



Stop and Search

Annual Report 2023/2024

Forewords

Stop and search remains an important police power for tackling crime and protecting the public. It is essential that this and all police powers are used fairly and proportionally. Sussex Police recognise that stop and search is an area of concern for the community and disproportionately affects Black people.

We commit to explain or reform any area of policing that disproportionately impacts on Black, Asian or ethnic minority people or communities. This report has been published to explain stop and search data in detail and illustrate the internal and external scrutiny and accountability arrangements which are in place.

Sussex Police invite feedback and will work together with our communities to ensure we use our powers lawfully, effectively and appropriately to protect our communities.

Deputy Chief Constable Dave McLaren and Assistant Chief Officer Anita Grant

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Glossary

Stop and Search: Where a police officer exercises legislative power to detain an individual for the purpose of searching their person or vehicle for prohibited items

Positive Outcome: A search that has an outcome such as arrest, the seizure of items, a caution or community resolution.

Community Resolution: An out of Court disposal. This is used for less serious crimes and first-time offenders. The Community Resolution will be based upon a restorative justice framework eg a letter of apology, attendance at an awareness event etc

No further action (NFA): A form of outcome following a stop and search which does not result in any further action being taken. This is used where no items were found and / or there is no legitimate basis for action to be taken

His Majesty's Inspectorate of Constabularies and Fire and Rescue Services (HMICFRS): Independently assesses the effectiveness and efficiency of police forces and fire & rescue services, in the public interest

Stop and Search External Scrutiny Panel: A panel made up of public volunteers who review body worn video footage and grounds of stop and searches. They provide feedback on the whole process.

Stop and Search Internal Scrutiny Panel: A panel made up of Police Officers and staff who review stop and search processes including body worn video footage and grounds of stop and searches. This panel will provide feedback on searches and identify any learning points, disseminating them Forcewide.

Introduction

The aim of this report is to provide a transparent view of the use of stop and search powers in Sussex since the previous report published in xxxxxxxx. This report will explain what Sussex Police are doing to ensure police powers are used effectively, legally and proportionately set against Sussex Police's priorities;

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

Sussex Police continues to engage closely with the public and HMICFRS to demonstrate its continued effort to strengthen the scrutiny and transparency of stop and search.

Legitimacy and Transparency

Stop and search in Sussex Police is scrutinised to ensure the Code of Ethics are complied with and each interaction is proportionate, legitimate and lawful.

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 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 object the Officer was searching for such as weapon, drugs, stolen property)
- the legal power used and must offer a receipt.

The officer(s) engaged in the search must ensure their Body Worn Video Camera is switched on to capture the entirety of the interaction.

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 were 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.

Use of stop and search within Sussex is scrutinised by the Internal Stop and Search Scrutiny Panel, headed by a Superintendent who leads this portfolio area. Findings are recorded and actions taken to continue Sussex Police's improvement where necessary and recognition of good practise.

Scrutiny is also provided by the External Stop and Search Scrutiny Panel, Chaired by a member of the public. This group scrutinise Sussex Police's use of stop and search powers by interrogating BWV and recorded grounds provided by the officer/s.

Sussex Police is a proactively anti-racist Police Service and recognise that the use and scrutiny of stop and search powers are pivotal in addressing the disproportionality both nationwide and locally. Both scrutiny panels support the ongoing growth of policing in challenging and holding practise to account in order to continually drive learning and change.

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 considers 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 an External Stop and Search Scrutiny Panel which was formed in January 2018 and meets once every quarter.

This panel encompasses people from across Sussex's communities to provide independent quality assurance and scrutiny around the use of stop and search powers. The panel decides which areas or teams within Sussex are subject 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 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.

- Children and Young Persons: Following the Strip Search of Child Q in the Metropolitan Police and the publication of the Local Child Safeguarding Practice Review in March 2022, this area of scrutiny forms a standard agenda item on both scrutiny panels.
- Use of Section 60: ensuring that the Section 60 stop and search power is only used where it is deemed necessary.

During the period this report covers, Sussex Police further engaged with the community within this portfolio area by way of:

- Independent Advisory Groups
- Ethics Committee
- External scrutiny panel for Use of Force
- Strategic Independent Advisory Group
- Local Independent Advisory Groups for each Division of the county, being East, West and Brighton & Hove.

This enables us 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 Romany, 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.police.uk

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:

Chief Officer's Culture and Standards Board

This is chaired by the Deputy Chief Constable 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

Chief Officer's Local Policing Accountability Board

Central scrutiny is conducted by the Local Policing Service Improvement and Engagement Department (LPSIED) which assesses compliance and reports to the Local Policing Accountability Board providing feedback also to the Culture and Standards Board and RAPID Board.

Chief Officer's Race Action Plan Insights and Delivery

Chaired by the Chief Staff Officer for Trust and Legitimacy, this meeting sets and drives actions in line with the national race action plan, identifying and tracking areas of improvement.

Internal Stop and Search Scrutiny Panel

This panel is chaired by the Superintendent portfolio lead for Sussex Police. 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, trends and comparative data across Divisions
- Alignment of activity to Force priorities
- Adherence to the Code of Ethics
- Oversight of Section 60 and 60AA authorities
- Compliance of Divisional scrutiny of supervisory reviews, including body worn video
- Review of repeat searches of the same individual(s) with a thorough investigation into the grounds, looking at any Officer trends within their other powers, such as arrest and use of force.
- Review of complaints relating to Stop and Search.
- Lawfulness of grounds for a stop and search
- Officer interaction on Body Worn Video and a receipt being offered
- Completion of Risk Assessment forms for vulnerable persons
- Stops on young people
- Trends by individual Officers
- Survey Feedback from individuals who have been searched
- Compliance of all Adult and Youth Exposed Intimate Parts searches
- Find rates across teams including disparity and emerging trends
- Quality of supervisory assessment

Training

Training Over the last twelve months, officers in Sussex have completed a program of training where they have engaged in eLearning and variable scenario training, utilising different parameters during each scenario, impacting on the resultant outcome.

At the conclusion of each scenario, officers are de-briefed and encouraged to reflect on their performance and reflect on how they might feel if they were the searched subject or a family member being stop searched.

Through group discussion post scenario, officers have an opportunity to hear how their peers perceived their interactions and how they might approach the situation differently.

The program of training is ever evolving, with openness and transparency placed at its core, inviting discussion and reflection, so that officers have a greater understanding of the possible impact their interactions have with members of the public and the perception of the greater public either positively or negatively.

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 by way of a QR code, or how to 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 feedback at a police station or through our website: <https://www.sussex.police.uk/fo/feedback/complaints/complaints/>

Stop and Search Data

From April 2023 to Mar 2024, 6,610 separate stop and searches were carried out on 5,610 unique individuals. There were 22 individuals who experienced being stopped and searched at least 5 times, of which 6 individuals were stopped 7 times or more. The search outcome was higher for this group of individuals, with an item found 22% of the time, of which the intended item was found in 14% of occasions. Over the same period, those 22 individuals were linked to 145 occurrences and were known to police for criminal or anti-social activity. The overall proportion of stop and searches carried out in 2023/24 that resulted in an item being found was 38%, (30% of occasions the intended item was found).

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 41% of all stop and searches conducted.

Table 1: Stop and search find result by initiating source (4/2023 – 3/2024)

Search Result by Source	Item Found	Intended Item Found	Other Item Found
Report by Public – 47%	31%	22%	9%
Intelligence Generated – 4%	41%	32%	9%
Police Operation – 8%	38%	34%	4%
Officer Initiated- 41%	46%	38%	8%

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. For around half of all searches officers were looking for drugs, and 21% for Offensive weapons. The 'other' category includes a wide range such as fireworks and stolen goods.

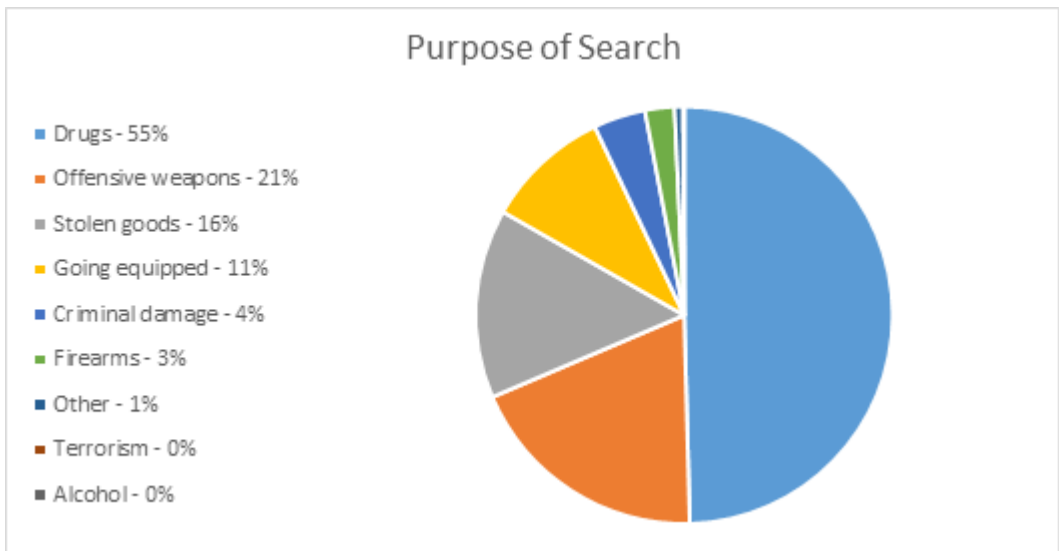


Chart 1: Stop and search object searched for (4/2023 – 3/2024)

Outcome of Searches

Out of the 6,610 searches, 38% resulted in an item being found and in 30% 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.

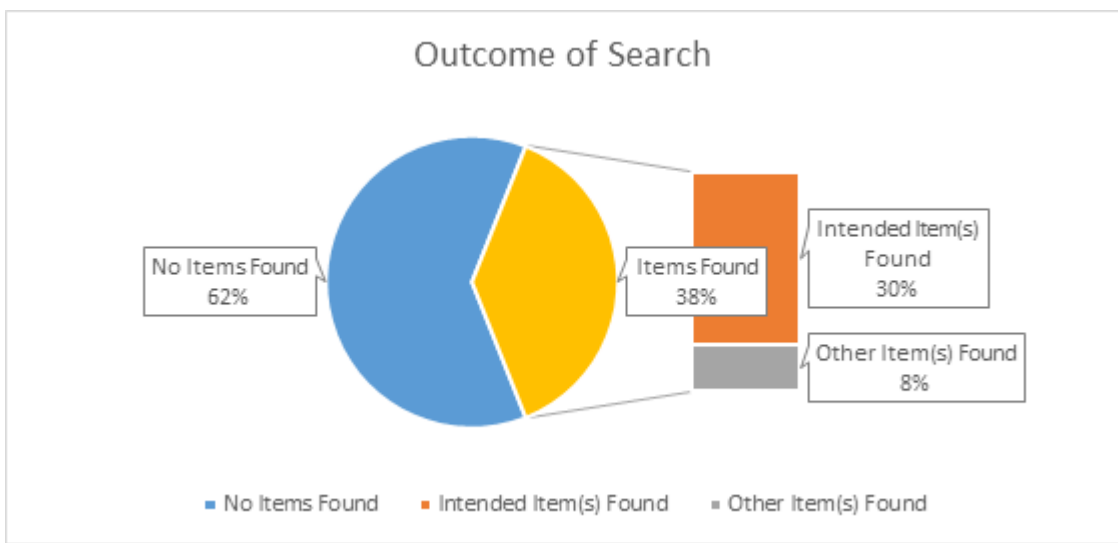


Chart 2: Stop and search outcome of search (04/2023 – 04/2024)

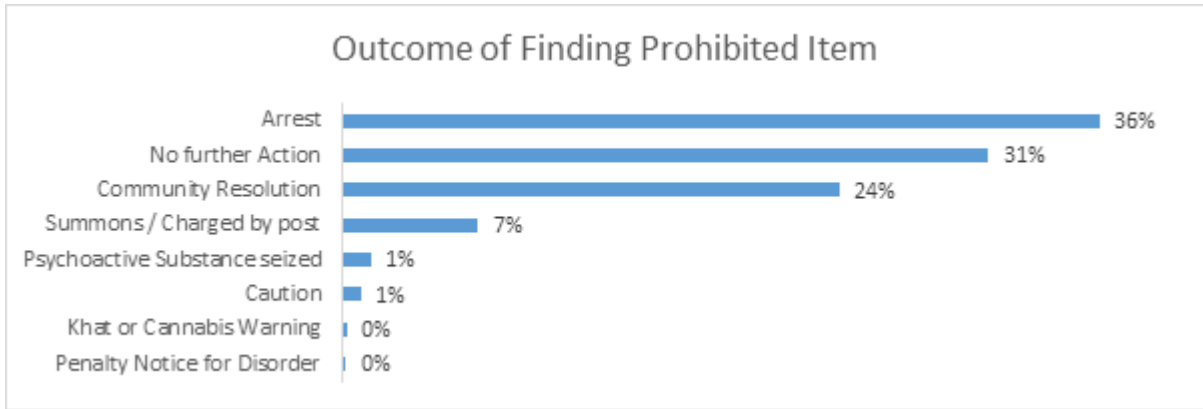


Chart 3: Result of stop search by positive outcome (4/2023 – 3/2024)

Ethnicity

In 2023/2024, Sussex Police conducted 6,610 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 9.2% compared to a resident population of Sussex of 1.3%. The proportion of Asian and mixed people showed little or no difference in this respect. Other ethnic groups stopped did show some difference at 3% compared to a resident population of 1%.

Like other forces, we work to understand this disproportionality. One of the challenges that we face is that the data 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 are 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 2023/24.



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. (4/2023 – 3/2024)

Age and Gender

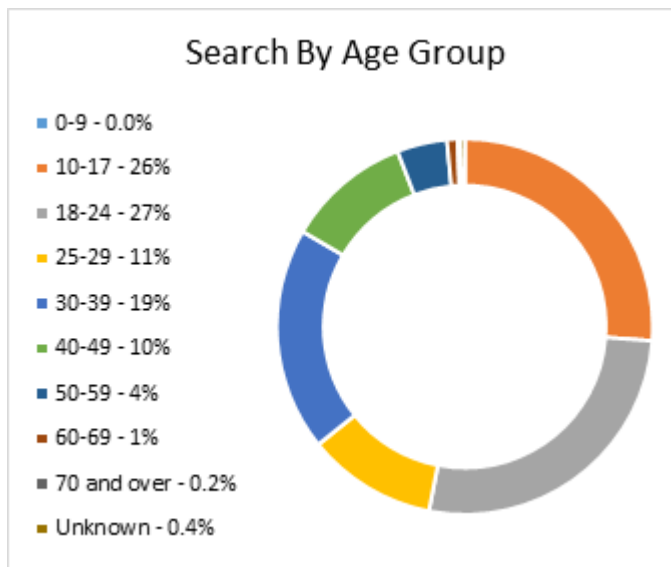
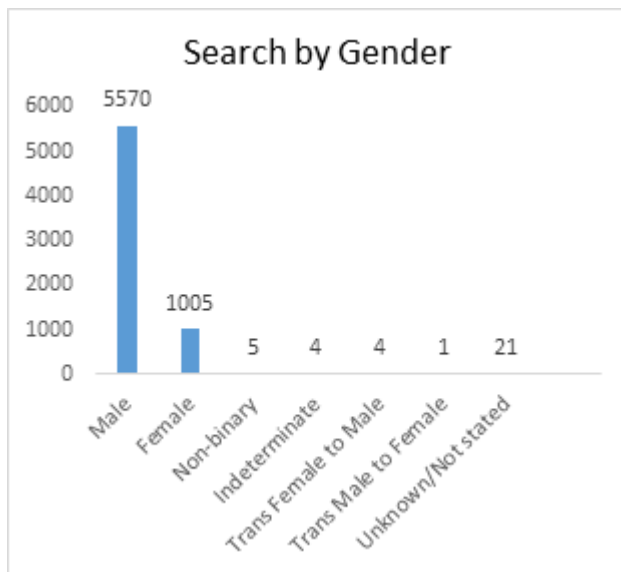


Chart 5 & 6: Stop and search subjects by age and gender (4/2023 – 3/2024)

Section 60 Searches

Section 60 Section 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.

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

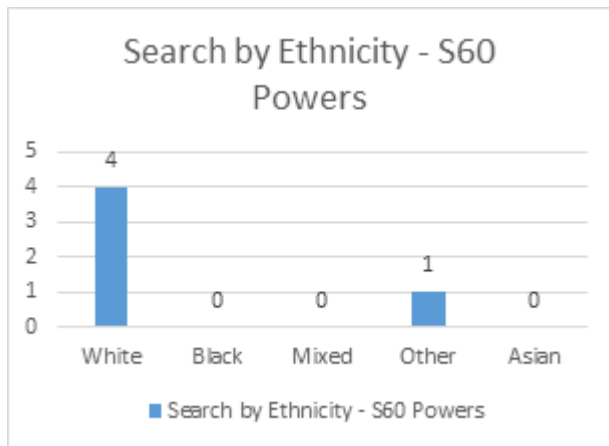
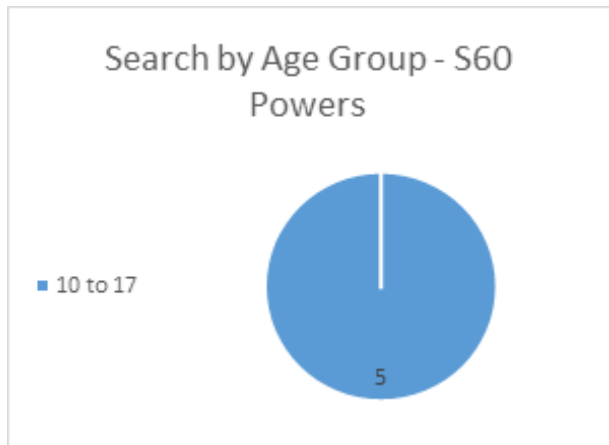


Chart 7 and 8: S60 stop and search subjects by age and ethnicity (4/2023 – 3/2024)

In every instance, the purpose of search was recorded as looking for 'offensive weapons'. Overall, there were 0 records where the intended prohibited item was found. However, there was one arrest of a White subject in possession of cannabis.

Between 1st April 2023 and 31st March 2024 Sussex Police used this authority to grant stop search powers on 1 occasion and carried out 5 searches on individuals accounting for 0.1% of the 6,610 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

Future Focus on Stop and search in Sussex Police

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

- Data has previously revealed that proportionally more members of the Black community than White were searched on suspicion of being in possession of controlled drugs with intent to supply them, rather than simply being in possession of them. In order to understand this a deep dive analysis was conducted. An equal number of 85 White and 85 Black subject stop and search interactions were selected at random and reviewed by two subject matter experts in this area of business. The focus was on officer initiated stop and searches conducted under Section 23 of the Misuse of Drugs Act exploring several impact factors which might influence an officer's decision making. As a result, we have shared these learnings internally and incorporated these findings into stop search training to ensure they influence future decision making for front line officers conducting stop searches and for those officers making policy decisions.
- Internal Scrutiny panels review and analyse identified officers with the highest Stop and Search disproportionality, these are compared alongside their other use of Police powers such as use of force and arrest.

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.

- The Power Bi performance system, Stop and Search dashboard, has been updated to include more detailed data on strip searches, more detailed data from the internal officer reviews.

We have enhanced our internal scrutiny around stop and search interactions to include the requirement for first line supervisors to review officer's body worn video within their development meetings.

Each senior officer up to and including the rank of Chief Inspector is required to scrutinise one stop and search interaction, captured on body worn video and recorded grounds per month. This is in addition to the scrutiny within the internal stop and search scrutiny meeting.

An internal on-line scrutiny feedback form and training guide has been developed to ensure a consistent reviewing process across the Force. The results of which are fed into a performance dashboard where stop and search data can be broken down and analysed. The process allows Supervisors to grade stop search interactions to ensure they are not only lawful and legitimate but that the person has been treated respectfully and professionally.

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

- Introduction of the QR code to a feedback form on the stop and search receipts, both paper and email. Force wide communications have been disseminated to all officers to raise awareness.
- Re-introduction of the Lay Observer Scheme offering members of the public the chance to accompany front line officers and experience first-hand how the stop and search power is used. [Lay Observer scheme | Sussex Police](#)

Increased scrutiny of vehicle stops.

The recording of all vehicle stops is now mandatory and has been adopted into the Force policy.

The external and internal scrutiny groups now review the use of this power to ensure that the power is use not just lawfully, but also legitimately and professionally.

Sussex are the first Force in the country to have adopted this process as business as usual and are supporting other forces through the Race Action Plan to adopt the same process.

Sussex Police Priorities for Stop and Search 2023/2024

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 other global majority communities. Sussex Police is actively committed to continuing engagement and dialogue with communities, our Race Advisory Group, and the External 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.

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

- Continued development into understanding factors which effect disproportionality both prior to and during a stop and search encounter and in relation to policing outcomes following them.
- Develop further our internal quality assurance review process of Officer's grounds and interactions during the encounter to ensure greater legitimacy.
- 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.
- Continue to consider and develop new training scenarios

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.police.uk.

Useful links

Home Office- Police powers to stop and search: your rights

HMICFRS- Stop and search inspections- His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (justiceinspectorates.gov.uk)