

Stop and Search Recommendations

Recommendation		Force update / assessment of progress	Estimated completion date	Grading R/A/G
Force <i>Norfolk & Suffolk</i> Chief officer stop search lead for force <i>Norfolk T/ACC Nick Dean</i> <i>Suffolk ACC Rachel Kearton</i> Operational stop search lead for force <i>Norfolk CI Jason Broome</i> <i>Suffolk Supt Andy Mason</i> Date form completed <i>1st July 15</i>	Assessment rating: <u>PLEASE SHADE BOX APPROPRIATE COLOUR.</u> RED - Little work yet undertaken in this area. Unlikely to reach deadlines AMBER - Work undertaken in area but still requires development to complete GREEN - Already complete / believed to be complete within short time scale (and within deadline) **Light blue shaded areas do not need to be completed**			
	No. HMIC 2013			
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 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.	<ul style="list-style-type: none"> A quarterly stop search report is now produced covering all aspect of the use of this power. This report is presented to the Independent Stop Search Scrutiny Panel (ISSSP) who review the document and hold the police to account on behalf of the public for their use of the power. Once satisfied the ISSSP sign off on the report. In addition, the ISSSP review a selection of stop search 	31/11/15	

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		<p>form to ensure that they have been conducted in accordance with the law, where there are concerns over the use of the power the ISSSP can refer the form back to a District Commander for them to review with the officer conducting the search; the District Commander must then report their findings back to the ISSSP. This data is captured in the quarterly report.</p> <ul style="list-style-type: none"> The report is then reviewed at executive level by the ACC Local Policing and signed off. The Joint Public Encounters Improvement Board reviews feedback from the ISSSP for both counties, any external bodies recommendations, or any other interested parties to ensure continuous professional development of stop search. 		
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"> All stop search forms are checked and signed off by a supervising officer. The ISSSP described at recommendation 2 above also supports this process; if a form is submitted back to an officer by the ISSSP then the supervisor who checked and signed the form off will also receive an intervention from the District Commander. 	31/11/15	
4.	The College of Policing should work with chief constables to design national training requirements to improve	For the College of Policing to respond.		

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	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.			
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"> At present stop search training is only provided during initial training. Further training was conducted on the introduction of BUSS. On completion of recommendation 4 by the CoP above refresher training will be given to all front line officers in line with any timeframes recommended by the Cop; there will be different training packages for PCs and sergeants. 	31/3/16	

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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"> The new stop search form has a section for IR Number to prompt/encourage officers to submit intelligence following a stop search where appropriate All IR are added to the force crime/intelligence system in a timely manner and actioned in accordance with existing processes. October 2015, introduction of Athena all intelligence is linked. 	1/11/14	
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.	ISSSP in place and as far as is reasonably practicable young people and/or adults representing young people are encouraged to be members.	1/11/15	
8.	<p>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.</p> <p><i>The All-Party Parliamentary Group for Children (APPGC) states that forces should enable children and young people to provide feedback on their interaction or advise how to make a complaint if they feel they have been treated badly or unfairly. See Recommendation 14 in APPGC section below.</i></p>	<ul style="list-style-type: none"> New stop search form now gathers information about dissatisfaction and is reported on in the quarterly report to the ISSSP. Any MOP who indicates dissatisfaction is written to by the supervisor of the officer who conducted the stop and invited to contact them to discuss/address their dissatisfaction. The stop search form & website provide clear information on how to make a formal complaint to police. The E&D team regularly runs community conversations with the BME community to address issues with stop search and address any dissatisfaction. Community conversations are held across the county with BME groups by the equality and diversity team where stop search is discussed and any dissatisfaction measured and reported on back in force. 	1/11/14	

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		<ul style="list-style-type: none">• Third party reporting centers exist. <p>*APPGC recommendation will be progressed and monitored at recommendation 14 in APPGC section below.</p>		
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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>	<ul style="list-style-type: none"> • Update on minimum data recording provided. • N&S working with Athena group to develop and introduce an Athena stop search form (paper or electronic). • Seven force Athena working group established to change Athena to make data collection compliant with recommendations. 	31/3/16	
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"> • Athena will improve intelligence from stop search • Mobile data delivered, now exploring paperless stop search recording • Body worn cameras to be explored 	31/3/16	
Best Use of Stop and Search Scheme				
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><i>The APPGC also requires specific recording of stop and search encounters with children and young persons and specific data capture. See Recommendation 9 in APPGC section below</i></p>	<p>The full range of stop search outcomes and the link, or lack of one between the object of the search and its outcome are recorded.</p> <p>*The additional requirements of APPGC will be monitored and progressed at recommendation 9 in APPGC section below.</p>	1/11/14	

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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.	Joint N&S policy in place	1/11/14	
3.	<p>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.</p> <p><i>APPGC Recommendation 9 states children and young persons should also be included in this process.</i></p>	All stop search complaints in N&S are considered as a trigger and each is reported to the Independent Stop & Search Scrutiny Panel; the terms of reference for this group required the force lead for stop search to present all relevant complaints to them on a quarterly basis; this process includes complaints by children	1/11/14	
4.	<p>Reducing section 60 'no-suspicion' stop and searches by –</p> <ul style="list-style-type: none"> (a) raising the level of authorisation to senior officer (above the rank of chief superintendent); (b) ensuring that section 60 stop and search is only used where it is deemed necessary – and making this clear to the public; (c) in anticipation of serious violence, the authorising officer must reasonably believe that an incident involving serious violence will take place rather than may; (d) limiting the duration of initial authorisations to no more than 15 hours (down from 24); and (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. 	<p>Specific response required for each of the 5 points:</p> <ul style="list-style-type: none"> (a) Now at ACC or above; communicated to all staff over a variety of media and face to face briefings. (b) Chief Officer Group (COG) briefed and literature provided on new requirements; any use of S.60 will be communicated to the public as appropriate to the circumstances. The force will consult and take advice from the ISSSP how this can best be achieved to inform the community(s) most likely to be affected. (c) COG briefed, written guidance provided and included in template form. (d) COG briefed, written guidance provided and included in template form. (e) Any use of S.60 will be communicated to the public as appropriate to the circumstances (in advance if pre-planned). The force will consult and take advice from the ISSSP how this can best be achieved to inform the community(s) most likely to be affected. 	1/11/14	

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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 AP is published on the force web site	31/7/15	
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.	<ol style="list-style-type: none"> 1. BUSS – Complete 2. 2013 HMIC Recommendations - Ongoing 3. 2015 HMIC Recommendations - Ongoing 4. APPCG Recommendations - Ongoing 	30/11/15	
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.	<ul style="list-style-type: none"> N&S are Athena forces Athena will capture stop search data and whilst all forces have the same minimum data capture requirements most forces capture additional information. The aspiration is to agree a single data capture requirement across all Athena forces (a regional stop search form, paper or electronic). A change control has already been made of Athena to meet the requirements of BUSS but the 2015 HMIC recommendations will require an additional change 		

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		<p>control.</p> <ul style="list-style-type: none">N&S have just completed 6 month program of work to become BUSS compliant; new joint form, joint policy, joint data base, new policies to meet BUSS and associated training/briefing to front line staff. These changes has a time and financial cost to the organization and whilst the same work could be repeated in N&S to meet this requirement N&S have taken the decision that it is more cost effective and efficient to undertake these changes in Athena; however, the need for regional agreement and Athena changes will extend the timeframe required to achieve this recommendation.		
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9.	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.	For the Home Office to respond.		
10.	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.	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>	<ul style="list-style-type: none"> As per recommendation 8 above; N&S position is to bring these changes into place with Athena and not develop a local solution that will only have a short life span before being subsumed by Athena. Reporting processes are in place to the OPCC and the new data requirements can easily be added to this reporting. 	31/11/15	

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12.	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.	For the College of Policing to respond.		
APPGC recommendations				
9	<p>Recommendation 9: 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"> a. 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; b. enable young people to participate in public scrutiny and lay observations; c. promote clear complaints mechanisms to under 18s; d. set out procedures for police liaison with child protection teams where any risks or concerns are identified following searches. 	<ul style="list-style-type: none"> a. Most outcomes are already captured under the changes made on the introduction of BUSS; however, there are a number of new outcomes that need to be added; attend a voluntary interview and confiscation of drugs/weapon. b. A variety of engagement tools are in place to allow young people scrutiny over stop search but this needs to widened. Young people (16+) are eligible to take part in lay observations. c. As per b. above but in addition our complaints mechanism is available on line, issued at a stop search d. Officers are expected to submit a child at risk form if they come into contact with any child/YP whom they have concerns for. This would apply to stop searches; however, the submission of a child at risk form is not capture or monitored. <p>In summary, recommendation complete as captured as part of the BUSS scheme.</p>	31/12/15	

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10	Recommendation 10: 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.	Scrutiny panels are in place. These as far as is reasonably practicable representative of the local population.	1/11/14	
12	Recommendation 12: 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.	<ul style="list-style-type: none"> Norfolk and Suffolk Constabularies live on police.uk with stop search mappa. 	30/11/15	
13	Recommendation 13: The Government should revise statutory guidance to the police on carrying out stop and search (PACE Code A) so that it: <ul style="list-style-type: none"> 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; 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. 	For HM Government to respond.		

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14	<p>Recommendation 14: 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"> 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; 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; <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>Recommendation 15: 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>	<ul style="list-style-type: none"> No process has yet been established to achieve this recommendation. Learning and Development to introduce this presumption into officer training 	31/3/15	