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**Chair of the Stop and Search Working Group**  
London Assembly  
City Hall  
The Queen's Walk  
London SE1 2AA

10 June 2014

MOPAC06022014-14231

Dear Jenny,

## **PCC Stop and Search Report**

Thank you for your letter dated 28 February containing the Police and Crime Committee (PCC) report "An investigation of the Met's new approach to stop and search". I welcome the report and my response has been structured in line with how it is presented. I have responded directly to the specific recommendations and added a summary of them in the attached appendix.

I welcome your acknowledgement of the progress the MPS has made since the introduction of the Stop It initiative in 2012, and the role of the community monitoring groups, supported by MOPAC, in holding the police to account for how they use their powers. I'm delighted to also see this echoed by the Home Secretary in her recent announcement of the outcome of the Home Office stop and search consultation.

We know that the public is generally supportive of the retention of stop and search powers. Indeed the report by Her Majesty's Inspectorate of Constabulary (HMIC) last year, though critical about some of the ways the powers are used, also reported that over three-quarters of those interviewed believed that the powers help the police to catch criminals and prevent or detect crime, and more than half the respondents said that seeing the police using the powers in their areas made them feel safer.

Chapter 1 of the report recognises the challenges in increasing public confidence in the police and the impact of stop and search. While stop and search is a useful tool to reduce crime and the public support it when used appropriately, we also know it can be a key source of tension between the police and the community, especially BME and young Londoners and this can undermine public confidence. If we are to achieve our aim of a 20% increase in confidence we have to ensure the police use stop and search in an appropriate and targeted way. That's why I have explicitly addressed this issue in the Police and Crime Plan.

Chapter 1 also refers to the number of searches conducted for drug possession. The data indicates that the volume of drug searches has fallen considerably, but the overall proportion of searches based on drugs remains high. The MPS has set targets for the ratio of searches at 40% of all stops based on the MOPAC 7, 20% on weapons and the remaining 40% to be directed towards local priorities. We know that drug offending is a concern to some local

communities and they may therefore have identified this as a local priority, which may account for the high proportion of drug searches. The oversight of the stop and search monitoring function provided by Safer Neighbourhood Boards, coupled with further analysis of the data, will enable local communities to identify and understand the reasons for searches in their local area and whether or not they are in line with MPS targets and/or reflect local priorities.

The report suggests that body worn video might be a useful tool in improving stop and search encounters. I too recognise the potential value of body-worn video in building confidence in policing which is why I have endorsed the MPS pilot. The pilot, which began last month, will involve 500 officers across 9 boroughs using body-worn video in their day-to-day work. As well as potentially improving recording rates of stops and searches, and providing information for supervising officers, the evidence suggests a positive impact on the behaviour of both officers and members of the public when encounters are recorded in this way. As you acknowledge in your report, “the quality of the encounter also matters” and so this can only be a positive development. As part of the roll out of the pilot, the MPS has delivered a presentation on the body-worn camera pilot to the Community Monitoring Network (CMN), which was received with interest, and the MPS has agreed to deliver an update to the community monitoring network in 6 months’ time.

Chapter 3 of your report makes reference to the HMIC’s findings on the number of records of stops and searches which did not contain reasonable grounds for suspicion. Although these were the findings of a national inspection neither MOPAC nor the MPS are complacent about the need to take steps to ensure this is not reflected in MPS stop and search practices. Community Monitoring Groups, supported by MOPAC training and with the cooperation of the MPS, are now examining stop and search records in a number of boroughs for reasonable grounds and levels of supervision, alongside the MPS data on numbers of searches, arrest rates and disproportionality. The CMN offers the opportunity for this level of good practice in community scrutiny to be rolled out across all local groups.

Chapter 3 also highlights the excellent initiative shown by Brent police in enabling members of the community to review individual stop and search records to identify good practice and areas of concern. In addition, I am aware that a more intrusive approach to supervision of stop and search is being rolled out across all boroughs. This includes reviewing officer records, particularly those recording the highest numbers of stops and those recording the lowest number of positive outcomes (arrests or cannabis warnings). This enables the Met to more closely supervise those officers with a high number of stops and low outcome rates, and to also use those officers performing well to mentor other colleagues.

***Recommendation 3:***

*In its response to the Committee, MOPAC should set out how it will develop a system for systematic dip sampling of stop and search records, possibly to be commissioned from external experts. The outcomes of this sampling should be published in MOPAC’s annual report.*

The police use of stop and search, like other areas of policing, is already subject to external scrutiny, which is welcome. I place great value in the community providing added scrutiny and to this end a systematic approach for local monitoring groups to review stop and search records in their boroughs is already being pursued. Initiated by Merton Community Monitoring Group, redacted summaries of all 5090 forms (the stop and search record taken at the time, a copy of

which is given to the search subject, and later entered into police data) are being provided to local community monitoring groups so that they can review the summary for search grounds, outcomes and the level of management monitoring. Officers are developing a process through which to capture the feedback from this local process and how best to present this information to the public on an ongoing basis rather than just in the MOPAC annual report. This will both provide transparency on how the police are using their stop and search powers and raise the profile of the work carried out by the local monitoring groups.

Chapter 4 of your report highlights the Commissioner's concerns around repeatedly stopping individuals and how this might impact upon the rights of those who the police choose to stop and search. A key element of Stop It is the implementation of more intrusive monitoring and supervision within the MPS, and as part of this each borough now maintains a live register of the top 5 most stopped individuals in that borough. This allows supervisors to review the stop and search records for that individual and assess whether the officers' actions are valid and reasonable. This is an important step forward in terms of accountability and to further strengthen these arrangements, this information will also be shared with MOPAC and (in a redacted form) local Community Monitoring Groups.

**Recommendation 4:**

*In its response to the Committee, MOPAC should set out how it will work with young people to explore ideas to communicate people's rights during a stop and search. We expect that by working with existing GLA initiatives such as Talk London or the Peer Outreach Team, MOPAC could commission young Londoners to produce a communication campaign within a year. The resulting campaign should be funded and launched by the Mayor to demonstrate his expectations of the police.*

It is of course, important for the public to know their rights and responsibilities when they are stopped and searched and now that the Home Office consultation has concluded, MOPAC officers will be working with the CMN and others to redesign and widely distribute a new "Know Your Rights" product as part of a wider awareness raising campaign. MOPAC will, of course, want to include young people in this work, as well as our work on developing the use of different media and communications methods to facilitate engagement and feedback.

In chapter 5 you comment on the level of complaints not being an accurate measure of public attitudes or indicative of good practice. I would add that an effective complaints and feedback mechanism can be a driver for improving performance and confidence, which would be particularly welcome in this area. We know that many complaints about stop and search are anecdotal and submitted to third party groups rather than directly to the police. This reflects a lack of confidence in the police complaints procedures.

**Recommendation 6:**

*MOPAC should report back to the Committee in its response about the progress it is making to establish alternative approaches, which are independent of the Met, for gathering feedback on stop and search. The Committee also seeks an update on progress in a year's time, to review the impact of any new approaches put in place.*

MOPAC, along with the MPS and community groups, is actively exploring ways to encourage feedback – both good and bad – on stop and search encounters. On this basis, any initiatives we support in encouraging feedback should have a greater use of the complaints system as an

outcome. I believe that the local monitoring groups are the best way to engage with people and get them to feedback about their experiences; a view I know is shared by MOPAC's critical friend on stop and search, Duwayne Brooks. To support this, training being delivered by MOPAC to the groups emphasises the community engagement potential, including offering the opportunity for those subject to stop and search to provide feedback on their experience(s) and for the groups to be able to provide guidance on where, and how, to make complaints. In addition, on behalf of MOPAC, Duwayne Brooks is exploring how to provide support to communities to enable them to more effectively engage with the complaints process, and is in discussion with a law firm that has expressed an interest in providing pro bono assistance in compiling stop and search complaints through liaison with the local monitoring groups. There are also a number of stop and search smartphone applications that provide an alternative independent means of capturing feedback, and officers are exploring how best to utilise and support these developments.

**Recommendation 7:**

*MOPAC's response to the Committee should explain how it intends to increase the profile of stop and search community monitoring groups. In a year's time, MOPAC should update the Committee on the feasibility working with the GLA family to increase the profile of the groups. Our suggestions include that MOPAC explore providing contact details for local monitoring group through TfL with Zip passes.*

As part of an ongoing work programme, officers are working alongside the CMN to consider how best to raise awareness of local stop and search community monitoring groups and their place within the broader oversight mechanisms. Of course, I would want that programme to utilise a wide range of approaches, including the possibility of working creatively across the GLA family. In addition, the inclusion of stop and search monitoring groups' representation within the Safer Neighbourhood Board engagement structure will offer a further opportunity to raise the profile of the local monitoring groups to a wider audience.

**Recommendation 8:**

*In its response to this report, MOPAC should provide the Committee with assurances about how it is holding the Met to account for its use of stop and search. Specifically, this should explain the role of MOPAC Challenge on stop and search and how MOPAC will make use of the insight available from the community monitoring network. In a year's time, MOPAC should report back on the actions it took in the previous year to deliver against these commitments.*

The implementation of the Stop It initiative marked an important shift in the strategic approach to stop and search and it has effected change in key areas; for example, almost halving the overall number of stops and searches conducted, as well as delivering a 95% reduction in the number of section 60 searches. In this context, and with the outcomes of the Home Office consultation now published, it is an opportune time to review the existing governance and performance frameworks that relate to the use of stop and search powers.

MOPAC Challenge is, of course, a useful mechanism through which to both challenge and re-focus the MPS' work in key areas. However, MOPAC Challenge is not the only opportunity to hold the MPS to account for its use of stop and search. As I have already stated, local accountability and transparency on the use of stop and search is an important element of MOPAC's oversight mechanisms; there is no substitute for the local knowledge and insight that

communities can bring to our understanding of the context and data. To this end, MOPAC is strengthening its relationship with the local Community Monitoring Groups and developing the structures to facilitate the feedback and sharing of their experiences and knowledge through the CMN, which will support MOPAC in effectively challenging and holding the MPS to account centrally. In addition, MOPAC is reviewing the wider governance structures to ensure they are appropriately aligned across both organisations and out into the community.

**Recommendation 10:**

*The Met should work with local community monitoring groups to explain how the police are changing how they use stop and search in each community. This should communicate the successes in improving outcomes and focusing on the crimes that matter to communities. MOPAC should oversee these activities to report back to the Committee about the actions taken in each borough in a year's time.*

I recognise the importance of letting communities know how stop and search is changing, but I do not think this responsibility should be confined to the MPS and Community Monitoring Groups. In raising their profile the intention is for the groups to play a greater role in raising awareness within their own communities, but there is also a role here for Safer Neighbourhood Boards and others in the local community to reinforce those messages. MOPAC will, of course, provide support to this work, for example by assisting the local groups in making their findings known to the public. MOPAC will also ensure the MPS maintains its engagement with community representatives by monitoring their attendance and interaction with local borough groups and with the CMN.

I am confident that by considering the findings produced in the PCC report, alongside the Home Office, HMIC and EHRC research, we can work closely with the MPS and our community partners to continue to drive not only an improvement in how the MPS uses stop and search, but also our oversight of it. A number of the recommendations include a request to report back to the PCC. I will ensure that the Committee, along with the people of London, are appraised on the progress of all the developments mentioned in this response.

Yours sincerely,

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

**APPENDIX 1.**

**Response to the recommendations.**

<b>Recommendations</b>	<b>MOPAC response</b>
<p><i>Chapter 3: Developing a culture of accountability</i> <b>Recommendation 3:</b> In its response to the Committee, MOPAC should set out how it will develop a system for systematic dip sampling of stop and search records, possibly to be commissioned from external experts. The outcomes of this sampling should be published in MOPAC’s annual report.</p>	<p>The police use of stop and search is already subject to external scrutiny. In addition, a number of local processes are being developed.</p> <ol style="list-style-type: none"> <li>1. Redacted summaries of all 5090 forms will be provided to local community monitoring groups to review the search grounds, outcomes and the level of management monitoring. We will monitor the roll out of this good practice across all boroughs.</li> <li>2. MOPAC will work with the MPS to explore the practicalities of all community monitoring groups following the example of the Brent group and dip sampling actual 5090 forms.</li> <li>3. As part of MOPAC’s oversight of stop and search, the MPS will share information related to the top 5 most stopped individuals in each borough with MOPAC and (in a redacted form) local Community Monitoring Groups, to provide some assurance that appropriate supervision is taking place at the local level to ensure officers’ actions are valid and reasonable.</li> <li>4. MOPAC Officers are developing a process through which to capture the feedback from this local process and how best to present this information to the public on an ongoing basis rather than just in the MOPAC annual report.</li> </ol>
<p><i>Chapter 4: Ensuring rights are enforced</i> <b>Recommendation 4:</b> In its response to the Committee, MOPAC should set out how it will work with young people to explore ideas to communicate people’s rights during a stop and search. We expect that by working with existing GLA initiatives such as Talk London or the Peer Outreach Team, MOPAC could commission young Londoners to produce a communication campaign within a year. The resulting</p>	<p>As part of a wider awareness raising campaign, MOPAC will be redesigning and widely distributing a new “Know Your Rights” product.</p> <ol style="list-style-type: none"> <li>1. MOPAC will include young people in the development of new know your rights products, particularly those who are engaged through the local community monitoring groups.</li> <li>2. In addition, MOPAC will seek to include young people in its wider work on</li> </ol>

<p>campaign should be funded and launched by the Mayor to demonstrate his expectations of the police.</p>	<p>developing the use of different media and communications methods to facilitate engagement and feedback.</p> <ol style="list-style-type: none"> <li>3. MOPAC will explore the potential for other statutory and non-statutory partners, including within the GLA family, to support the effective dissemination of the new know your rights products.</li> </ol>
<p><i>Chapter 5: Developing a learning culture</i> <b>Recommendation 6:</b> MOPAC should report back to the Committee in its response about the progress it is making to establish alternative approaches, which are independent of the Met, for gathering feedback on stop and search. The Committee also seeks an update on progress in a year's time, to review the impact of any new approaches put in place.</p>	<p>An effective complaints and feedback mechanism can be a driver for improving performance and confidence. On this basis, any initiatives we support in encouraging feedback should have a greater use of the complaints system as an outcome.</p> <ol style="list-style-type: none"> <li>1. The MOPAC training being provided to all community monitoring groups emphasises the potential for local groups to provide an opportunity for those subject to stop and search to provide feedback on their experience(s) and for the groups to be able to provide guidance on where, and how, to make complaints.</li> <li>2. On behalf of MOPAC, Duwayne Brooks is exploring how to provide support to communities to enable them to more effectively engage with the complaints process, and is in discussion with a law firm that has expressed an interest in providing pro bono assistance in compiling stop and search complaints through liaison with the local monitoring groups.</li> <li>3. MOPAC is exploring how best to utilise and support the development of stop and search smartphone apps as an alternative independent means of capturing feedback.</li> </ol>
<p><b>Recommendation 7:</b> MOPAC's response to the Committee should explain how it intends to increase the profile of stop and search community monitoring groups. In a year's time, MOPAC should update the Committee on the feasibility working with the GLA family to increase the profile of the groups. Our suggestions include that</p>	<p>As part of an ongoing work programme, officers are working alongside the CMN to consider how best to raise awareness of local community monitoring groups.</p> <p>The representation of stop and search community monitoring groups within the Safer Neighbourhood Board engagement structure, also presents a new opportunity to raise the profile of the local monitoring groups to a wider audience.</p>

<p>MOPAC explore providing contact details for local monitoring group through TfL with Zip passes.</p>	<p>More broadly MOPAC will work with statutory and non-statutory partners to develop multiple means of raising awareness of the work of local monitoring groups.</p>
<p><b>Recommendation 8:</b> In its response to this report, MOPAC should provide the Committee with assurances about how it is holding the Met to account for its use of stop and search. Specifically, this should explain the role of MOPAC Challenge on stop and search and how MOPAC will make use of the insight available from the community monitoring network. In a year’s time, MOPAC should report back on the actions it took in the previous year to deliver against these commitments.</p>	<p>The implementation of the Stop It initiative marked an important shift in the strategic approach to stop and search. In this context, and with the outcomes of the Home Office consultation now published, it is an opportune time to review the existing governance and performance frameworks that relate to the use of stop and search powers.</p> <ol style="list-style-type: none"> <li>1. MOPAC Challenge provides one opportunity for holding the MPS to account for the use of stop and search powers as part of MOPAC’s broader oversight of the MPS.</li> <li>2. In addition, MOPAC is strengthening its relationship with the local Community Monitoring Groups and developing the structures to facilitate the feedback and sharing of their experiences and knowledge through the Community Monitoring Network, which will support MOPAC in effectively challenging and holding the MPS to account at the strategic level.</li> <li>3. MOPAC is also reviewing the wider governance structures to ensure they are appropriately aligned across MOPAC and the MPS and out into the community.</li> </ol>
<p><i>Chapter 6: Involving young people in change</i> <b>Recommendation 10:</b> The Met should work with local community monitoring groups to explain how the police are changing how they use stop and search in each community. This should communicate the successes in improving outcomes and focusing on the crimes that matter to communities. MOPAC should oversee these activities to report back to the Committee about the actions taken in each borough in a year’s time.</p>	<p>Raising the profile of the local Community Monitoring Groups will help identify and highlight successes in improving outcomes as well as those areas that require improvement.</p> <ol style="list-style-type: none"> <li>1. MOPAC has offered training to all community monitoring groups to ensure they have the skills to examine stop and search data to hold the police to account locally for delivering positive outcomes, and for ensuring they are focusing on those crimes that the community has identified as important to them.</li> <li>2. As part of MOPAC’s ongoing support for community monitoring groups,</li> </ol>

MOPAC will work with local groups to assist in making their findings known to the wider public.

3. MOPAC will hold the MPS to account for ensuring it maintains appropriate engagement with local groups by monitoring attendance and interaction with each borough group and the Community Monitoring Network.
4. The representation of stop and search community monitoring groups within the Safer Neighbourhood Board engagement structure presents a new mechanism through which to communicate how stop and search is changing to a wider audience.

## **DRAFT ADVICE NOTE**

Please complete this form for all drafts for signature by the DMPC

<b>NAME OF OFFICER(S) DRAFTING RESPONSE</b>	<b>James Tate</b> <b>Programme Manager, IOM</b> <b>MOPAC</b>
<b>DUE BY DATE</b>	<b>30 May 2014</b>
<b>LINKS</b> Has a check been made whether there is any other correspondence received by MOPAC from this correspondent?	
<b>CONTENT APPROVAL AND QUALITY ASSURANCE GIVEN BY</b>	<b>Martin Tunstall</b> <b>Helen Bailey</b>

## SYNOPSIS

**Please include information to assist the approval and DMPC's consideration of this response.**

- Key points copied from the letter (if not outlined in the draft).
- Details of any legal, media, MPS or other expert advice that has informed this reply.
- Is this a standard response? If so, are there any non-standard clauses to note.
- How politically sensitive is this issue?
- Relevant information about any other related correspondence from the author and the responses provided.
- Information received from the MPS is indented or bulleted so that this is visually clear.
- If this reply is outside the officer's **due by date** please provide reasons for this?

If the draft is self-explanatory without seeing the original letter apply please state **'STRAIGHTFORWARD REPLY'** – please do not leave this section blank.

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**Please see attached letter**