stop and search. Comprehensive monthly stop and search data is provided in the form of the Monitoring Mechanism which is published on the MPS Freedom of Information site.

The Stop and Search Strategic Group (SSSG) meets quarterly and includes representation from the CMN, Race Independent Advisory Group, Equality and Human Rights Commission (EHRC), Independent Police Complaints Commission (IPCC), Black Police Association (BPA) and senior community leaders. The MPS are also represented at the Police and Public Encounters Board (PPEB) which has a National membership and includes representatives from the EHRC, IPCC and StopWatch. This group influences and monitors national stop and search procedure and practice.

- [Information about any engagement and monitoring the MPS undertakes to measure people's attitudes on the specific issue of stop and search](#)

To deliver the Commissioner's vision of achieving the highest level of trust and confidence in the police's use of stop and search a bespoke stop & search confidence model has been created to provide a clear structure to drive our strategic and tactical activity. It is based upon the wider MPS confidence in policing model and has been informed by findings from focus groups and stakeholders. Further work is being done to validate and weight the model but it provides a useful starting point.

The MPS has introduced a number of measures that are designed to capture public confidence and satisfaction data. A distinction is drawn between general public confidence and the satisfaction of those who are actually stopped and searched.

### **Confidence Measures**

In December 2012 the two questions below were inserted into the established Public Attitude Survey which the MPS has used successfully for a number of years.

1. To what extent do you agree that the Police should conduct Stop and Search? (strongly agree, agree etc)
2. How confident are you that the Police in this area use their stop and search powers fairly? (very confident, confident etc)

We now have 3 quarters of data which shows 71% agree police should conduct stop and search and 74% are confident it is used fairly.

These two questions are also inserted into the satisfaction questionnaires. This will not only increase the sample numbers but provide a useful comparison with those who have not been searched.

## **Satisfaction Measures**

### Mobile Phone App

An independent stop and search mobile phone App was launched in March 2012, it is available as a free download on Blackberry App World, Android and iPhone. The app allows the user to view their rights and give immediate feedback on their encounters with the Police. The data will be published on the creators web site but a publication date has not been set. This is a very good product which the MPS fully supports.

### Anonymous on line questionnaire

A link on the MPS stop and search internet page leads to an anonymous questionnaire asking a number of questions relating to the stop and search encounter. It has been in place since December 2012

### Quality Call Back

This is an extension of the proven and accepted corporate approach but the difficulties in obtaining contact details of the person stopped and searched severely hamper the effectiveness of this measure.

### Local Community Monitoring Groups

Every borough in London has an independent Local Monitoring Group which scrutinises stop and search and raises any concerns with the local senior officer responsible for stop and search.

### Youth Engagement

The central team actively engage with City YMCA on bespoke projects relating to Stop and Search. The latest will begin in July and will involve young people from Tower Hamlets looking at the quality of the encounter. Individual boroughs conduct a range of engagement activities through Safer Schools and Safer Neighbourhood teams.

### QR code pilot

A pilot scheme is being run Camden Borough in June/July this year using Quick Response (QR) technology. A leaflet containing a QR code is given to everyone person stopped and searched. The code links to a short satisfaction questionnaire.

- [An outline of the options available to the public if they want to complain about stop and search, and the different stages of the complaints process](#)

Many Local Monitoring Groups run a confidential telephone hotline that allows anyone who is unhappy with a stop and search encounter to speak to a member of the LMG. This ready access to independent and informed advice allows for quick and effective resolution of issues with escalation where appropriate.

Formal complaints relating to Stop & Search are treated in the same manner as all complaints about police and in accordance with the Police Reform Act which states all

complaints against the police must be recorded. In the MPS this function is carried out by the Directorate of Professional Standards (DPS).

The complainant who has been the subject of the behaviour in question, a person who witnesses the behaviour or has been adversely affected (must involve some form of loss or damage, or having been put in danger or at risk) by it can make a complaint.

A complaint can be made online at the MPS website, via the 101 system or at a police station in person. It can also be made via a third party such as the IPCC, Citizens Advice Bureau, Youth Offending Team, Racial Equality Council, Probation Service, Neighbourhood Warden, a solicitor or an MP.

Once recorded DPS will decide how best to resolve it either through DPS or local investigation. Most complaints are dealt with locally under the supervision of the Borough Professional Standards Champion (usually an SLT member) Most complaints are resolved either by Local Resolution or local investigation.

Local Resolution is a way of dealing with complaints against the police at a local level and usually can only be carried out with the agreement of the person making the complaint. If the complaint is not suitable for Local Resolution, a local investigation will be carried out by a police investigator. The investigation will be in proportion to the seriousness of the complaint. There is a right of appeal to the IPCC.

Specified serious complaints or incidents are referred to the IPCC who may decide to conduct a supervised, managed or independent investigation and may return the matter to DPS to deal with.

Supervised investigations are carried out by DPS. The IPCC will set out the terms of reference and receive the investigation report when it is complete. There is a right of appeal to the IPCC. Managed investigations are carried out by DPS under the direction and control of the IPCC and independent investigations are carried out by the IPCC's alone.

At the conclusion of the investigation the complainant will be informed of the outcome. This may be a change to procedures, management advice being given to the officer or the matter being referred to the CPS or for formal misconduct proceedings. In some cases, there may not be enough information to take action or through agreement with the complainant it is accepted something went wrong but that no other action is appropriate.

The DPS Appeals Unit will deal with appeals concerning behaviour of a minor nature that would not lead to formal misconduct or criminal proceedings. All other appeals will be dealt with by the IPCC. Further detail can be found on the IPCC web site.

Yours sincerely,

Andrew Morgan

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Your ref:

Our ref:

08 August 2013

Dear Chair,

Thank you for your letter dated 01 August 2013.

Please find attached details of the current volume of stop and searches across all London Boroughs and further data on changes in volume by borough over recent months:



20130801\_MPS  
Volume Change Apr-J

With regard to the various MPS initiatives we have introduced to gain increased feedback on satisfaction levels:

Anonymous on line questionnaire - In December 2012 a link was inserted on the MPS stop and search website leading to an anonymous questionnaire asking a number of questions relating to the stop and search encounter.

Results: To date we have had 37 survey responses in a period where approximately 200,000 searches have been conducted. Due to the very low comparative numbers it is not statistically sound to make any conclusions from the data. We would welcome any assistance the Working Group can provide in publicising this survey.

Quality Call Back - This is an extension of the proven and accepted corporate approach but the difficulties in obtaining contact details of the person stopped and searched severely hamper the effectiveness of this measure.

Results: The scheme was heavily criticised by members of the MPS stop and search Strategic Committee who felt it amounted to harassment. We are taking it back to the Strategic group to explore other options to obtain feedback on quality of the encounter and satisfaction.

Satisfaction Leaflet - A leaflet containing a QR code and Text message number is given to every person stopped and searched. The person then has the option to provide feedback on

their satisfaction of the encounter by either sending a text message response (to a specific satisfaction question on the leaflet) or via the QR code which links to a short satisfaction questionnaire. Pilot schemes have been run by the TSG (across the whole of London) and by Camden Borough.

Results: Despite around 4000 searches having been conducted during the TSG pilot, there were no responses received via text or QR Code. During the 6 week Camden pilot when around 2000 searches were conducted, only 2 text messages and 1 QR Code survey were received. Unfortunately this data is insufficiently robust for analysis. We are currently in the process of identifying another borough in which to trial this.

## **STOPIT review**

The review of the STOP IT Programme included consultation with and feedback from EHRC, StopWatch, HMIC, College of Policing, MPS Borough Commanders and Stop and Search lead officers, and the MPS Stop and Search Strategic Committee (membership includes: Community Monitoring Network, MOPAC, IPCC, Duwayne Brooks, Race IAG, Black Police Association, Police Federation).

### **Main Findings:**

- A higher outcome rate will focus the grounds and should improve the detection rate. This will improve public confidence.
- Young people across a number of Boroughs are not asking us to do less stop and search (quite the reverse in some cases), what they are insisting on is that we do it better and treat them with dignity and respect.
- Better training for officers would be welcome.
- The value of including cannabis detections in the positive outcome rate is questionable.
- Work needs to be done on satisfaction, particularly the satisfaction gap between white and BME communities.
- Better supervision is required.
- The quality of grounds for search is variable.

The findings, together with those from the HMIC report have informed strategic direction of STOPIT in 2013/14. The revised action plan proposes a more stretching target of a 20% arrest rate (removing the current PND and cannabis warning count). The arrest rate alone in June 2013 was 15.8%. The focus will move away from reducing negative drug searches to a more positive focus on MOPAC 7 offences. This will help shift the cultural focus to use of stop and search to impact on critical crime types. This will instil in officers the need to use the tactic in situations where there is a high level of suspicion that the search will confirm that suspicion and lead to arrest.

## **Correlation between Stop and Search and Violence With Injury**

Use of violent crime volumes as a comparator against stop and search effectiveness must be considered with caution. Broad definitions such as Violence With Injury (VWI) include some crime types clearly beyond the scope of the tactic (e.g. poisoning) and even narrower

definitions such as Assault With Injury (AWI) include substantial proportions of Domestic Violence. For this reason we only monitor Serious Youth Violence (SYV) trends in comparison to stop and search (on a monthly basis) for any correlation.

Specific analysis was carried out in February 2013 looking at the relationship between the reduced levels of search activity following STOP IT against volumes of Personal Robbery, Knife Crime and Serious Youth Violence across the MPS.

This analysis compared two substantial periods of 12 months each, one in the 12 months before the launch of STOPIT (February 2011 - January 2012) and the second after it (February 2012 - January 2013). Three of the 32 BOCU's which did not reduce stop and search volumes did achieve reductions in all three crime areas, but so too did 14 BOCU's which did reduce stop and search. The analysis showed there is no statistical proof that reductions in search volumes leads to increases in volumes of the crime types considered.

Analysis of two similar boroughs (Lambeth and Southwark) highlighted during your previous meeting was included in this piece of work:

- The volume of searches carried out by Lambeth BOCU fell by 39%, from 21,431 to 13,066.
- The fall for Southwark BOCU was 41%, from 25,920 to 15,288
- The MPS as a whole had a reduction of 30%.

Comparative impact on crime volumes were that:

- Personal Robberies fell by 14% in Lambeth but rose by 6% in Southwark (MPS was down 8%).
- Knife Crime fell by 31% in Lambeth and was unchanged in Southwark (17% down for MPS).
- Serious Youth Violence fell by 36% in Lambeth and 8% in Southwark (26% down for MPS).

Given the range of tactical options involved in policing, it has proved difficult to conclusively demonstrate cause and effect between the use of stop and search and crime reduction. However, this is an area that was highlighted in the recent HMIC report and we will continue to investigate better ways of demonstrating the link. However, stop and search does result in individuals being arrested, crimes being detected and weapons being recovered. The recovery of weapons indicates that serious crimes are being prevented.

Ted Henderson is now the stop and search team lead. Please contact Ted if you require any further information or clarification ([Ted.Henderson@met.police.uk](mailto:Ted.Henderson@met.police.uk))

Yours sincerely,

Andy Morgan Superintendent

**Jenny Jones AM**  
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11 December 2013

MOPAC051113-131211

Dear Jenny

**Stop and Search Community Monitoring Groups**

Thank you for your letter of 30 October.

The Community Monitoring Groups are long established groups in the boroughs. Their role was, and continues to be, to hold the police to account for the use of stop and search powers at the borough level.

In 2012 MOPAC undertook a review of the groups which identified a number of concerns which are being now addressed. These included:

- The Community Monitoring Network – the pan-London forum whose purpose is to support the groups and influence the strategic direction of stop and search delivery – was not fit for purpose and did not support their (the Community Monitoring Groups) needs
- Local police were often difficult to engage on stop and search, failed to respond to the concerns raised by the Community Monitoring Groups and officer churn led to an inconsistent level of commitment.
- The stop and search data published by the police could be confusing and not all Community Monitoring Groups were sufficiently skilled to properly examine and interpret the statistics.
- Links to other community engagement mechanisms were inconsistent.
- Many Community Monitoring Groups had difficulty engaging sufficiently well with young Londoners and BME communities.

The review, and the concerns it identified, along with the commitments set out in the Police and Crime Plan, have played a part in helping MOPAC officers develop a work-plan for the delivery of a robust oversight of stop and search. Following the restructure of MOPAC, stop and search now has a higher priority.

In April the Community Monitoring Network elected a new chair and vice-chair. MOPAC officers have hosted meetings with the chair and vice-chair on six occasions since June, and attended three further stop and search meetings with community groups. By working closely with the chair and vice-chair, who are providing excellent leadership, we have begun to re-engage the Community Monitoring Groups. We have developed new Terms of Reference which restate MOPAC's commitment to the Community Monitoring Network and illustrate what support we will provide.

A joint communique was sent to all Community Monitoring Groups by officers on behalf of MOPAC and the Community Monitoring Network Chair, outlining how we intend to make the network more responsive to the local groups' needs. This new working relationship between the chair and vice-chair and the MOPAC Community Engagement officers has delivered two very successful, well attended Community Monitoring Network meetings in July and October. Among the outcomes of the October meeting, which included a question and answer session with Commander Adrian Hanstock, was a commitment by the MPS to explore the possibility of Community Monitoring Group input into the training delivered to officers. The full notes of the meeting will be distributed two weeks ahead of the next meeting (in January) after which they will be available on the MOPAC website.

Alongside this renewed commitment to the Community Monitoring Network, we have negotiated improved data provision from the MPS and secured a commitment from Commander Hanstock that the police will engage with the Community Monitoring Groups in their boroughs. In August a checklist of mandatory tasks was sent by senior MPS management to all borough Stop and Search leads. The list covers the attendance of officers at local Community Monitoring Group meetings.

In order to build on the work we have begun with the local groups, MOPAC officers plan a number of further support measures. These include:

- The design and delivery of a training module in January 2014 to ensure all Community Monitoring Groups have the skills to examine and interpret the stop and search data, and ask the right questions of their local police.
- The distribution of a guidance pack to all Community Monitoring Groups that will include a copy of the training module, new Terms of Reference that will include a commitment by the police to engage with the groups, and guidance on what Community Monitoring Group meetings should deliver. This will be available online for any members who join the groups after the formal training sessions have taken place.
- MOPAC officers will establish a timetable of local group meetings in the boroughs where they can attend, identify what the important issues are for the groups, and consider what MOPAC can do to further support them.
- MOPAC officers will restate the open offer made by Cllr Duwayne Brooks, my advisor on stop and search, to assist any Community Monitoring Group in raising its profile.

Enabling and supporting the Community Monitoring Groups is the best way to ensure police at a local level are held to account for their use of stop and search powers. You will also be aware from the discussion at the Police and Crime Committee meeting on October 24 that as well as the developments listed above we are exploring the establishment of a MOPAC mechanism to capture third party complaints where Londoners feel the powers haven't been used appropriately encouraging partners setting up Safer Neighbourhood Boards to have a strong relationship with their Community Monitoring Group and considering stop and search as a theme for a future MOPAC challenge.

I hope you will agree that this is a comprehensive programme of work in order to provide the necessary oversight of this valuable police power, the use of which is of concern to some Londoners.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S.G.', with a flourish at the end.

Stephen Greenhalgh  
**Deputy Mayor for Policing and Crime**

## CONSULTATION RESPONSE

<b>TO</b>	<b>Police and Crime Committee, London Assembly</b>
<b>FROM</b>	<b>The Independent Police Complaints Commission (IPCC)</b>
<b>REGARDING</b>	<b>Investigation into stop and search</b>

### The IPCC and its remit

1. The IPCC's primary statutory purpose is to secure and maintain public confidence in the police complaints system in England and Wales. We are independent, and make decisions independently of the police and Government. We investigate the most serious complaints and incidents involving the police, as well as handling certain appeals from people who are not satisfied with the way police have dealt with their complaint.
2. The IPCC was established by the Police Reform Act 2002 and became operational in April 2004. Since that time our remit has been extended to include:
  - Police and Crime Commissioners and their deputies
  - the London Mayor's Office for Policing and Crime and his deputy
  - the Serious Organised Crime Agency (SOCA)
  - The National Crime Agency (once operational)
  - Her Majesty's Revenue and Customs (HMRC)
  - Staff who carry out border and immigration functions who now work within the UK Border Force and the Home Office.
  - certain non Home Office police forces (including the British Transport Police and the Ministry of Defence Police)
3. The majority of complaints against the police are dealt with by the relevant police force without IPCC involvement. However, certain types of complaints and incidents must be referred by the police to the IPCC, including when someone has died or been seriously injured following direct or indirect contact with police. We then decide what level of involvement we should have in any investigation of the matter. We may choose to conduct our own independent investigation, manage or supervise a police investigation, or decide that the matter can be dealt with locally by the police without IPCC oversight.
4. In 2009 we launched a position statement, developed in partnership with stakeholders, setting out how we expect forces to use stop and search powers.

## **Our response**

5. Concerns about how stop and search powers are used have shaped and often undermined the relationship between the police and the communities they serve, particularly BME communities. Despite considerable work in recent years significant concerns remain about whether powers are being used in a way that is lawful, fair, effective or carries public confidence.
6. Stop and search has always been an area of concern for the IPCC and this response is based on our experience of handling complaints and conduct matters arising from the use of stop and search powers, and from evidence obtained during engagement with the communities most affected.
7. We believe that it is not enough for the exercise of stop and search powers to simply be within the law. Where stop and search powers are used by the police, they should be used in a way that is fair, effective and carries public confidence.

## ***Our work***

8. Officers have access to a range of powers which enable them to stop and search individuals in a range of situations, either with or without reasonable suspicion.
9. In a position statement, developed in partnership with stakeholders, which was issued in June 2009 we set out some basic principles to help improve the way police use stop and search powers.
10. In our position we say that every officer who uses stop and search powers – should be able to answer the question: “Why did you stop me?” It is not enough to say “Because I can”, or “I don’t have to give a reason”. The officer should be able to respond by explaining the reasons, which could include citing the intelligence available. Providing an informed explanation is a basic but critical step in helping to improve the quality of the encounter and ensure that it does not lead to reduced confidence or a feeling of unfairness.
11. A full version of our stop and search position can be found on our website at [www.ipcc.gov.uk](http://www.ipcc.gov.uk).
12. Since the launch of our stop and search position we have undertaken a variety of work to contribute to national debates around stop and search and to drive improvement in practice. Examples of past activity have included:
  - Involvement in the external reference group supporting the recent HMIC thematic inspection on stop and search;
  - Engagement with the College of Policing to help shape the development of Authorised Professional Practice (APP) around stop and search;
  - Input into officer training, in particular for officers based within a number of London Boroughs;
  - Engagement with representatives from StopWatch and a variety of other groups who campaign for changes in the way that stop and search powers are used;
  - Involvement in the ACPO-led Police Public Encounters Board (a forum which provides an important opportunity for community groups and other non-police

organisations to come together with representatives from the police service to share their experiences of stop and search, to scrutinise current use, and to contribute ideas to improve future practice).

- Engagement with young people affected by stop and search, through sessions at schools, involvement in initiatives like Takeover Day, and through input into community meetings and community-led monitoring groups to understand their experiences and raise awareness of the complaints system.
13. Our engagement work has been driven by a desire to gain a deeper understanding of public perceptions around the use of stop and search powers. During engagement stakeholders have suggested that:
- a large number of people believe that, because of their ethnicity and age, being stopped and searched on a regular basis is an inevitable and unchallengeable part of their day to day life. We have heard vigorous representations from young people particularly young men from Black and Asian communities who feel that they are unfairly targeted by the police. Our understanding is that this is probably the leading cause of tension between young people and the police and has a significant impact on the potential for young people to engage positively in the policing of their communities;
  - when people are stopped and searched and have a bad experience, this impacts on their confidence in the police but it also has a wider impact on the people close to them – their friends, family members and the wider community;
  - members of the public have different levels of awareness about their rights and responsibilities when being stopped and searched, and how these might differ depending on the power being used.
  - where police forces have proactively engaged with communities to explain how powers are being used, to involve them in decision making or in reviewing stop and search records, or to keep them informed of outcomes, seek their feedback on use, or involving them in reviewing complaints, this has helped to improve both the relationship with the community and the way that powers are used;
  - members of the public recognise that stop and search is an important tool to fight crime, if used properly;
  - members of the public are confused about the difference between stop and search and stop and account.

### ***The Complaints System***

14. Our experience demonstrates that:
- the number of complaints made about stop and search is not a good indicator of how fairly or how effectively stop and search powers are being used. Despite the low number of complaints there is considerable anecdotal evidence to suggest that stop and search is one of the major causes of tension between the police and young people as well as men from BME communities.
  - members of the public who appear to have negative experiences of stop and search tend to be the people who already have the lowest confidence in both the police and the police complaints system, so are unlikely to use the formal

## NOT PROTECTIVELY MARKED

complaints system. This includes people from BME communities, particularly young people who feel that they are unfairly targeted in the exercise of these powers. In our 2011 public confidence survey 40% of BME respondents and 26% of young people aged 16-24 were worried about being harassed by the police if they made a complaint. This also mirrors evidence from our engagement with other groups, including young BME people we met through contact with Newham Monitoring Project.

- where complaints about stop and search are made, they rarely meet the threshold for referral to the IPCC (which is defined by legislation).

15. As part of a recent review looking at how the Metropolitan Police Service deals with complaints involving allegations of racism we examined 511 cases which had been received by the MPS. Approximately 10% (53) of these cases arose from stop and search encounters. As part of this work we found that:

- the majority of the cases were usually investigated locally at borough command level, and only come to us if the complainant appeals against the local decision;
- many cases often end up being unsubstantiated because of conflicting evidence given by the complainant and the officer(s) involved;
- officers appear to have a lack of understanding of forms of racism other than the overt use of racist language;
- officers only tend to be dismissed for racist conduct when there is overt racism supported by independent evidence;
- local resolution is not being used as an effective tool to deal with complaints at a local level.

16. Most of the complaints the IPCC receives in relation to the use of stop and search powers focus on the quality of the encounter and the rationale behind the stop. Our experience demonstrates that:

- public perception about how officers treat individuals during stop and search encounters will affect the way that members of the public respond to the use of stop and search powers. Stories of negative encounters will have significant resonance in the community and further perpetuate the public perception that these powers are used unfairly;
- we receive a number of complaints where members of the public have alleged that officers have used racist or negative words/names during the stop and search. In these cases the complainant's focus appears to be on the use of these words and the alleged failure by the police officer(s) to treat them with courtesy, dignity and respect during the encounter;
- where the IPCC has found in favour of a complainant on appeal, it has sometimes been because officers have used powers incorrectly, due to lack of experience or knowledge. In 2013 HMIC's report, 'Stop and Search Powers: Are the police using them effectively and fairly?' showed that only 21 forces provided officers with any form of refresher training around stop and search which could account for this problem;

- repeated unlawful use can often go unnoticed because supervisors do not examine the content of stop and search records, or challenge officers on any issues identified. This was highlighted in the recent HMIC inspection.

***Other issues***

17. Although it is not directly within the scope of this investigation, we remain concerned about how MPS officers are using powers under Schedule 7 of the Terrorism Act 2000 at the UK's ports and borders.
18. Although it is suggested in some quarters that Schedule 7 is not a stop and search power, we recognise both from our handling of complaints and our engagement with community groups that in the eyes of the public it is certainly seen as such. No distinction is drawn by those who are the subject of this power or other stop and search powers on the streets.
19. From 01 July 2011 all Chief Officers have been required to refer all complaints and conduct matters arising from the use of Schedule 7 to us, for us to determine how they should be investigated. We are currently undertaking supervised investigations into all of the cases received since this date. They include allegations that powers have been used unlawfully, and we are currently supervising 18 investigations arising from complaints relating to the use of these powers by MPS officers.
20. The IPCC remains disappointed that the MPS has refused to comply with the terms of reference we have set for investigations into complaints about the use of Schedule 7 powers, namely to investigate the rationale for stopping and questioning the individuals involved. The service has failed to provide evidence that it has properly investigated these matters as we have required, despite the threat of legal action. The IPCC will continue to use its powers, and pursue legal action to ensure that these matters are properly investigated.

**Independent Police Complaints Commission**

12 September 2013

CONTACT:	Mark Hines, Policy and Engagement Officer
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**From:** Smallman Lisa  
**Sent:** 16 July 2013 16:16  
**To:** Claire Hamilton  
**Subject:** Stop and Search

In light of the "Stop and Search" article on your GLA website, I wanted to share my views, which I hope you will pass on to the powers that be, for what it's worth.

I thought the whole idea of stop and search was to act as a deterrent as well as catch the bad guys? The more stop and searches there are, the more drugs/weapons etc are taken off the streets and, in my naive and simplistic view, the more discouraged people are to carry them.

Unless the Met Police have x ray vision, it is impossible for them to know whether any one individual is carrying anything they shouldn't be. They have to use their knowledge of the individual, the area etc and their experience of the situations they face, to gauge whether a stop and search is warranted. They are the ONLY people who can gauge this! Not me, in the glass office or cosy living room, or the booted and suited in the government offices.

If the stop and search proves fruitful, then that individual is arrested/cautioned etc and the police officer is given a pat on the back. However, if the stop and search shows that the individual concerned is not carrying anything (but, as is true in most cases, is already known to the police), then surely this proves that the previous system is working – ie as a deterrent?

It is crazy to think that the Met Police have the time to pick on random people just for the hell of it. They are busy enough as it!

What worries me now though, is that this restriction on stop and search procedures will result in the Met Police being more cautious when going through the decision making process, and, as a direct result, will reduce the number of stop and searches – for fear of disciplinary procedures if they undertake more than a certain number of stops that don't result in an arrest/caution.

This, in turn, will increase the number of people carrying weapons/drugs etc as their chances of getting stopped are rapidly diminishing!

I think the Met Police have a tough enough job already, and face daily threats to themselves, their families etc and should be supported and recognised for their hard work every day – not judged for a handful of things that certain "innocent" members of the public don't like. What happened to the theory of "the greater good"?

**From:** Raymond Swingler  
**Sent:** 11 September 2013 22:19  
**To:** [claire.hamilton@london.gov.uk](mailto:claire.hamilton@london.gov.uk)  
**Cc:** 'sandra DaCosta'; 'David Knight'  
**Subject:** Stop and Search Scoping Paper

Dear Claire,

Thank you for the opportunity to comment on the Police and Crime Committee's Scoping Paper on Stop & Search released this week.

Points I would like to make include: 1) the concern of ethnic minorities that they are unfairly selected for stop and search by the police; 2) a similar dissatisfaction among young people; 3) the effect of "poor practice" by the police on public perception; 4) and, finally, the public's perception of the police in their use of stop and search.

Taking the last point first, my over-riding concern in recent years has been the dominance of "rights" for those stopped by the police over any sense of "responsibility" by those stopped towards the police themselves. This is demonstrated in the continuing use of the "Know your Rights" leaflet, where at no point has it been made clear that the police are doing a job on behalf of us all and in doing so are as much entitled to respect as anyone they have stopped.

What is worrying here is that although the Community Monitoring Network itself, let alone individual borough stop and search groups, has asked for such a point to be included in the leaflet, this has still not been done.

Clearly, the police are not perfect in these matters, but the conduct of people in a civilised society is a two-way affair and this should be clearly stated in stop and search literature. Quite simply, the police are not the "enemy"; they are the servants of the public with an often unpleasant job to do.

On the BAME point, again there can be confusion. Figures presented in the monthly stop and search reports take no account of demographics, particular of the ratios of BAEM to white persons living in certain, sometimes deprived, areas.

Statistics are collated on a borough-wide basis, then translated across the whole of London. But if stop and account or stop and search in a particular economically deprived and crime-ridden area with a disproportionate number of BAME residents are recorded these out-of-sync figures can in themselves distort the statistics for a whole borough.

This does not mean to say there is not a generic problem in recording stop and search with BAME citizens but there needs to be a more informed and careful analysis of this problem rather than a simplistic knee-jerk reaction to what can be statistical distortion.

With young people a similar situation exists: by definition the young rebel – we all did in our own youth – but I demur that this is a systemic failure in policing. Again it shows the need for a two-way dialogue between the young and the police.

In respect of "poor police practice" I feel the police get an unfair hammering here. No one disputes that malpractice exists in stop and search – but it is not endemic. Instances of it should be made public, the individual officers made accountable – but equally the benefits of the stop procedures for the public good should also be made clear.

No one argues that improvements in policing practice are needed, but they should as much benefit the police in doing their job as for the 'victim.' The concept of "institutional racism" is well past its sell-by date; the need now is for precision in police work which is easily intelligible to the public at large as well as any individual, no matter what race, in his or her dealings with the police.

Yours sincerely,  
Raymond Swingler  
Waltham Forest Stop and Search Group

<b>Meeting Date</b>	<b>12 November arriving from 5.30pm</b> <b>Second Wave</b> First Floor, 1 Creek Road Deptford, SE8 3BT
<b>In attendance</b>	<ul style="list-style-type: none"> <li>• Jenny Jones, Chair of Stop and Search Working Group</li> <li>• Matt Bailey, Assistant Scrutiny Manager</li> <li>• Camelia Thomas, Committee Officer</li> </ul>
<b>Key aims of meeting</b>	<ul style="list-style-type: none"> <li>• To explore young people’s and police officer’s perspectives on relationships between young people and the police.</li> <li>• To understand the role of projects like Second Wave that bring police and young people together.</li> </ul>
<b>Contact</b>	Matt Bailey, Assistant Scrutiny Manager, x4014

**Context**

The Stop and Search Working Group has been investigating the impact of the Met’s new approach to stop and search. Known as StopIt, it was launched in February 2012 to try to improve the practice and impact of stop and search.

Through its work, the Working Group has heard that the police often hold unfair assumptions about young people and are prone to stereotyping. The Committee also knows that many young people in London have negative perceptions of the police. Our research with young people told us that for many young Londoners, stop and search is a part of daily life and the main way that young people and the police interact.

This site visit will show Members one of the projects in London that attempt to bring young people together with the police.

**Background**

*Second Wave*

Second Wave was set up in 1982 in Deptford, SE London, originally established by a group of young women. It is a venue and a meeting place for young people and an arts centre offering drama and arts-based initiatives for local young people aged 12-24 years.

The workshop programme aims to improve young people’s skills and confidence through their own independent voice. Second Wave also runs a volunteers' programme which offers progression into apprenticeships with pathways into high education, training and employment.

Second Wave is a registered charity and is supported by regular funding from the London Borough of Lewisham. The Committee has heard about the work of Second Wave from Cllr Janet Daby, as part of it is investigation of the Mayor’s draft Police and Crime Plan and Cllr Duwayne Brooks,

during the Stop and Search Working Group. Both commended the project for helping to change attitudes and offer positive encounters between young people and the police.

#### *Critical encounters*

The programme was developed in 2005 to bring police officers and young people together on an equal basis. The workshops are led by young volunteers and attended by local police officers in casual clothes. Through drama techniques, the workshops aim to challenge assumptions and build positive relationships. The programme's approach includes:

- Creating a safe space where young people can engage in police/ community collaboration
- Developing positive discussion on key issues (such as stop and search)
- Exploring the significance and impact of 'critical encounters' involving young people and the police
- Contributing to wider community relations and discussion about collective responsibility and methods of policing
- Empowering young people to influence policy and decision making in their neighbourhoods

Kloe Dean, a form participant in Second Wave and now a workshop leader said: *"The relationship between the police and young people is never easy, We've worked hard for many years to establish an example of good practice. And we're confident that many young people and police officers in other parts of London and the UK will benefit in the future from this approach"*.

#### **The site visit**

Second Wave has asked the Assembly's attendees to arrive from 5.30pm and will offer refreshments and some background information. Young people usually arrive between 6pm – 6.30pm and the police arrive at 6.30pm. Second Wave is expecting 4-5 young people, 4-5 police officers and a couple of staff.

#### **Issues to consider during the site visit**

- Programme's impact – How does it change perceptions? What do young people gain from the programme? How do officers take learning back to their team?
- Met commitment – How do officers become involved and what is required of them? What support is there from senior borough officers or central leadership?
- Sustainability– how is it funded and resourced? Does the Met or MOPAC provide any funding, either directly or through the local authority?
- Other programmes and areas – do similar projects exist elsewhere? Could this approach work in other parts of London? Has the Met tried to learn from Second Wave?

## **Visit to Second Wave**

The Chair of the Stop and Search Working Group was invited to attend a meeting with Second Wave on 12 November 2013.

### **Background**

Second Wave was set up in 1982 in Deptford. It was originally established by a group of young women. It is a venue and a meeting place for young people, and an arts centre offering drama and arts-based initiatives for local young people aged 12-24 years.

The workshop programme aims to improve young people's skills and confidence. Second Wave also runs a volunteers' programme which offers progression into apprenticeships with pathways into high education, training and employment.

Second Wave is a registered charity and is supported by annual funding from the London Borough of Lewisham. The Committee has heard about the work of Second Wave from Cllr Janet Daby, as part of its investigation of the Mayor's draft Police and Crime Plan and Cllr Duwayne Brooks, during a meeting of the Stop and Search Working Group. Both commended the project for helping to change attitudes and offer positive encounters between young people and the police.

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- Empowering young people to influence policy and decision making in their neighbourhoods

In 2012, the programme received £2,000 from the Met and MOPAC but no funding was made available this year.

### **The site visit**

The Chair of the Stop and Search Working Group was invited to take part in a discussion between young people and the police on stop and search, as part of the Critical Encounters programme. The key points from the discussion were as follows:

- The workshops are mandatory for police officers Lewisham as part of their professional development. It is anticipated that 50 new recruits will be attending sessions in the future

- It provides police officers with an opportunity to engage with the community and to understand how they can improve encounters with young people
- There are problems with the complaints procedure in terms of how young people can access it and how complaints are taken forward
- The police need to better communicate with young people when they are carrying out searches
- The police are not taken seriously if they are seen to be too friendly; there is a balance to be struck
- The police officers were supportive of the idea of wearing body cameras when they are carrying out searches
- There are not enough programmes like Second Wave available to police officers in London.
- The success of a programme like Second Wave is dependent on the engagement of officers at a senior level
- There needs to be more awareness within the Met of the success of Second Wave
- There needs to be more publicity around what stop and search is and what young people's rights are, particularly in schools

**Meeting with Christine Matthews, Chair of pan-London stop and search monitoring network**  
**8 October 2013**

In attendance:

Jenny Jones AM  
Ciaran Whitehead  
Claire Hamilton

Monitoring groups:

- All boroughs now have a group underway, with three in development stage.
- Each monitoring group has a dedicated officer with responsibility for stop and search.
- Membership varies by borough.
- Frequency of meetings varies by borough.
- Monitoring groups receive no funding. Some have negotiated support in other ways from either the local council or MPS.
- Chair is keen that monitoring groups need to up their profile locally – maybe by articles written for their local borough magazines.
- Chair is also keen on promoting the monitoring networks in dealing with complaints. Only two boroughs have an independent complaints line using labels or cards, perhaps these could be explored along with other option such as going with Oyster cards or included in information sent by local councils with council tax.
- The local community monitoring group meetings should be independent of the police and community run– they invite their stop & search lead to the meetings and should hold their police to account.

Role of the MPS:

- The MPS is extremely supportive of the monitoring groups but engagement varies between individual boroughs.
- Chief Inspector (or their deputy) with responsibility for stop and search attends the pan-London monitoring group.
- MPS provides statistics and analysis –. MPS data is currently being updated. There is normally a delay in its publication. The amount of data provided locally to monitoring groups varies.
- Six chairs (plus CMN chair & vice chair) of monitoring groups sit on the MPS strategic group, which meets every few months.

Role of MOPAC:

- Role in transition.
- Seeking to arrange training for all stop and search chairs with MOPAC and MPS.

Performance:

- It is too early to say if there are patterns in performance across London.