

Are police-initiated stop powers effective?

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Effectiveness of Stop and Search

Stop and Search is described by police forces as an invaluable tool in the fight against crime. If that is the case how can we measure its effectiveness and ensure it is used in a way that increases rather than damages community confidence?

The debate on effectiveness is often aired on the same platform as the debate on disproportionality. Whilst this is understandable – disproportionate use of the power against a particular group that cannot be justified is highly ineffective – it has failed to hold forces to account in their use of the powers. We need forces to set out their strategy for using the power, to understand when it is effective and what alternatives there are for its use.

In the UK there has not been a significant change in the use of Stop and Search since the 2000 report from Miller, Bland and Quinton “The impact of Stops and Searches on Crime and the Community.”

This report found:

- Significant variance between forces in their use of the tactic
- Significant variance for arrest rates arising from Stops and Searches between similar forces
- Seemingly low arrest rates arising from Stops and Searches – around 13%
- There is no evidence of Stop and Search disrupting or deterring crime
- That searches can provide “added value” in the form of intelligence.
- Searches used as a means to maintain order have the potential to cause serious damage to community confidence
- The public are more satisfied with a police stop when they feel they have been treated fairly and politely, given a reasonable explanation,

From our work – detailed below - we would agree with many of these findings. We found that the power was at its most ineffective (predominately used against the wrong individuals) when it is used in an uncoordinated manner. It does not have an impact in the disruption or deterrence of crime in these circumstances.

The issue of arrest rates is however a problematic one that needs to be addressed. We agree with the Miller, Bland Quinton conclusion that:

“In assessing the productivity of searches, attention could be paid to maximising the quality of arrests they produce. Ideally, searches should focus on more serious crimes and more prolific offenders. In this context, the weight given to searches for more minor offences, such as the possession of small amounts of cannabis needs to be considered carefully.” A view that, on its own, a high arrest rate from Stop and

Search equates to increased effectiveness is both overly simplistic and potentially highly damaging to community relations.

The Codes of Practice on the use of Stop and Search are clear that a primary function of the power is to confirm or allay suspicions about an individual. It therefore can be used legally and appropriately and not lead to an arrest. A push towards simply increasing arrest rates will encourage the use of the tactic primarily against drug users with a low level of criminal sophistication and away from prolific and serious offenders who may be more adept at concealing illegal articles or substances.

This paper details work we have been developing to help forces create a strategy for the use of Stop and Search and enter into a debate with communities around its effective use.

A definition of effectiveness

In order to be an effective tool in detecting crime Stop and Search needs to be deployed legally and effectively in the right place, at the right time against the right people. Critically forces need to demonstrate a narrative from intelligence reports through to Stop and Search activity.

Those conducting the searches must do so in a professional and courteous manner whilst ensuring that the search is thorough and meets all the legal requirements.

These elements can all be measured in the majority of forces although recent changes to the Codes of Practice which enable forces to stop recording the outcome of searches and the names of those searched means that some forces are unable to provide this information.

Origins of “Next Steps”

In 2009 the NPIA were commissioned to review police use of Stop and Search and its impact on communities. The catalyst for the work was the apparent disproportionate targeting of the tactic against minority community members by police forces. In this respect the work followed on from the Practice Orientated Package which was designed to enable forces to distinguish between justified and unjustified drivers for disproportionality and the Metropolitan Police’s Operation Pennant which required Borough Commanders to account for levels of disproportionality.

From the outset, it was clear that another focus on disproportionality would not move the debate forward. The arguments around disproportionality have continued for a number of years without prompting any significant change in police behaviour. We therefore focused our work on looking at the effective deployment of the tactic.

The debate on effectiveness needs to precede and not follow the debate on disproportionality.

Overview of Next Steps

Police forces and, in particular, their operational staff, need to use the power of Stop and Search effectively and assertively. They need to be able to demonstrate that every time the power is used it is done in line with PACE, based on up to date intelligence and can be justified by reasonable grounds.

This does not mean that all or even the majority of Stops and Searches will result in an arrest. Arrest rates and levels of disproportionality are both data sets that require rigorous scrutiny however neither set of data provides a definitive measurable definition of effectiveness. It does, however, mean that no Stop and Search will be undertaken without specific reasonable grounds.

To demonstrate this effectiveness we identified the following building blocks:

- **accurate meaningful data**

If we are using data to assess Stop and Search it is essential that it is meaningful. It must therefore be local, up to date and adjusted to it the age profile of those committing offences. Section 95 data – the data source quoted in most debates -fails to meet all these criteria and is not a helpful starting point for a debate.

We need data that holds forces to account. The critical data we examine in the Next Steps process is:

- Do Stop and Search hot spots match crime hot spots?
- Are individual officers significantly more/less disproportionate than their peers?
- Is there a variance in the arrest rates of individual officers operating in the same team?
- Are individual community members repeatedly stopped and searched with no arrests made?

These are the questions that forces can find hard to answer.

- **appropriate use of the National Intelligence Model (NIM)**

Effective use of Stop and Search completes a narrative link from intelligence reports through to the tasking and briefing of officers - i.e. Stops and Searches are focused on key suspects in crime hot spot areas committing offences that are priorities for the force or their local communities.

The strength of this narrative can be assessed in a number of ways:

- Do tasking meetings specifically discuss the use of Stop and Search as a tactic?
- Are the correct people at tasking meetings?
- Are there quantitative targets in the use of Stop and Search set or Implied?
- Is the briefing process is effective? Are individuals identified in the briefing process Stopped and Searched?

- Are front line supervisors capable of delivering briefings?
- Does the briefing process have the confidence of front line staff?

- **effective communication with communities**

Stop and Search is a tool to make communities safer yet it attracts criticism from those communities. To reverse this a force need to ensure that their community understand:

- Why the force uses Stop and Search.
- The potential impact of not using Stop and Search.
- The positive results from the use of the power.
- The different Stop and Search powers and how they are used.

In order to justify the use of the power and promote its effectiveness forces must, of course, ensure that it is used effectively.

- **Stops and Searches conducted appropriately**

The detrimental impact of a poorly conducted Stop and Search cannot be over emphasized. Officers need to understand this but they also need training in how to effectively search individuals.

Key issues are:

- Do officers understand how to conduct the encounters effectively?
- Do officers ensure suspects know and understand the reason for the search?
- Do officers understand the powers and when to use them?
- Are officers confident in their use of the powers and searching techniques?
- Do officers understand the impact Stops and Searches have on individuals and communities?

- **Stop and Search based on “reasonable grounds” that would satisfy an objective observer**

A common understanding of reasonable suspicion by officers, supervisors and the communities they serve is essential to the effective use of Stop and Search.

Debates on “reasonable suspicion” with officers and their communities are illuminating. They can reveal significant differences of opinion. As a starting point forces need to ensure that:

- Officers can justify their reasons for a search to a third party.
- The force intelligence unit understands the difference between crime profiling and race profiling
- There is a common understanding across the force as to what constitutes reasonable grounds
- The force training team can provide officers with examples of reasonable suspicion linked to specific operations conducted by the force.

- Officers are confident that they will be supported by senior managers if they use the powers when reasonable grounds are present.
- **transparent scrutiny at each stage of the process.**

Despite the impact Stop and Search has on community confidence the number of complaints nationally about the use of the power are negligible. This can be partly attributed to the fact that young people, the main recipients of Stop and Search activity, are less likely to complain than their adult counterparts. Therefore the complaints process for the force must be fit for purpose and have the confidence of local young people.

Key factors

Quantitative targets

Despite assurances by senior managers that they do not set quantitative targets we found them present in the majority of forces we worked with. Quantitative targets are set for a variety of reasons:

- The misguided view that extensive use of Stop and Search deters criminal activity.
- Use of Stop and Search as a performance measure for officers
- Use of Stop and Search to increase community confidence
- Use of Stop and Search as a “cheap” alternative to alternative tactics

Whatever the reason for quantitative targets the effects were predictably similar – the effect of the power to catch offenders was poor, officers became de-skilled and communities were alienated.

Under and over recording

During our work on Next Steps we found numerous examples of forces where the recording of Stops and Searches was extremely poor. This brings into question the validity of any analysis based solely on the data.

Over recording occurred in forces where the use of the power was seen as a performance measure and encounters were simply invented.

Under recording occurred in forces where officers felt it was not important unless the individual was likely to complain. This apathetic approach was partly attributed to the view that “the government and management don’t want us to waste our time on bureaucracy”.

In forces where this occurred it was relatively simple to remedy the situation by ensuring a clear and simple instruction went out from the centre supported by senior staff attending officer briefings.

In one station this doubled the number of searches recorded daily within 5 days.

When is Stop and Search an effective tactic? – developing a strategy

In a number of forces Stop and Search was seen as a default option rather than a strategic approach to a crime problem. Rarely was it specifically cited as a preferred option nor was it noted when its use should be avoided.

Ironically it is the focus of work on disproportionality has stopped forces looking at the crucial questions – are officers using the tactic effectively in the right place at the right time against the right people?

Stop and Search is not an effective tactic against all crime types. For example, unless the officer is highly experienced it is rarely effective against drug dealers.

To try and develop a strategy in forces we introduced SBAR to the briefing process.

Use of SBAR

SBAR is a structured communication tool developed by the US and now used extensively in the National Health Service. It is designed to ensure the effective flow of information through organisations. An example of SBAR in the Stop and Search context would be:

Situation

The crime being targeted
The area being targeted
The suspect descriptions

Background

Why has this crime been identified as a priority for the neighbourhood?
The impact of the offending
The intelligence available

Assessment

The tactics available
The community reaction

Recommendation

Actions for officers to follow or avoid.

In all forces we have worked with the introduction of this model into briefings has increased arrest rates and increased officer confidence in the briefing system.

Reasonable suspicion: the key to success

In each force we used “Next Steps” we encountered individuals and teams with both a higher use of the power and a higher arrest rate than their peers. In each instance

it was their heightened understanding of “reasonable suspicion” that produced the results. With teams of officers you can hear the process taking place with officers talking through things they are observing. For individual officers the process occurs internally and is moulded by experience.

In a number of forces we used these experienced officers to host discussions on reasonable suspicion with more junior officers. The discussions covered issues such as how to spot when individuals were carrying knives to the best time to intercept a drugs deal. The sessions always proved popular.

In all forces we encouraged supervisors to initiate discussions with officers around what constitutes reasonable suspicion.

Race Profiling

The term “race profiling” is a highly charged one. All the forces we worked with were clear that this did not and should not take place.

Regrettably this can occur during the briefing process not through overt discriminatory practice but because of a lack of credible intelligence or through poorly formulated briefing slides.

For example in one force there was a suspect described as “a Black male wearing a tracksuit who frequents the fairground”. Given that in the area there were a number of Black males and a significant number of people wearing tracksuits the briefing slide was of no practical use and the “profile” was based solely on race. The force in question immediately withdrew the slide.

Operation Next Steps

Once we were satisfied that a force was using Stop and Search effectively we moved on to a proactive operation to use Stop and Search to target a community priority.

In each force area we used community meetings to identify a crime priority that Stop and Search could be proactively deployed to tackle. The results were then shared with the community.

Lewisham

Lewisham is a borough in South London. It has a high incidence of robbery and personal violence although compared to adjacent London boroughs a relatively low incidence of theft and drug abuse.

Youth involvement in crime is a key issue for the borough:

- 25% of Lewisham residents are aged under 19
- Crime reporting and Stop and Search peaks at school closing time (this does not match national trends)

- The average age of active known criminal gang members in Lewisham is currently 19
- 52% of young people in Lewisham are worried about crime compared to 27% nationally

At the time of our first visit the borough was under significant scrutiny because of its disproportionate use of Stop and Search against the local Black community. In addition its community confidence ratings were low.

Using the Next Steps methodology we found that:

- Stops and Searches were focused in hot spot areas
- Stops and Searches were focused on individuals with a criminal record (over 90%)
- Compared to national figures there were very few repeat Stops and Searches on individuals without arrests
- There are significantly fewer complaints about the use of the tactic in Lewisham compared to other London boroughs
- Officers understood the impact of Stop and Search had on communities
- The apparent disproportionate use of the power was driven by the age range of those stopped and searched.

There were, however, a number of areas of concern:

- There was a lack of a strategy on the deployment of Stop and Search
- There was a limited linkage with intelligence and Stop and Search activity – those individuals targeted through the intelligence process were rarely Stopped and Searched
- There was limited faith by operational officers in the briefing system
- Supervisors were not trained to brief/debrief effectively
- Monitoring was focused on quantity not quality – quantitative targets were still present
- There was a targeting of cannabis possession by officers in their use of Stop and Search despite the fact that this was not listed as a community or police priority

In summary officers were in the right place searching individuals committing offences but they were not searching those individuals responsible for the offences that were damaging community confidence. This anomaly was driven in part through the setting of inappropriate quantitative targets.

Following the submission of our initial report the borough acted quickly:

- The Borough Commander gave clear instructions that the setting of quantitative targets was unacceptable – the focus was to move to the quality and effectiveness of the tactic.
- There was an immediate review of the effectiveness of the tasking and briefing process

- The Next Steps team assisted in a series of training sessions designed to improve Sergeants ability to deliver briefings

We then attended a number of community meetings and talked to a wide cross section of residents in Lewisham.

The community were well informed and aware of the issues arising from Stop and Search activity. They were equally clear about the issues they felt were priorities for the use of the tactic:

- Knife crime
- Gang violence
- Street robberies

The community did not see drugs as a local priority and felt the use of the tactic against the possession of cannabis as “heavy handed” and “counterproductive”.

We therefore focused the use of Stop and Search on Street Robberies. Briefings were reduced from 20+ slides down to 8 and all the slides followed the SBAR format.

The initial feedback from the work needs to be treated with caution - we will not be able to conduct a full change point analysis on the data for twelve months. However the initial data is encouraging:

The new briefing process has reduced the time taken to conduct briefings by 30 minutes per briefing. Operation Next Steps is thereby saving the borough 105 man hours per day.

Officers and supervisors (in a series of focus groups) acknowledge improved confidence in using the power directly as a result of more focused briefings. Feedback from officers has been very positive.

- “Briefings are now very punchy and time effective”
- “They are more relevant”
- “I now feel more confident engaging with individuals identified in briefings”
- “The SBAR helps formulate the grounds/objectives to confidently use Stop and Search powers”

Arrest rate for the first quarter of 2011 has risen from 5.1% to 8.1% from the previous year. We hope to significantly improve on this during the second quarter of the year.

There has been an increased focus on Stopping and Searching those individuals who appear on briefing slides. For the week prior to Operation Next Steps 0% of those identified on briefings were Stopped and Searched and 0% of them were arrested. During the first week of Next Steps this moved to 54% Stopped and Searched and 27% arrested.

Whilst we cannot show a direct causal link community satisfaction as measured by the MPS Confidence and Satisfaction survey in the first set of figures since the launch of Operation “Next Steps”:

- Lewisham Police understand the needs of this community is up 12%
- Lewisham Police are dealing with things that matter to this community is up 10%
- Lewisham Police listen to the concerns of local people is up 16%
- Lewisham Police treat people fairly regardless of who they are up 20%

However the work will potentially increase the disproportionate use of the power against the local Black community. The focus on Street Robbers has concentrated activity on local gangs (responsible for a high percentage of robberies) and known prolific offenders. The Black community are over represented in both these areas.

We have shared these findings at a number of community meetings. In particular we have asked communities to challenge us on the assertion that gang membership and prolific robbers are predominantly from the Black community – we were mindful that intelligence systems could be faulty or biased. We have not had any challenges to date and the feedback from community groups has been supportive.

Work in other forces

“Next Steps” is not an inspection process (that is firmly in the remit of Her Majesties Inspectorate of Constabularies) rather it is collaborative working with forces to improve their deployment of Stop and Search. I have therefore not cited the forces involved in the following examples.

Force A

In a predominately rural force we noted that Stop and Search was being targeted at insurgent drug dealers. The Stops and Searches were highly ineffectual with key suspects being repeatedly searched and not arrested. The force changed tactic and used a test purchase operation. The operation resulted in the arrest of 30 dealers. Notably the jailing of these individuals has significantly reduced the level of disproportionality in the use of Stop and Search.

The tactic was redeployed and focused on searching users leaving “crack houses”. Whilst this use of the tactic did not secure criminal convictions against dealers it did provide sufficient evidence to close 14 crack houses within one month. This, in turn, has led to more information about the location of crack hoses from local residents.

Force B

Following conversations with local community members it was agreed that Stop and Search should be used primarily to tackle drug dealing. Slides were prepared by the intelligence team using the SBAR format. The slides identified 33 key individuals.

The ten week operation resulted in 36 arrests and 24 Stops and Searches of these individuals. Five of the arrests arose directly from a Stop and Search encounter. In addition over the ten week period 26 intelligence logs relating to the 33 suspects were submitted.

The most prolific offender was Stopped and Searched on eight separate occasions and arrested three times. He was discovered in possession of both drugs and firearms and is currently in custody.

Force C

In some areas the community priorities were focused on less serious offences. In Force C it was decided that the community priority would be to tackle anti-social behaviour within a local playground area.

The following results were achieved

Stop & Search: 8

Units of Alcohol seized: 52

Arrests: 0

Positive feedback was received from members of the public in relation to the reduction in anti-social behaviour in the area of the park.

In the same area the force selected their own priority – a reduction of vehicle crime related to local football matches. The operation ran for four months with the following results:

Stop and Search: 58

Arrests: 12

During the operation there was a reduction of 227 offences or 50% on the previous year.

Ways forward

Through our work on “Next Steps” we have started a debate around what constitutes the “reasonable suspicion” required to prompt a Stop and Search. It is this debate that will empower operational staff to use the power equitably and effectively and ensure that the needs of communities are met.

For operational officers the issue of reasonable suspicion touches directly on their ability to operate effectively to reduce crime. What are the signs and signals they need to be alert to spot criminal behaviour? At what point is it appropriate to intercept a street drug deal to ensure that you can secure a conviction? These are all issues that emerge from a debate on reasonable suspicion.

Similarly this debate provides the basis for a meaningful dialogue with communities. At what point do communities believe officers have sufficient grounds to search suspects? The debate is at its most difficult (and fruitful) in discussions with communities about how much credibility officers should assign to information from witnesses. A significant number of Stops and Searches are prompted by information by witnesses – the civilian CCTV operative who sees a young man with a knife under his jacket, the concerned householder who believes he is watching youths dealing drugs in the local park. To what extent do these incidents establish reasonable suspicion?

To date there are no definitive answers but the debate provides the cornerstone to establish whether the power is used effectively. Effective use of Stop and Search is in accord with the accountable use of the power to meet the needs of local communities.