

Stop and Search Annual Report 2021/22



Foreword



Stop and search remains an important police power for tackling crime and protecting the public when it is used fairly and effectively. I recognise the concerns regarding disproportionality both in national and local policing data, and in turn the impact this has on communities and individuals. It is critical for the legitimacy of policing to maintain the trust and confidence of all communities and I am committed to ensuring we continue to have open and transparent dialogue on how police powers are used.

The Independent Scrutiny Panel is an important part of our arrangements for stop and search. It has assisted our understanding of disproportionality, and to ensure that our approach is legitimate, well evidenced and recognises the impact on communities. This report has been published to explain stop and search data in more detail, to illustrate the internal and external scrutiny and accountability arrangements which are in place, and to enable assessment of the lawfulness, effectiveness and understanding of how these powers are used in Sussex.

Deputy Chief Constable Julia Chapman



I have been encouraged by the progress made by Sussex Police this year around creating and sharing meaningful datasets. The external Sussex Police Stop and Search Scrutiny Panel has been instrumental in demanding more from the data it receives. Panel members have been seeking statistics that can best uncover disparity: find rates by ethnicity; repeat stop and searches reported; more accurate reporting of ethnicity; objects being searched for; and data about complaints. Panel members

have also acknowledged good practice when it is presented. Data presented by District Commanders have grown in detail and content; the very best presentations have provided context, narrative and honest reflection, which has been welcomed by the panel. But the panel are always striving for greater scrutiny. The panel also view body worn video, which has been helpful in better understanding the stop and search process. The 18+1 metric has been a helpful breakdown of ethnicity; the panel strives to make sure the data makes sense and are always finessing and often curating the way data is presented. One of the successes this year is the removal of 'unknown' as a category within ethnicity data sets, which has built further integrity into the statistics. The panel has demanded more from Sussex Police, venturing into related aspects of stop and search, including a focus on vehicle stops (Section 163 of the Road Traffic Act (RTA) 1988) and a focus on children and young people, including an increased awareness and identification of vulnerability of children and young people and an emphasis to safeguard under the Children Act 1989 and working in partnership with social care, health services and education. The panel has been keen to see this employed proportionately across ethnic groups, to ensure Black, Asian and minoritised ethnic children and young people also have the same opportunities as British white children and young people not to be disproportionately criminalised. As chair, I have also attended the internal Stop and Search Scrutiny Board meetings, which have included examination of data and supervision activities, which again has been a positive move by Sussex Police. Finally, this year, I would like to see Sussex Police make courageous steps in taking a stand against discrimination, wherever it finds it, and win the trust of all communities in Sussex.

Dr Anusree Biswas Sasidharan, Chair of the independent Stop and Search Scrutiny Panel

1 Introduction

The aim of this report is to provide a transparent view of the use of stop and search powers in Sussex over the last 12 months, and to explain what Sussex Police is doing to improve the service it provides and ensure police powers are used effectively, legally and proportionately.

Sussex Police's aims are to

- **protect communities**
- **catch criminals, and to**
- **deliver an outstanding service to victims, witnesses, and the public**

Police officers meet, chat, and informally advise members of the public thousands of times every day. This is the nature of effective community policing and highlights our tradition of policing by public consent.

There is a distinction to be made between an informal chat and where police officers are seeking information about a person's whereabouts, intentions or where the officer suspects the person is, has been or is about to be involved in unlawful activity. The generic name for these encounters is stop and search, even where a physical search doesn't actually take place. The public tend to include traffic stops in this same category.

The primary purpose of stop and search powers is to enable officers to allay or confirm suspicions about individuals carrying unlawful items, without exercising their power of arrest, where the officer has reasonable grounds for carrying out a search.

College of Policing

2 Legitimacy and transparency

Every stop and search must have a basis in law; the officer carrying out the stop and search must only do so using one of the powers provided for in the legislation; and it must be the right power in the circumstances. The officer conducting the stop and search must always record the grounds of the search, including the self-defined ethnicity of the person being searched (and, if different, their ethnicity as perceived by the officer conducting the search), the date, time and place the person was searched, the object of the search (that is, the article the officer was searching for such as weapon, drugs, stolen property) and the legal power used, and a receipt must be offered.

Definition of fair and effective stop and search

This definition has been subject to broad consultation with members of the public, stakeholders, campaign and monitoring groups, police officers and staff. A stop and search is most likely to be fair and effective when:

- the search is justified, lawful and stands up to public scrutiny.
- the officer has genuine and objectively reasonable suspicion they will find a prohibited article or item for use in crime.
- the person understands why they have been searched and feels that they have been treated with respect.
- the search was necessary and was the most proportionate method the police officer could use to establish whether the person has such an item.

3 Public engagement and scrutiny

Engaging directly with the public helps us to develop appropriate policies and provide a policing approach that is inclusive, effective and considerate to the needs of all people in our communities. To complement the daily engagement by neighbourhood policing colleagues, Sussex Police has established a range of coordinated public advisory groups - including a Stop and Search Scrutiny Panel.

Stop and Search Scrutiny Panel

Since January 2018, Sussex Police has established an independent Stop and Search Scrutiny Panel, to enable people from across Sussex's communities to provide independent quality assurance and scrutiny around the use of stop and search powers. The panel meets regularly throughout the year and decides which areas or teams within Sussex are subjected to detailed scrutiny during the meeting. Specific functions of the panel include reviewing body worn video and assessing:

- **Disproportionality of district level data:** detailed exploration of force wide, departmental and district level statistical data for in depth scrutiny.
- **The lawfulness of grounds:** the quality of stop and search records using a calibrated framework.
- **Outcomes of activity:** items found and subsequent police action.
- **Stop and search complaints:** relating to stop and search, providing feedback on investigation decisions.

- **Use of Section 60:** ensuring that section 60 stop and search is used only where it is deemed necessary.

Findings of the panel are provided to the force Legitimacy Board for central oversight and action where necessary, and a report of each meeting is published on our [website](#).

Independent Advisory Groups

Sussex Police is committed to regularly engaging through coordinated meetings with people from across all communities, to gain independent views, understand concerns and advice on our policing approach and the delivery of our service. This includes an Ethics Committee, an external scrutiny panel for Use of Force, a Strategic Independent Advisory Group and local Independent Advisory Groups for each division, to understand the differing effects local policing may have on geographical communities. In addition to this, Sussex Police coordinates external reference groups, to understand the issues and concerns from across different communities (e.g. Disability, Gypsy & Travellers, Race, LGBT, and Faith).

If you would like to get involved in the scrutiny of stop and search, use of force or as a public advisor in one of our external reference groups, email Diversity@sussex.pnn.police.uk.

4 Internal governance and scrutiny

In recognition of public concerns and a duty to ensure police powers are used fairly and effectively, Sussex Police has implemented a comprehensive framework of governance, assurance and accountability. This includes the Chief Officer's legitimacy, central scrutiny by the Local Policing Support Team and geographical scrutiny by Divisional Command teams.

Sussex Police Legitimacy Board

The Legitimacy Board is chaired by the Assistant Chief Constable for Operations. Meeting on a quarterly basis and attended by senior leaders and Independent Advisors, it holds Divisional Commanders to account and scrutinizes force policy and practice in relation to legitimacy or ethical concerns. The Board reviews Sussex-wide stop and search data including:

- Disproportionality and trends
- Divisional scrutiny and compliance
- Training requirements and compliance

Internal Stop and Search Scrutiny Board

The internal Stop and Search Scrutiny Board is chaired by the Superintendent portfolio lead. It provides governance of divisional and departmental activity and scrutiny arrangements, to ensure consistent, fair and effective stop and search activity across Sussex, including:

- Divisional disproportionality
- Alignment of activity to local priorities
- Monitoring of data quality and analysis of outcomes
- Oversight of Section 60 authorisations
- Compliance of Divisional scrutiny of supervisory reviews, including body worn video

Central HQ scrutiny

Central scrutiny is conducted by the Local Policing Support Team (LPST), which completes force-wide audits to assess compliance and reports to the Legitimacy Board. Direct feedback is also provided to supervisors and searching officers. Detailed scrutiny by the support team includes an assessment of individual cases with respect to:

- Lawfulness of grounds recorded and reasonable grounds for suspicion
- Officer interaction on body worn video and receipt being offered
- Completion of risk assessment forms for vulnerable people
- Individuals subjected to repeat stops and stops on young people
- Trends by individual officers
- Survey feedback from individuals who have been searched

Divisional scrutiny

Each of the three geographical policing divisions (West Sussex, East Sussex, and Brighton and Hove) hold monthly performance and scrutiny meetings. Stop and search forms part of the divisional strategic performance review, and scrutiny at this level includes reviewing:

- Disproportionality and trends and comparative data across districts
- Find rates across teams, including disparity and volume and trends by individual officers
- Activity alignment to local and force priorities
- Individuals subjected to repeat stops, lawfulness of grounds recorded
- Quality of supervisory assessment and Section 60 and Section 60AA authority

Supervisors of officers conducting stop and searches also have a responsibility to check the quality of grounds recorded on all stop and search forms and to ensure activity is proportionate. They also view body worn video records and, if necessary, take steps to address improvement such as further training or supervisory action.

Public feedback and complaints

Stop and search receipts, including information of the officer who conducted the search, are offered once the search is conducted. The receipt includes information about how to provide feedback or make a complaint. In 2021 Sussex Police implemented an email receipt function, enabling individuals to receive digital confirmation of the stop and providing an opportunity to participate in a survey regarding their experience as well as further engagement with policing - through this method they can provide useful feedback about their experience and, if they are willing, can be invited to contribute to the external scrutiny process or provide a personal account to assist with the training of officers. In addition to this, anyone can make a complaint or provide positive feedback at a police station or through our website: <https://www.sussex.police.uk/fo/feedback/tc/thanks-and-complaints/>

5 Stop and search data

From January to December 2021, 6,737 separate stop and searches were carried out on 5,836 unique individuals. There were 24 individuals who experienced being stopped and searched at least 5 times, of which 1 individual was stopped 8 times. The search outcome was higher for this group of individuals, with an item found 46% of the time, of which the intended item was found in 28%

of occasions. Over the same period, those 24 individuals were linked to 720 occurrences and were known to police for criminal or anti-social activity.

Grounds for searching

Grounds for conducting a stop and search are developed from a range of sources, including calls from the public; police intelligence; and individual officers establishing grounds (often based on something they have seen). Table 1 below shows the range of how grounds were developed, as well as how successful they were in finding a prohibited item. When grounds were initiated by the officer, this was more likely to result in an item being found, and these accounted for 50% of all stop and searches conducted.

Search Result by Source	Item Found	Intended Item Found	Other Item Found
Officer Initiated - 50%	42%	33%	9%
Report by Public – 43%	30%	20%	10%
Intelligence Generated – 4%	37%	27%	10%
Police Operation – 3%	39%	31%	8%

Table 1: Stop and search find result by initiating source (1/2021 – 12/2021)

Purpose of search

Chart 1 below illustrates the items being searched for. More than one item can be recorded as the item expected to be found. In over half of all searches, officers were looking for drugs, and 20% for offensive weapons. The 'other' category includes a wide range such as fireworks and stolen goods.

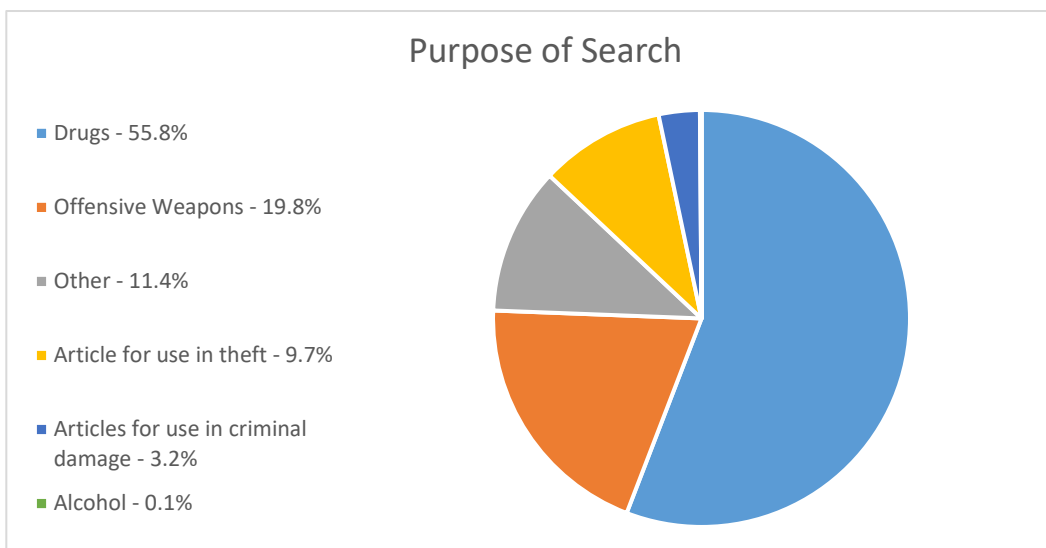


Chart 1: Stop and search object searched for (1/2021 – 12/2021)

Outcome of searches

Out of the 6,737 searches, 37% resulted in an item being found and in 27% of occasions the item found was directly related to the initial reason, with the remaining involving another prohibited item being found. The section above indicated that possession of drugs was the most common reason for searching. Drugs, in particular, can often be very readily concealed, disposed of or

consumed in the moment prior to a search, which creates a practical difficulty for officers and can impact find rates.

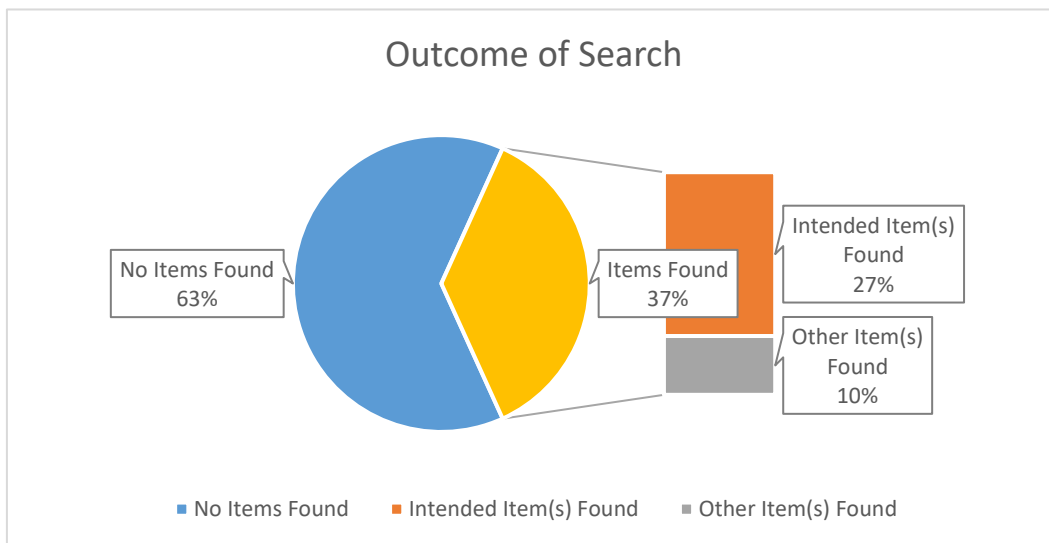


Chart 2: Stop and search outcome of search (1/2021 – 12/2021)

Result of item being found

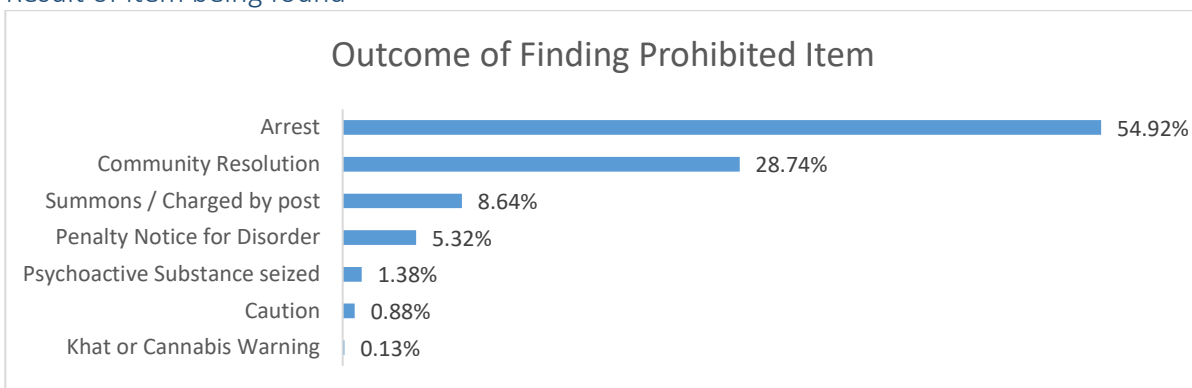


Chart 3: Result of stop and search by positive outcome (1/2021 – 12/2021)

Ethnicity

In 2021, Sussex Police conducted 6,737 stop and searches. Chart 4 below illustrates the proportion of people stopped and searched by the ethnicity they provided during the encounter. The proportion of Black people stopped and searched was 9.6% compared to a resident population of 0.9%. The proportion of Asian, mixed and other ethnic groups stopped did not indicate any differences compared to the resident population.

Like other forces, we work to understand this disproportionality. One of the challenges that we face is the lack of up-to-date baseline data, because census population information is ten years out of date and does not take into account movements in and out of the county (for instance student populations and tourists). It is also important to recognise that the use of stop and search powers is not restricted to Sussex residents; many searches are conducted with people who are travelling into the county, meaning that statistics based on the population of Sussex will not reflect an accurate demographic picture of who was in Sussex when the search occurred.

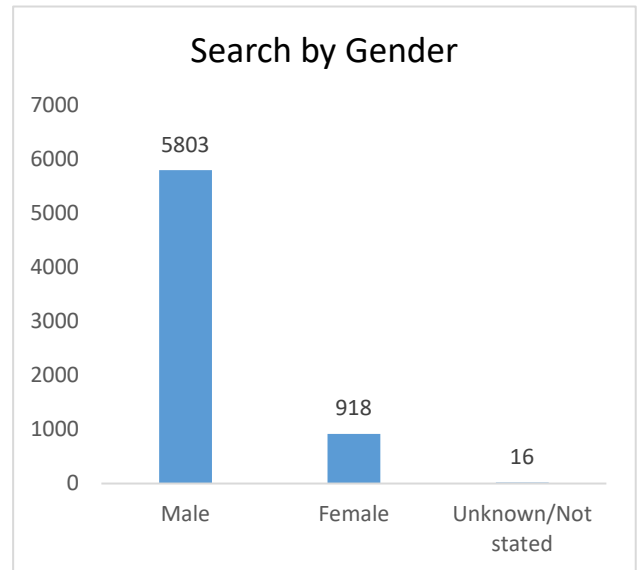
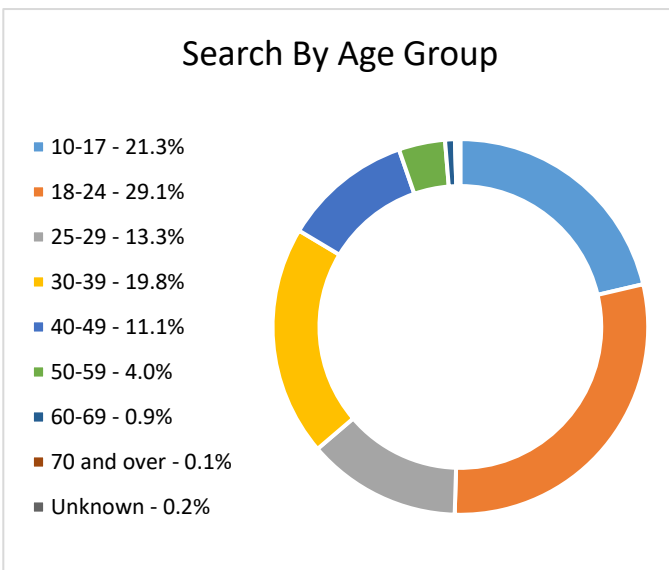
The chart below shows the ethnicity of people who were stopped and searched in 2021.



Chart 4: Stop and search subjects by ethnicity. Self-defined ethnicity is used in the first instance; however, if this was not provided the perceived appearance has been supplied instead. (1/2021 – 12/2021)

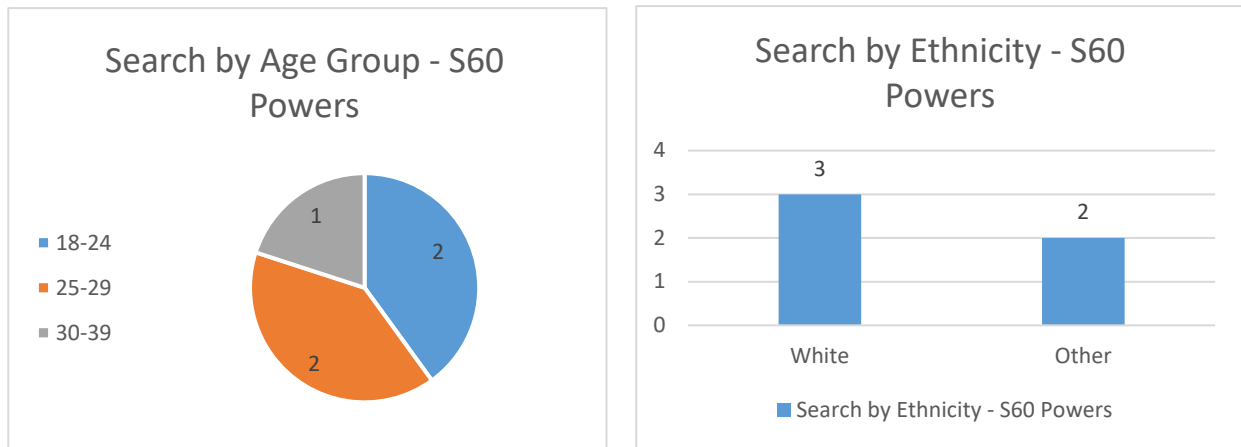
Age and gender

Charts 5 and 6 show the age and gender of individuals who were stopped and searched.



Charts 5 & 6: Stop and search subjects by age and gender (1/2021 – 12/2021)

The following two charts show the breakdown of Section 60 searches by age and the ethnicity provided by the subject during the stop.



Charts 7 and 8: S60 stop and search subjects by age and ethnicity (1/2021 – 12/2021)

In every instance, the purpose of search was recorded as looking for 'Offensive Weapons'. Overall, there were no records where a prohibited item was found, and therefore no outcomes recorded.

Section 60 searches

Section 60 of the Criminal Justice and Public Order Act 1994 (S60) gives police the right to search people in a defined area during a specific time period when they believe, with good reason, that:

- incidents involving serious violence will take place in the police area
- persons are carrying dangerous instruments or offensive weapons without good reason in the police area or
- an incident involving serious violence has taken place in the police area and a dangerous instrument or offensive weapon used in the incident is being carried by a person in the locality

S60 is different to other stop and search powers in that it requires the authority of a senior officer who, in order to grant an authorisation, must reasonably believe that one or more of the permitted grounds above applies and that it is necessary to use section 60 powers to achieve a legitimate aim.

Between January and December 2021 Sussex Police used this authority to grant stop and search powers on one occasion and carried out 5 searches on individuals, accounting for 0.07% of the 6,737 stop and searches that were carried out overall in this period.

Further information on Sussex Police stop and search data can be found on data.police.uk

6 Future focus on stop and search

Disproportionality in stop and search data is an issue both nationally and in Sussex. Sussex Police recognises the negative effect and serious concerns this has on trust, confidence and building effective relationships with Black, Asian and minority ethnic communities. Sussex Police is actively committed to continuing engagement and dialogue with communities, our Race Advisory Group,

and the Stop and Search Scrutiny Panel to further understand this issue and identify how the disparity in the way these powers are used can be mitigated.

Update on Sussex Police priorities for stop and search 2020/2021

- **Increase the proportion of people providing ethnicity information**

Sussex Police has communicated the importance of capturing data for ethnicity during searches, to enable reliable analysis of activity. In addition to this, changes have been made to our analytical systems which enable reports to populate the officer-recorded ethnicity, when the person searched has declined to state. This has enabled improved scrutiny internally and through the external panel by the removal of 'unknown' as a category within data charts for ethnicity.
- **Improve the find rate following stop and search**

Out of the 6,737 searches between January and December 2021, 37% resulted in an item being found and in 27% of occasions the item found was directly related to the initial reason, with the remaining involving another prohibited item being found. The data demonstrates a 3% increase of an item being found and a 2% increase of being directly related to the initial grounds, as reported in last year's paper.
- **Deliver effective internal governance and scrutiny on use of powers**

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 - Divisional disproportionality
 - Alignment of activity to local priorities
 - Monitoring of data quality and analysis of outcomes
 - Oversight of Section 60 authorisations
 - Compliance of supervisory reviews
- **Deliver effective public scrutiny through independent panels**

Sussex Police has continued to host its independent scrutiny panel, utilising digital platforms to enable participation during Covid restrictions. The panel has met quarterly over the last year, selecting the following areas for detailed scrutiny:

 - Eastbourne District (October 2020)
 - Children and Young People – specific focus (January 2021)
 - Rother District (April 2021)
 - Hastings District (July 2021)
 - Vehicle stops (October 2021)
- **Increase engagement in local communities about the use of stop and search**

Sussex Police's community engagement strategy has set objectives for neighbourhood policing teams to actively engage with local communities and community groups: to discuss how different powers are used (including stop and search), to understand issues and concerns, and to improve trust and confidence and promote careers in policing.

- **Improve awareness of unconscious bias among officers and staff**
Since the publication of last year's report, Sussex Police has revised the content of police officer staff safety training, to include a specific focus on understanding how individual biases can influence behaviours which can lead to using stop and search powers disproportionately amongst different communities and the subsequent impact this has on community confidence.

- **Enhance existing training to include:**
 - effective engagement with young people during stop and search
 - understanding the impact of stop and search on communities - this is being developed into staff safety training for officers
 - identifying vulnerability when conducting a stop and search - this will include notifying parents of children and young people.

Sussex Police priorities for stop and search 2022/2023

As well as maintaining the work described above, priorities for the next year will include:

- Continue development into understanding factors of disproportionality in policing outcomes following a stop and search encounter.

- Further enhance scrutiny by revising the quality assurance process of officer grounds, to enable greater calibration and consistency for both the internal and external independent assessments.

- Identify and implement additional opportunities for capturing feedback from communities regarding their experiences of stop and search.

- Increase the participation of young people in the scrutiny of stop and search.

- Increase scrutiny of vehicle stops.

How to get involved

If you would like to get involved in the scrutiny of stop and search or use of force, or as a public advisor in one of our external reference groups, email Diversity@sussex.pnn.police.uk.