

<b>Audit</b>	<b>Stop &amp; Search</b>
<b>Assurance Opinion</b>	<b>Limited Assurance</b>
<b>Overall Risk</b>	<b>High Risk</b>

## Introduction

In 2013, HMIC (now HMICFRS) published 'Stop and Search Powers: Are the police using them effectively and fairly'. The report concluded that stop and search powers were rarely targeted at priority crimes in particular areas and there was very little understanding in forces about how the powers should be used most effectively, to cut crime.

Subsequently, the Best Use of Stop and Search Scheme (BUSS) was introduced in 2014. The principal aims of the scheme were to achieve greater transparency and community involvement in the use of stop and search powers to support a more intelligence led approach, leading to better outcomes e.g. arrests, cautions, penalty notices for disorder and other disposal types.

The HMICFRS 2017 PEEL Legitimacy inspection included coverage of the use of Stop & Search. The report concluded that like a number of forces, Humberside had seen a reduction in its use of stop and search but included the following recommendations for improvement:

- The force should ensure that officers and supervisors understand what constitutes reasonable ground for stop and search and how to record them.
- The force should ensure that it monitors effectively data on the use of force to ensure that force is used fairly and appropriately.
- The force should ensure that officers and staff understand unconscious bias and how to avoid it.

## Main Findings

### Governance

Chief Officer oversight is provided by the ACC who is the Gold lead for Stop and Search (S&S), supported by a Supt (silver) and Inspector (bronze). The Stop & Search Strategic Plan details and tracks Humberside Police governance of S&S and outlines the four broad areas identified as key for continual improvement including workforce training & awareness, robust internal audit & management scrutiny, independent scrutiny & wider legitimacy and demonstrable effectiveness of S&S.

### Legal and Fair (without bias)

The force had recognised that the current training programme did not specifically include unconscious bias and training in this respect was due to be delivered during the Autumn of 2018. As well as first line supervision, all recorded S&S are reviewed by the Bronze Commander. At the time of the audit, these reviews had only just been undertaken for the months of April, May and June 2018, meaning that there had been a delay of several months between the actual S&S and the inspector review. As a result of a recent HMICFRS inspection which identified some anomalies in the criteria previously applied by the force, the more recent inspector reviews were undertaken for the period April – June 2018 using the higher HMICFRS threshold and consequently noted a higher failure rate than that identified during the earlier months reviewed.

The auditor analysed the data for the six months January – June 2018 using the same higher HMICFRS threshold. The purpose of this exercise was to act as critical friend, providing assurance regarding the consistency of the approach and an independent viewpoint as to whether the force was adequately demonstrating reasonable grounds. The auditor's findings were broadly consistent with the inspector findings for the period April – June when applying the higher HMICFRS threshold. However, the auditor also considered the outcomes for the period January – June 2018. Some concerns were noted both in respect of outcomes where the item searched for had been found but there was no further action and concerns regarding outcomes attributed to S&S where no item was found. The force could be challenged on the legitimacy of searches where no further action is taken even when a searched for item is found. Where no item is found but an outcome is attributed to the S&S, the force could be challenged on the validity of S&S recording.

### Effectiveness

The force, in line with other forces nationally is noting a consistent gradual reduction in the number of S&S#s undertaken. Whilst this could be as a result of more robust application of S&S powers, it could also indicate a reluctance to use the powers in instances where there are legitimate grounds to do so.

As noted earlier in this summary, the auditor identified instances with potential errors in the recording of outcomes which mean that the results of recent S&S's are likely to be flawed in terms of demonstrating effectiveness. It is therefore vital that efforts are made to ensure that items found and outcomes are correctly recorded and that failure to do so is appropriately challenged.

### Impact of S&S on wider public and specific communities

S&S data is presented to and scrutinised by the Force Diversity Group which includes BAME, faith and young representatives. The force also operates a ride-along scheme, though take up has been low. The auditor assessed the Humberside Police public facing S&S webpage and found this fared favourably against the majority of other sites reviewed, providing information to the public on what S&S is, when the force is empowered to use S&S, individual's rights when detained for S&S, complaints procedure and recent S&S statistics for the force.

### Recording & Reporting of S&S

As well as the issues in relation to the accuracy of recording of S&S outcomes covered earlier in this summary, the auditor was advised of an interface issue between Pronto (handheld device) and Connect. This is resulting in the need to manually input data from S&S forms into Connect, increased the risk of error or omission of relevant data/intelligence.

### **Recommendations and Management Action**

Eight recommendations were made, seven of which were significant, including:

- The Inspector dip-sampling, consistent with the HMICFRS approach and threshold, should be undertaken on a more regular, timely basis with prompt feedback to ensure that development needs both of the officer and/or supervisor (where relevant) can be addressed in a timely manner.
- There should be appropriate challenge to Stop & Search outcomes where there is no further action despite the searched for item being found.
- There should be appropriate challenge to Stop & Search outcomes where it is not obvious that the outcome is a direct result of the Stop & Search. If and where relevant, the Stop & Search report should be revised to include the details of the related found item(s).
- The force should develop a proactive mechanism for obtaining feedback from individuals who have been subject to Stop & Search. This feedback should be appropriately reviewed and fed into lessons learnt and organisational/individual development needs.
- The force should ensure that they are maximising opportunities afforded by the roll out of Body Worn Video to monitor and supervise Stop & Searches. This is particularly important but not limited to instances where there has been negative feedback in relation to the Stop & Search to identify lessons learnt or to identify and share examples of best practice.
- The force should continue efforts to promote effective use of Stop & Search powers. This should include, where applicable, reassurance regarding the legitimate use of Stop & Search to reduce any apparent reluctance to utilise the powers where appropriate.
- The force should ensure that the interface issue in relation to Pronto and Connect is resolved. In the meantime, processes should be in place to ensure that where relevant, data is input into Connect in a timely manner so that relevant intelligence is not lost.