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ASSOCIATION OF CHIEF POLICE OFFICERS

Equality, Diversity and Human Rights Business Area

The Police and Public Encounters Board

Record of Meeting - Wednesday 16 July 2014
Greater Manchester Police HQ
Central Park
Northampton Road (off Oldham Road)
Manchester
M40 5BP

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Not Protectively Marked

1 Terms of Reference

Purpose

1.1 The Police and Public Encounters Board (PPEB) exists to provide a national forum where all issues relating to the interface between the police service and members of the public can be considered and debated. It provides an opportunity to identify and promote best practice.

1.2 The Board sits under the remit of the stop and search portfolio which is part of the Equality, Diversity and Human Rights Business Area. The Association of Chief Police Officers (ACPO) lead for stop and search is Deputy Commissioner Craig Mackey and Commander Adrian Hanstock, the MPS Chief Officer with responsibility for stop and search, chairs the meetings.

Meetings

1.3 The meetings are held quarterly and to reflect the national remit of the meeting, the venue is moved around England and Wales to ensure all forces have an opportunity to attend.

1.4 The latest meeting was held on Wednesday 16 July 2014, from 1pm to 4pm at Greater Manchester Police HQ, Central Park, Northampton Road (off Oldham Road), Manchester M40 5BP. The next meeting will be held **Wednesday 05 November 2014, 1pm at The Allsop Room, West Mercia Police Headquarters, Hindlip Hall, Worcester, WR3 8SP.**

Current membership

1.5 Membership is open to all Home Office forces and Police and Crime Commissioners (PCCs), community representatives and interested parties are encouraged to attend.

Attendees: brackets signify apologies given

Avon and Somerset Constabulary	Supt Mike Prior
Bedfordshire Police	Supt Rob McCaffray
British Transport Police	Supt John Conaghan and Insp Andrew Smith
Cambridgeshire Police	D/Insp Ian Ford (D/Supt Tony Ixer)
City of London Police	A/Ch/Insp Hector McKoy (A/Ch/Supt David Laws)
Cheshire Constabulary	Ms Helen Whitaker
College of Policing (CoP)	Dr Paul Quinton and Insp Nick Glynn
Devon and Cornwall Police	A/Supt Matthew Lawler
Dorset Police	Ch/Insp Bryan Duffy and Ch/Insp Ashley Adams
Equality and Human Rights Commission (EHRC)	Ms Anna Henry
Essex Police	Ch/Insp Craig Carrington
Gloucestershire Constabulary	(Ch/Supt Neil Mantle)

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Greater Manchester Police (GMP)	ACC Gerry Shewan, Ch/Supt Mary Doyle, PS Denise Jacobs, Ms Claire Light and Mr Duncan Stokes
Gwent Police	(Ch/Insp Rod Grindlay)
Hertfordshire Police	Supt Andy McCracken and Ch/Insp Carl Foster
Home Office	Mr John De Sousa and Ms Jayne Pascoe
Humberside Police	Mr Adil Khan
Kent Police	(Ch/Insp Martin Wilson)
Lancashire Constabulary	Ch/Insp Damian Kitchen
Lincolnshire Police	Supt Kieran English
Merseyside Police	Ch/Insp Gary O'Rourke
Metropolitan Police Service (MPS)	Cdr Adrian Hanstock, Insp Simon Rotherham, Mr Ted Henderson and Ms Pat Bastin
National Black Police Association (NBPA)	Ms Franstine Jones and Insp Nick Glynn (also representing Leicestershire Police)
Northamptonshire Police	(Ch/Insp Tom Thompson)
Northumbria Police	Ch/Supt Andy McDyer
Nottinghamshire Police	Supt Paul Burrows
Independent Police Complaints Commission	Mr Mark Hines and Mr James Dipple-Johnstone
Merseyside Police	Ch/Insp Gary O'Rourke
North Wales Police	Insp Julie Sheard
Police Scotland	(Insp Mark Nicol and PC Jayne Ilgunas)
Police Scotland Supts Association	Supt Martin Fotheringham
South Wales Police	Supt Steve Furnham and Insp Steve Clarke
South Yorkshire Police	Ch/Insp Andy Kent and Insp Paul Wright
Suffolk Constabulary	Supt Terry Byford and D/Ch/Insp Tonya Antonis
Surrey Police	Ch/Supt Charlie Doyle and PC Mike Patey
Sussex Police	Insp Simon Starns
Thames Valley Police	Ch/Insp Colleen Lavery and Insp James Willis
West Mercia Police	Supt Mark Travis and T/Insp Phil Norbury
West Midlands Police	Insp David Whordley (Ch/Insp Nick Rowe)
West Yorkshire Police	Insp Wayne Horner
Wiltshire Police	Supt Mark Sellars

Powers and publications

1.6 The Board is convened under the Equality, Diversity and Human Rights Business Area of ACPO. ACPO is an independent, professionally led strategic body. In the public interest and in equal and active partnership with Government and partner agencies, ACPO leads and coordinates the direction and development of the police service in the United Kingdom.

1.7 A record of meeting is produced and it is envisaged these will be eventually published on ACPO web site at www.acpo.police.uk. Records of previous meetings can be obtained from the Board Secretariat.

Contacts and Board Secretariat

1.8 This meeting is administered on behalf of the ACPO Lead by the MPS Stop and Search Team. All correspondence should be directed to Ms Pat Bastin.

2 Introduction

2.1 Stop and search is a powerful police power that is subject to intense political and public scrutiny. In July 2013, HMIC published its report into the nationwide use of stop and search. This critical report made 10 recommendations for forces, PCCs and College of Policing (CoP) to implement. In April 2014, the Home Secretary published the findings from a national consultation process, making a number of recommendations and edicts. The Home Secretary also unveiled the "Best use of Stop and Search scheme," (BuSSs) which is a voluntary code of practice that forces are encouraged to sign up to.

Key facts

2.2 The purpose of stop and search is to assist police officers in the prevention and detection of crime, and to avoid unnecessary arrests in circumstances where a search might eliminate an officer's suspicions. Between April 2012 and March 2013, 1,006,187 stop and searches were conducted in England and Wales, 10% resulted in an arrest.

2.3 There are 20 separate main statutory powers to stop and search but the vast majority of searches are conducted under Section 1 of Police and Criminal Evidence Act (PACE) 1984 and S23 Misuse of Drugs Act 1973. These powers require an officer to have, "reasonable grounds to suspect," that an individual has the prohibited item in their possession.

2.4 The term "S60" refers to Section 60 of the Criminal Justice and Public Order Act 1994, this is a distinct power that allows officers to conduct searches without "reasonable suspicion." If a senior officer believes serious violence may occur, an order for a specified locality and time, may be put in place.

3 Topics discussed

3.1 GMP Use of Stop and Search

The aim was to explain the journey and subsequent challenges and achievements of the present GMP approach to stop and search.

3.1. Ms Claire Light presented and the main discussion points raised were:

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- GMP use Airwave to record stop and search encounters and this has provided many benefits, not only in officer time. However data quality is proving an issue and the number of searches not being completed at the scene but at the police station, is causing further data and mapping issues.
- Following extensive community consultation, it was decided names would not be recorded on the system. As such the system cannot identify persons who are repeatedly stopped and searched but can identify prolific searchers. This approach was not generally supported by other forces who felt the benefits of recording outweighed the negatives.

3.2 Home Office Recommendations Update

The aim was to update the Board and provide clarity on the recommendations that were announced by the Home Secretary on Wednesday 30 April 2014.

3.2.1 Mr John De Sousa presented and explained that it is primarily a voluntary scheme, which forces are being encouraged to sign up to. Some aspects are mandatory and as such will apply to all forces, others are dependent on participation in the Best use of Stop and Search scheme (BuSSs). The launch date is likely to be late August 2014 with a go live date of Tuesday 2nd September 2014. The actual date will be sent out when finalised.

3.2.2 Amending PACE Code A

This will be amended to better enable officers how to identify and apply reasonable grounds. The publication of the stop and search Authorised Professional Practice (APP) literature will be delayed to enable this new guidance to be incorporated. This new definition will apply to all forces and not just those in the BuSSs.

3.2.3 Training

The College of Policing will review current training and where appropriate will develop new training for all levels of the service which will incorporate unconscious bias. This training will then be subject to pass and fail testing, with a formal and regular re-testing/accreditation procedure.

3.2.4 IT

Airwave will be ending soon and will be replaced the Emergency Services Network. Forces must ensure they record stop and search efficiently and the current Body Worn Video (BWV) pilot being run the MPS and evaluated by COP is being monitored by the Home Office.

3.2.5 Data

Forces in the BuSSs will record in more detail the other outcomes that can arise from stop and search. This will involve the separate recording the object searched for and any object found. This extra information will form part of the Annual Data Requirement (ADR). Mapping is not part of the scheme.

3.2.6 Scrutiny

All forces were reminded of the legal duty under Code A of PACE for public scrutiny of stop and search. Compliance with this is mandatory for all forces. HMIC are introducing new annual reviews, of which stop and search will play a key part. Forces in the BuSSs will operate a lay observation scheme to allow members of the community to accompany officers on patrol.

Forces in the BuSSs will also create a “community trigger” relating to complaints and dissatisfaction with stop and search. A relevant rise will then activate a response from the force to address the issues. Due to the low numbers of formal complaints the Home Office is currently working with three forces piloting on-line stop and search feedback. Both Essex and Suffolk Police highlighted their use of QR codes to obtain feedback. Mr Adil Khan of Humberside Police opined that a purely numeric target may be insufficient and a more qualitative approach to complaints is required.

3.2.7 Section 60

All forces will apply the necessity test to all future s60 authorisations. Forces in the BuSSs will raise the authority level to ACC/Commander, limit authorities to a maximum of 15 hours and apply the new test of violence “will” occur rather than the current “may” occur. Forces in the BuSSs will also display greater community engagement both prior and post authority.

Concerns were raised by many of the forces present that they do not have sufficient numbers of ACPO officers on duty to comply with BuSSs. It was proposed for smaller forces leave the authority level at the present level and for pre-planned s60 to be authorised by ACPO rank. GMP have embraced this further and will only implement a s60 following agreement of the community. This “Community Validation” started in 2013 and has proved successful.

Ch/Insp Carrington of Essex Police asked for any consideration of national stop and search form to also consider a national s60 form. This was accepted.

3.3 Force Specific Recommendations

The aim was to establish how the PPEB and its constituent forces would deliver both the Home Office and recent HMIC recommendations.

3.3.1 The following forces volunteered to lead on developing a response to the following Home Office and HMIC recommendations.

Satisfaction

HMIC8: Complaints, feedback and third party reporting

HO8: Community Complaints Trigger

Volunteered forces: GMP and Essex

Public scrutiny

HMIC7: Community scrutiny to include young people

HO11: Public scrutiny to comply with Code

Volunteered forces: MPS and Wiltshire Police

Supervision

HMIC2: In particular, reasonable grounds.

HMIC3: In particular, compliance with code of practice and equality legislation.

Volunteered forces: Notts Police, CoP, Leics Police and Surrey Police

Recording

HMIC9: Nationally agreed form (paper or electronic). As above, this will now include s60

HMIC10: Use technology to record stop and search encounters

Volunteered forces: MPS and TVP

Data

HO5: Record the link between object of the search and its outcome.

HO12: Include stop and search data on police.uk.

Volunteered forces: West Mids Police and West Mercia Police

Section 60

HO9: Expedient to Necessary/May to Will/Inspector to ACC

HO10: 15 hours duration and improved community engagement

Volunteered forces: MPS, GMP and Essex Police

Lay Observation - HO7

Volunteered force: Avon and Somerset Constabulary

4 Conclusion and Recommendations

4.1.1 Stop and Search narrative

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It was appreciated that individual forces have different approaches to stop and search, and the benefits of each force developing their own bespoke narrative/position statement was reiterated. It was found that local nuances aside, there are some common principles that apply to all forces and a national position/narrative should be developed by the College of Policing on these principles.

4.1.2 Use of community groups

It was recommended that all forces create a forum for both community engagement and scrutiny of stop and search. The benefits of this approach were espoused by many forces present at the meeting and all forces are encouraged to adopt it as best practice.

4.1.3 Use of Stop and Search Performance framework

Forces were encouraged to adopt a bespoke stop and search performance framework that sits outside existing often volume based measures. The framework should complement the local narrative/position statement.

4.1.4 BuSSs s.60 authority levels

Cmdr Hanstock, on behalf of the PPEB will hold further negotiations with the Home Office regarding the practical implementation of the raised ACPO authority level for s60 authorities.

Appendices

Appendix A - National contact list

Force	Stop and Search lead
Avon & Somerset	Supt Mike Prior
Bedfordshire	Supt Rob McCaffray
British Transport Police	Supt John Conaghan
Cambridgeshire	D/Supt Tony Ixer
Cheshire	Insp Gareth Woods
City of London	Ch/Insp Helen Issac
Cleveland	
Cumbria	
Derbyshire	
Devon & Cornwall	A/Supt Matthew Lawler
Dorset	Ch/Insp Ashley Adams
Durham	
Dyfed-Powys	
Essex	Ch/Insp Craig Carrington
Gloucestershire	Ch/Supt Neil Mantle
Greater Manchester	Ms Claire Light
Gwent	Ch/Insp Rod Grindlay
Hampshire	

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Hertfordshire	Supt Andy McCracken
Humberside	Ch/Supt Steven Graham
Kent	Ch/Insp Martin Wilson
Lancashire	Ch/Insp Damian Kitchen
Leicestershire	
Lincolnshire	Supt Kieran English
Merseyside	Ch/Supt John Martin
Metropolitan Police	Mr Ted Henderson
Norfolk	
North Wales	Ch/Insp Nigel Harrison
North Yorkshire	
Northamptonshire	Ch/Insp Tom Thompson
Northumbria	Ch/Supt Andy McDyer
Nottinghamshire	Supt Paul Burrows
Police Scotland	Insp Mark Nicol
South Wales	Supt Steve Furnham
South Wales	Insp Steve Clarke (Deputy)
South Yorkshire	Ch/Insp Andy Kent
Staffordshire	Ch/Insp Dave Garrett
Suffolk	Supt Andrew Mason
Surrey	Ch/Supt Charlie Doyle
Sussex	Insp Simon Starns
Thames Valley	Ch/Insp Colleen Lavery
Warwickshire	
West Mercia	Supt Mark Travis
West Midlands	Ch/Insp Ryan Howatt
West Yorkshire	Insp Wayne Horner
Wiltshire	Supt Mark Sellers

Appendix B - Board dates and venues

2013

Date	Host	Record of meeting
Tuesday 14th February	Metropolitan Police Service	Available from secretariat
Thursday 30th May	Metropolitan Police Service	Available from secretariat
Thursday 22nd August	Suffolk Constabulary	Available from secretariat
Tuesday 3rd December	Nottinghamshire Police	Available from secretariat

2014

Tuesday 15th April	Metropolitan Police Service	Available from secretariat
Wednesday 16th July	Greater Manchester Police	Available from secretariat
Wednesday 5th November	West Mercia Police	

2015

Thursday 5th February	West Midlands Police
May/June 2015	

Appendix C: GMP Presentation

Appendix D: Home Office and HMIC recommendations

Appendix E: Avon and Somerset Constabulary Ride Along Scheme. Recommendation
HO7 - Lay Observation