

# Stop and Search Recommendations Hampshire

Recommendation		Force update / assessment of progress	Estimated completion date	Grading R/A/G
<p><b>Force Hampshire</b></p> <p><b>Chief officer stop search lead for force</b></p> <p><b>ACC Glen</b> Email acc.territorial.operations@hampshire.pnn.police.uk</p> <p><b>Operational stop search lead for force</b></p> <p><b>PS 3036 Hills</b> Email street.encounters@hampshire.pnn.police.uk</p> <p><b>Date form updated February 2016</b></p>		<p><b>Assessment rating:</b></p> <p><b>RED</b> - Little work yet undertaken in this area. Unlikely to reach deadlines</p> <p><b>AMBER</b> - Work undertaken in area but still requires development to complete</p> <p><b>GREEN</b> - Already complete / believed to be complete within short time scale (and within deadline)</p> <p><b>**Light blue shaded areas do not need to be completed**</b></p>		
<b>No.</b>	<b>HMIC 2013</b>			
1.	Chief constables and the College of Policing should establish in the Stop and Search Authorised Professional Practice document a clear specification of what constitutes the effective and fair exercise of stop and search powers, and guidance in this respect. This should be compliant with the Code of Practice.	Following consultation with the Police and Public Encounters Board a definition and short guidance has been drafted. This has been approved by the NPCC lead for stop and search and the Chief Executive of the College of Policing.		
2.	Chief constables should establish or improve monitoring of the way officers stop and search people, so that they can be satisfied their officers are acting in accordance with the law (including equality legislation and the Code	<ul style="list-style-type: none"> <li>Strategic Street Powers Group and Sub Group meet quarterly. Attendees include Force Stop &amp; Search lead (ACC), Operational lead, District Ch Insps, BME lead, Performance and IAG.</li> </ul>	Complete	

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	of Practice), and that the power is used effectively to prevent crime, catch criminals and maintain public trust. This monitoring should, in particular, enable police leaders to ensure officers have the reasonable grounds (and, where applicable, authorising officers have the reasonable belief) required by law to justify each stop and search encounter.	<p><b>Terms of Reference</b></p> <ol style="list-style-type: none"> <li>1. To ensure the continuous improvement in the lawful and ethical use and recording of stop and search and other street powers.</li> <li>2. To enhance public trust and confidence in the Constabulary's use of stop and search powers.</li> </ol> <ul style="list-style-type: none"> <li>• Performance and Consultation management reports produced on S &amp; S to District Commanders on a quarterly basis.</li> <li>• Districts with high disproportionality identified in November 2014 and District Commanders tasked with completing improvements plans. Monthly meeting held with these Chief Inspectors to discuss progress of plans along with IAG.</li> <li>• Response &amp; Patrol Inspectors dip-sampling completed monthly</li> <li>• Sergeants review of every S &amp; S form.</li> <li>• IAG quarterly dip-sampling of S &amp; S forms in each Policing district</li> </ul>		
3.	Chief constables should ensure that officers carrying out stop and search encounters are supervised so that they can be confident that the law is being complied with and that the power is being used fairly and effectively. Particular attention should be given to compliance with the Code of Practice and equality legislation. (Note: This recommendation concerns real-time supervision whereas Recommendation 2 is about retrospective monitoring)	<ul style="list-style-type: none"> <li>• Supervisor responsibilities in respect of stop and search written in to force policy. Mandated that each and every stop and search must be reviewed by a Sergeant and action taken to ensure that any issues are raised and remedied with the searching officer immediately.</li> </ul>	Complete	

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4.	The College of Policing should work with chief constables to design national training requirements to improve officers' understanding of the legal basis for their use of stop and search powers; skills in establishing and recording the necessary reasonable grounds for suspicion; knowledge of how best to use the powers to prevent and detect crime; and understanding of the impact that stop and search encounters can have on community confidence and trust in the police. Specific training should also be tailored to the supervisors and leaders of those carrying out stops and searches.	For the College of Policing to respond.		
5.	Chief constables should ensure that officers and supervisors who need this training are required to complete it and that their understanding of what they learn is tested.	<ul style="list-style-type: none"> <li>Initial training students are tested on what they have learnt through practical exercises, i.e. role plays using students from local colleges. Current student intake due to receive role play training in July and August which will be scrutinised by two IAG members.</li> <li>Havant District received training in 2014 following complaint from a black individual who was repeatedly stopped and searched in 2014. No other S &amp; S training has been delivered to the rest of the force.</li> <li>The force recognises that there is a gap which needs to be addressed (pending recommendation 4 above); therefore a refresher package is to be delivered in 2016. Currently under development.</li> </ul>	April 2016	

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6.	Chief constables should ensure that relevant intelligence gleaned from stop and search encounters is gathered, promptly placed on their force intelligence systems, and analysed to assist the broader crime- fighting effort.	<ul style="list-style-type: none"> <li>• Relevant intelligence placed on daily briefing slides by intelligence unit for frontline officers to brief in teams at the start of their duty. Regularly reviewed and updated by intelligence unit or deleted when no longer deemed relevant.</li> </ul>	Complete	
7.	Chief constables should, in consultation with elected policing bodies, ensure that they comply with the Code of Practice by explaining to the public the way stop and search powers are used in their areas and by making arrangements for stop and search records to be scrutinised by community representatives. This should be done in a way that involves those people who are stopped and searched, for example, young people.	<ul style="list-style-type: none"> <li>• Stop and Search page on the force website explains police use of stop and search, 'Keep calm and know your rights' information displayed for young people.</li> <li>• IAG process in place for each district. Quarterly dip-sampling of C12A's completed with SPOC. New guidance written and disseminated to all SPOCs with a view to producing meaningful information which will be published on the force website.</li> <li>• IAG members accompany officers on patrol/on operations.</li> <li>• Youth IAG member contacted to be a rep on Street Powers.</li> <li>• PCC Youth Commission members invited to take part in Lay Observer Scheme</li> <li>• Student attachment and feedback Programme to be piloted with the University of Portsmouth with greater role out planned to Winchester/Southampton University and Colleges</li> </ul>	Complete	
8.	Chief constables should ensure that those people who are dissatisfied with the way they are treated during stop and search encounters can report this to the force and have their views considered and, if they wish, make a formal complaint quickly and easily. This should include gathering information about dissatisfaction reported to other agencies.	<ul style="list-style-type: none"> <li>• Complaints process detailed on subject copy of C12 form.</li> <li>• Force website stop and search page details how a complaint can be made.</li> <li>• Form also available on the stop and search force webpage for individuals, community members/leaders to give feedback about stop and search in their area. This is routed directly to the Street Powers mailbox and fed into the IAG/Street Powers Strategy group.</li> <li>• Professional Standards Dep't gather data in respect of Stop &amp; Search breaches and incivility and provide these to the Strategic Street Powers Group/IAG.</li> </ul>	Complete	


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9.	<p>Chief constables should introduce a nationally agreed form (paper or electronic) for the recording of stop and search encounters, in accordance with the Code of Practice.</p> <p>Note: HMIC accept that as long as forces' systems can provide information that meets the minimum recording requirements for stop and search, then this will satisfy this recommendation.</p> <p>The NPCC lead for stop and search has developed the minimum recording requirements for stop and search and forces are requested to provide an update/assessment of progress against these requirements.</p>	<p>No national form available.</p> <p>Hampshire Constabulary satisfy the minimum recording requirements for stop and search</p>	Complete	
10.	<p>Chief constables should work with their elected policing bodies to find a way of better using technology to record relevant information about stop and search encounters, which complies with the law and reveals how effectively and fairly the power is being used.</p>	<ul style="list-style-type: none"> <li>• 6 month BWV pilot carried out on IOW where it was mandated that all stop and search encounters were recorded.</li> <li>• BWV now being gradually rolled-out across the force.</li> <li>• BWV process added to IAG scrutiny guidance.</li> </ul> <p>Mobile solution required to record stop and search electronically at the point of the interaction; in order to improve accuracy of data recording and allow feedback to be given.</p> <p>Requires technology updates Nationally before this can be achieved.</p>	Sept' 2016	
<b>Best Use of Stop and Search Scheme</b>				
1.	<p>Data Recording – forces will record the broader range of stop and search outcomes e.g. arrests, cautions, penalty notices for disorder and all other disposal types. Forces will also show the link, or lack of one, between the object of the search and its outcome.</p>	<p>Following outcomes now recorded;</p> <ul style="list-style-type: none"> <li>i. Arrest (as is currently required);</li> <li>ii. Summons / charged by post;</li> <li>iii. Caution (simple or conditional);</li> <li>iv. Khat or Cannabis Warning;</li> <li>v. Penalty Notice for Disorder;</li> <li>vi. Community resolution; or</li> <li>vii. A no further action disposal.</li> </ul>	Complete	

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		Data available to show the link or lack of one between object of search and outcome		
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2.	Lay observation policies – providing the opportunity for members of the local community to accompany police officers on patrol using stop and search.	<ul style="list-style-type: none"> <li>• IAG members regularly patrol with officers</li> <li>• FPP 24703 written and published – Community Observer Scheme which allows members of the public to patrol with officers. This is extended to University and College Students who will provide analysis and feedback as part of the scheme.</li> </ul>	Complete	
3.	Stop and search complaints 'community trigger' – a local complaint policy requiring the police to explain to local community scrutiny groups how the powers are being used where there is a large volume of complaints.	Trigger of 1 complaint set. Professional Standards notify Operational Force Lead of complaint which is then taken forward to scrutiny groups at Street Powers Strategic meeting.	Complete	
4.	Reducing section 60 'no-suspicion' stop and searches by – <ul style="list-style-type: none"> <li>(a) raising the level of authorisation to senior officer (above the rank of chief superintendent);</li> <li>(b) ensuring that section 60 stop and search is only used where it is deemed necessary – and making this clear to the public;</li> <li>(c) in anticipation of serious violence, the authorising officer must reasonably believe that an incident involving serious violence will take place rather than may;</li> <li>(d) limiting the duration of initial authorisations to no more than 15 hours (down from 24); and</li> <li>(e) communicating to local communities when there is a section 60 authorisation in advance (where practicable) and afterwards, so that the public is kept informed of the purpose and success of the operation.</li> </ul>	Specific response required for each of the 5 points: <ul style="list-style-type: none"> <li>(a) Authority of Assistant Chief Constable or above required</li> <li>(b)(c)(d)(e) - complete and written into new guidance document G15V</li> </ul> <div style="text-align: center;">  <p>\\CQ186SVR\ Personal Data\3036\C</p> </div>	Complete	

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HMIC 2015				
1.	With immediate effect, while changes to the Authorised Professional Practice are being considered, the College of Policing should publish a working definition of what constitutes an effective and fair stop and search encounter.	Following consultation with the Police and Public Encounters Board a definition and short guidance has been drafted. This has been approved by the NPCC lead for stop and search and the Chief Executive of the College of Policing.		
2.	Chief constables should, with immediate effect, develop plans that set out how each force will complete the action required to make good progress in relation to the recommendations in HMIC's 2013 report, and publish these plans so that the public can easily see them on their websites. These plans should include the action forces are taking to comply fully with the Best Use of Stop and Search Scheme, initiated in April 2014 by the Home Secretary.	This action plan satisfies and demonstrates this recommendation.	Complete	
3.	HMIC expects chief constables to use the self-assessments they completed as part of this inspection to formulate their plans, alongside any other relevant information. We expect all forces to have completed, or to be making good progress in relation to, the recommended actions by November 2015.	This action plan satisfies and demonstrates this recommendation.	Complete	
4.	Within twelve months, chief constables and the College of Policing should agree and implement a set of minimum recording standards for the police use of the Road Traffic Act 1988 power to stop motor vehicles and the Police Reform Act 2002 powers to search for and seize alcohol and tobacco from young people for the purpose of assessing their effective and fair use.	The NPCC stop and search lead will work with the College of Policing on this recommendation. The NPCC lead will seek the views of forces.		



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5.	Within twelve months, the Home Office should establish a requirement for sufficient data to be recorded and published in the Annual Data Requirement to allow the public to assess how effective and fair the police are when they use these powers.	For the Home Office to respond.		
6.	Within twelve months, the Home Office should incorporate the Road Traffic Act power to stop motor vehicles and the Police Reform Act Powers to search for and seize alcohol and tobacco into Code A, so that officers are provided guidance about how they should use these powers in the same way that Code A provides guidance about stop and search powers.	For the Home Office to respond.		
7.	Within twelve months, the College of Policing should make sure that the relevant Authorised Professional Practice and the stop and search national training curriculum include instruction and guidance about how officers should use the Road Traffic Act 1988 power to stop motor vehicles and the Police Reform Act 2002 powers to search for and seize alcohol and tobacco from young people in a way that is effective and fair.	For the College of Policing to respond.		
8.	Within three months, chief constables should require their officers to record all searches which involve the removal of more than an outer coat, jacket or gloves. This record must specify: the clothing that was removed; the age of the person searched; whether the removal of clothing revealed intimate parts of the person's body; the location of the search including whether or not it was conducted in public view; and the sex of the officers present.	<p>Hampshire fully compliant due to information recorded on paper form but requires technology solution at National level.</p> <ul style="list-style-type: none"> <li>• New search form designed and disseminated across the force which encompasses extent of search beyond JOG.</li> <li>• Changes required to our Niche (IT) System which need to be carried out by all Niche forces. Change request put in by Dorset which is due for testing in July '16.</li> <li>• Front loading app changes required to input search record into Niche. Can only be achieved once Niche changed.</li> </ul>	<p>August '15</p> <p>Sept' 2016</p> <p>April 2016</p>	

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9.	<p>Within twelve months, the Home Office should incorporate into Code A, a requirement for the recording of all searches which involve the removal of more than an outer coat, jacket or gloves and a requirement for officers to seek the authority of a supervising officer before strip searching children.</p>	For the Home Office to respond.		
10.	<p>Within twelve months, the Home Office should work with forces to establish a requirement for sufficient data to be published in the Annual Data Requirement to allow the public to see whether or not the way that police conduct searches that involve the removal of more than an outer coat, jacket or gloves is lawful, necessary and appropriate.</p>	For the Home Office to respond.		
11.	<p>Within three months, chief constables should put in place a process to report, at least once a year, the information they get from recording searches that involve the removal of more than an outer coat, jacket or gloves to their respective police and crime commissioners*and to any community representatives who are engaged in the scrutiny of the use of stop and search powers to help them assess whether these searches are lawful, necessary and appropriate.</p> <p>*The term “police and crime commissioners” is used as shorthand so as to make reference to police and crime commissioners, the Mayor’s Office for Policing and Crime in the Metropolitan Police District and the Common Council of the City of London.</p>	<p>Hampshire fully compliant due to information recorded on paper form but requires technology solution at National level for data extraction.</p> <p>At this time until the relevant technology fixes are obtained nationally, any request for this information would need to be obtained by an individual manually checking each stop and search form.</p>	Sept’ 2016	

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12.	<p>Within twelve months, the College of Policing should make sure that the relevant Authorised Professional Practice and the stop and search national training curriculum include instruction and guidance about how to make sure that searches that involve the removal of more than an outer coat, jacket or gloves are conducted in a way that are lawful, necessary and appropriate.</p>	For the College of Policing to respond.		
<b>APPGC recommendations</b>				
9	<p><b>Recommendation 9:</b> The Home Office and College of Policing should use the “Best Use of Stop and Search” scheme to promote good practice in relation to the stop and search of children and young people by encouraging police forces to:</p> <ul style="list-style-type: none"> <li>• improve the recording of data so that accurate statistics can be presented on the number of children and young people who have been stopped and searched, including whether this resulted in an arrest, summons, requirement to attend a voluntary interview, or confiscation of drugs or a weapon;</li> <li>• enable young people to participate in public scrutiny and lay observations;</li> <li>• promote clear complaints mechanisms to under 18s;</li> <li>• set out procedures for police liaison with child protection teams where any risks or concerns are identified following searches.</li> </ul>	<ul style="list-style-type: none"> <li>• We are able to produce statistics on the number of stop and searches conducted on young people, this can be broken down by the outcome of the stop however we do not record ‘voluntary interviews’ on the search form. These would be recorded in the officer’s Pocket Note Book.</li> <li>• Youth Strategic IAG member invited to participate in Street Encounters work.</li> <li>• PCC’s Youth Commission members invited to take part in Lay Observer Scheme.</li> <li>• ‘Keep Calm and Know Your Rights’ information and downloadable leaflets/wallet card available on Hants Police website. This is aimed at improving young people’s knowledge of their rights when stopped and searched and advises them on how to complain. Youth working group to be formed with a view to re-branding and re-launching.</li> <li>• Any risks or concerns raised as a result of a search are recorded on a Youth at risk report and tasked into the Central Referral Unit where they are discussed at the Multi Agency Safeguarding Hub.</li> </ul>	Complete	

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10	<p><b>Recommendation 10:</b> The National Police Lead on stop and search should ensure that all police forces have in place independent stop and search scrutiny panels to examine the use of stop and search. These panels should be representative of the local population and address the disproportionate use of stop and search on specific groups, including children and young people, and the use of stop and search on particularly vulnerable groups such as under-10s.</p>	<ul style="list-style-type: none"> <li>All Hampshire Districts have Independent Advisory Groups/Scrutiny Groups who meet regularly. Some Districts have youth representatives, as does the Strategic IAG. Work is being done by District Ch Insp to make these groups representative of the local population.</li> <li>Stop and Search is a standing agenda item at these meetings.</li> </ul>	April '16	
12	<p><b>Recommendation 12:</b> Following the Government's review of stop and search, the Home Secretary announced that stop and search data will be made available to the public in local crime maps. This should include data on the stop and search of children.</p>	<ul style="list-style-type: none"> <li>Hampshire supply data to Police.Uk on stop &amp; search, this includes data relating to the persons age. Police.Uk began publishing data last month and is now available for all participating forces.</li> </ul>	Complete	
13	<p><b>Recommendation 13:</b> The Government should revise statutory guidance to the police on carrying out stop and search (PACE Code A) so that it:</p> <ul style="list-style-type: none"> <li>makes clear to police officers that the safety and welfare of the child must be of paramount consideration when undertaking a stop and search on a person below the age of 18, highlighting their duty under section 11 of the Children Act 2004;</li> <li>requires police forces to record the date of birth of children and young people on stop and search forms and central recording systems. To deal with cases where a child does not disclose his or her age, the Code should include the expectation that officers make a visual estimate of the child's age.</li> </ul>	For HM Government to respond.		

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14	<p><b>Recommendation 14:</b> The College of Policing should publish guidance within Authorised Professional Practice (APP), following public consultation, on the use of stop and search on children and young people. This should include:</p> <ul style="list-style-type: none"> <li>• procedures police officers should follow to protect vulnerable children, such as children in care, children under the age of 10, and those at risk of abuse and exploitation;</li> <li>• supplementary guidance to support police officers on best practice in carrying out stop and searches on children and young people, and in particular those under the age of 10;</li> </ul> <p>Advice on how police forces should enable children and young people to provide feedback in relation to their interaction, or advice on how to make a complaint if they feel they have been treated badly or unfairly.</p>	For the College of Policing to respond.		
15	<p><b>Recommendation 15:</b> There should be a presumption against under-10s being stopped and searched except in exceptional circumstances. Where stop and search does take place on children under 10, a parent or guardian should be informed at the earliest opportunity. A copy of the stop and search form should be forwarded to the police force's child protection team for onward referral to children's services where appropriate.</p>	<p>Written into Force Policy and Procedure. Communication to officers that in any case of u 10 being searched a Child At Risk (CYP) report must be completed and tasked to CRU for discussion by the MASH (Multi Agency Safeguarding Hub)</p> <p><b>Update</b> – written into FPP 24702 and published in Routine Orders 19/08/15.</p>	September '15	