



**Metropolitan Police Authority**

**MPA Stop and Search Scrutiny Implementation Panel**

**Minutes, Meeting 17 February 2005**

**Present**

<b>MPA</b>	<b>MPS</b>
Lynne Featherstone (Chair) LF, MPA Member Gavin Lim (GL), GLA John Roberts (JR), MPA Member Hamida Ali (HA), MPA Officer Cynthia Coleman (CC) MPA Officer	Gary Lewis (GL), MPS Territorial Policing Dee Caryl (DC) MPS Carole Howlett (CH) MPS

**External Agency Representation**

George Mills (GM), CRE  
Mike Ainsworth (MA), Home Office

**1. WELCOME AND INTRODUCTION**

1.1 The chair welcomed members and visitors including colleagues from the MPS, CRE and a representative from the press.

**2. MINUTES OF PREVIOUS MEETING**

2.1 These were agreed.

**3. APOLOGIES**

3.1 Apologies were received from

- Peter Herbert PH (MPA)
- Damian Hockney (MPA) DH
- Karim Murji MPA Member

**4. MPS UPDATE**

4.1 DAC Howlett informed the panel that she would be chairing her last meeting of the MPS Steering Group on 8<sup>th</sup> March 2005 and that reported DAC Paddick had been nominated to take on this role.

(Secretary note: since the panel last meet – DAC Paddick has agreed to take over the role of chair)

The DAC gave an update on the MPS draft policies that included

#### 4.2 Vision Document and Disproportionality

##### 4.2.1 Members agreed with option 2:

*Disproportionality in the police use of stop and search will be reduced by better understanding the reasons for disproportionality occurring, improved monitoring and addressing areas of concern.*

#### 4.3 MPS Policy on Stop and Account and Search Powers

4.3.1 It was reported that more consultation is required on the Standard Operation Procedures (SOP) and that the new views captured from the consultation process was to be incorporated.

4.3.2 Following the consultation process the policy document will be published by the end of February 2005 and the reviewed version would reflect any new learning.

4.3.3 It was stated that a seminar was being arranged for 19 April 2005 to mark the launch of the policy. Borough Commanders, Stop and Search SMT Leads and members of the community working on Stop and Search would be invited. The Panel felt that this date was too far ahead. **GL** was asked whether the date could be brought forward. **ACTION - GL**

4.3.4 The **chair** requested to see the changes in the SOP at the next meeting.

4.3.5 **GL** responded that a document is available with detail information on the changes incorporated and will be issued to all contributors. **ACTION - GL**

#### 4.4 Public Policy Statement on Stop and Account and Search

4.4.1 The **DAC** reported that the external policy document would take longer to produce and added that no programme was yet available. It is likely that the document would be available within 4 to 6 months, would incorporate the learning from the SOP consultation and address the needs of young people within the community.

4.4.2 It was stated the MPS would be consulting widely by organising a series of events to raise awareness of the policy. It was added that the external document would be of a high standard and reviewed by December 2005.

4.4.3 **GL** stated that they would be looking at:

- the best ways to promote what the document should look like
- What the content should include
- How to get it out to the public; and would
- Set up key events on the evaluation on what was achieved through the consultation process.

4.4.4 **GL** added that they are hoping to work with the Safer London Panel to

- Gauge Londoners' views on Stop and Search. (Westminster is currently in process of obtaining this type of information through a survey)

#### 4.5 Faith Monitoring

- 4.5.1 The **DAC** reported that two meetings of the MPS Faith Monitoring Sub-Group have been held, the last one on the 14th January 2005 with representative from most faith groups, the ACPO lead on National Community Tension and the MPS. On this occasion, there were apologies from the Christian and Jewish faith.
- 4.5.2 It was highlighted that there were mixed views around the monitoring process particularly from both the Christian and Jewish faith who felt that this process would raise tension.
- 4.5.3 The DAC added further that an agreed joint ACPO paper would be sent to the Panel on a proposal for a way forward with and pointed out that **HA** was consulting with the MPA on their views whilst **Steve Allen** (Diversity Directorate) was taking a broader diversity impact from the MPS perspective.
- 4.5.4 The **chair** stated that she had concerns around the decision-making process, which she stressed, should be, raised at EODB level. She added that for the MPA is to be assured that it is involved at every step as should be the methodology of the pilot; and for the

#### ***JR enquired whether there were any proposals for setting up a pilot scheme***

- 4.5.5 DAC made clear that no decision had been made and that only a proposal paper was being prepared on the possibility of 2 pilots sites; 1 in London and the other outside London. DAC Howlett explained that this paper would need to go to both the MPS Steering Group and the Management Board and that the MPA would be informed as a matter of priority.
- 4.5.6 **MA** reported that a letter from the mayor to the MPS also asked for the Home Office view on the possibility of piloting faith monitoring, and stated that there were concerns around moving further forward. He added that:
- The Home Office Stop and Search Action Team Community Panel had been asked to come to a considered view to advise the Home Secretary on whether or not the Home Office should look to support a pilot; and that
  - The Home Office had heard similar perspectives from communities across the country, as the MPS. Communities in the North of England, and younger Muslim communities were more likely to be opposed to faith recording.
- 4.5.7 **MA** added that they had completed some work on the practicality of faith monitoring of stop and search and that it would be difficult to establish a baseline given that religious identity was a voluntary question in the last census, and a proportion of those that did respond, gave flippant answers.
- 4.5.8 **MA** felt that the process would be very complex and questioned what would happen to the information once it was captured. He added that he is looking at alternative

ways to establish whether or not disproportionality is taking place and if so, how to address the concern. He was unsure whether faith monitoring would be the answer.

4.5.9 The **DAC** responded that a copy of the draft paper will be circulated to the panel and include the outline of the issues put forward by the Home Office.

4.5.10 The **chair** stated that she was keen to speak with both the Chair of the MPA and the Mayor on this issue.

#### 4.6 Stop and Search Independent Advisory Group

4.6.1 The **Panel** was reminded that Recommendation 55 of the Scrutiny report stated that the MPS should put in place an Independent Advisory Group on stop and search. The MPS held their first meeting on the 2 February 2005. A second meeting was scheduled for the 4 March 2005.

4.6.2 The **DAC** reported that the invitees included 30 representatives across London's 32 boroughs and from a wide range of backgrounds in terms of race and religion). The meeting was an introduction to the roles IAGs and the issues. Those who attended were keen to remain involved.

4.6.3 The March meeting will continue to look in more detail at issues relating to roles and responsibilities, Terms of Reference (ToR) and how the IAG will work including selecting a chair, secretariat, etc.

4.6.4 It was highlighted that although invited there were no young people at the meeting, however apologies were given. The group were clear that there was a need to work with young people e.g by meeting beforehand, or through a youth worker or advocate in order that they are confident that their voices are heard.

4.6.5 HA stated that it was important that all IAG members would benefit from this support as they develop their strength.

4.6.6 HA suggested that the methodology developed by the LGBT IAG to recruit members through a transparent recruitment process should be adopted when developing further membership as part of demonstrating true independence from a community perspective.

## 5. MONITORING AND SUPERVISION

### 5.1 Home Office

**Mike Ainsworth** gave an overview of the Home Office Recommendations from the Scrutiny report and stated that:

5.1.1 In response to **Recommendation 5** – MA informed the panel that the Stop and Search Action Team (SSAT) was requested by the National Criminal Justice Board (NCJB) to look at disproportionality and to review the research on this subject. They identified that disproportionality was very complex and highlighted regional

variances in disproportionality and arrest rates that could not be explained by any demographic factors.

- 5.1.1.1 This led to 2 commitments: recording of stops by 2005 and driving down disproportionality nationally.
  - 5.1.1.2 The SSAT works across the CPS, the Home Office and DCA working for the first time to increase the efficient use of Stop and Search powers, to decrease disproportionality and to increase public trust and confidence.
  - 5.1.1.3 The SSAT is supported by the Community Panel chaired by Lord Victor Adebowale and the Delivery Board chaired by Doreen Lawrence and includes representatives from ACPO, MPS, Police Federation, CRE, APA and the IPCC.
  - 5.1.1.4 **MA** stated that the draft stop and search guidance manual has been produced for use by police officers, with the final version to be published in early April 05 and is currently out for consultation.
  - 5.1.1.5 **MA** added that he was speaking countrywide with young people assessing good practice from their perspective to inform the manual.
  - 5.1.1.6 **MA** felt that there should be a clear responsibility for the police to raise public confidence in the use of stop and search. If the powers are used correctly, public confidence could actually increase. He added that in giving the correct message the use of intelligence and briefing would decrease disproportionality rather than using *quantity* of stop and search as a performance measure. **MA** was clear that indicators to measure the *quality* of stop and search must be developed.
  - 5.1.1.7 Once the manual is complete, the remaining work on reducing disproportionality will be taken on by HMIC and the National Centre for Policing Excellence in order to mainstream the issue. **MA** added that there is an interest to replicate the work of the Home Office (piloted in Hackney) and that Stephen Allen (MPS) is looking at using this methodology elsewhere in the MPS.
  - 5.1.1.8 There are remaining concerns around faith monitoring, section 7 stops which are not covered by R61, and the effectiveness of the complaints process.
- 5.1.2 In response to **Recommendation 13** – work on this is still not completed and the Home Office (HO) needs to work in conjunction with the IPCC on a way forward on the complaints process. **MA** added that practitioners and the public feel that the current process is not sufficiently robust.
  - 5.1.3 In response to **Recommendation 14** – Section 60 and 44 figures were published last year for the first time and the HO will be doing so this again this year. **MA** added that Section 60 & 44 would be measured by the Police Performance Assessment Framework (PPAF).

- 5.1.4 In response to **Recommendation 18** – Identified that more detailed work is required in measuring the success rate of arrest using PPAF.
- 5.1.5 In response to **Recommendation 25** – Work on PPAF has been completed and includes guidance on grounds for discipline. A copy of this was tabled at the meeting for information which showed success measures. **MA** stated that Section 95 was the main driver of measuring the success of reducing disproportionality. He pointed out that the British Crime Survey poses a number of specific questions around the level of satisfaction around stop and search, and the perception of being fair treatment among black and minority ethnic people.
- 5.1.6 Work with 5 forces (including MPS) to grasp the regional variances in disproportionality and to recommend actions to move forward to reduce disproportionality in those areas. It was also clear that these forces lack the understanding of disproportionality especially between the ACPO rank and practitioners.
- 5.1.7 **MA** added that nationally police authorities in general, do not engage in issues around stop and search and therefore communities tend to be driven by the extent of the use of the powers rather than whether the practice is fair. Cleveland uses the power to a great extent but has been able to do this in a way that was not felt to be intrusive by the community and has in fact increased community confidence.

***GM asked how disproportionality was measured of the 5 forces visited?***

- 5.1.8 **MA** stated that the methodology used to obtain the information was to speak to Chief Constables and senior staff on possible drivers for disproportionality. A similar conversation was then had with constables and sergeants. It was clear that there was a difference between the two views.
- 5.1.9 **MA** added that with the exception of the MPA, it was identified that there was little or no scrutiny involvement from police authorities.

***HA asked if there is a performance measure on quality as address in the HOME Office Manual or outlined in the paper circulated?***

- 5.1.10 **MA** responded that quality alone could not measure the effectiveness of stop and search and its impact, which could be accompanied by measures on arrest rates by ethnicity. Surveys similar to the pilot in Westminster which is looking at satisfaction of stop and search practice are positive measures and the Home Office, depending on the results, were looking at similar processes.
- 5.1.11 **MA** stated that in terms of the quality of supervision one of the issues is the quality of briefing and that forces should ensure that when officers leave the briefing they fully understand the information or advice given. In terms of the public, the MPS are in the lead in using 'texting' into Stop and Search and in this form quality can be evaluated.

## 5.2 CRE

- 5.2.1 In response to **Recommendation 12 – George Mills** reported that work in relation to policing has been halted pending the final report of the CRE Formal Investigation into police services in England and Wales following the BBC film *The Secret Policeman*. In terms of disproportionality and any judicial review, legal advice was being sought before any action could be taken. Prior to the FI work by the CRE included examination of forces' Equality Impact Assessment (EIA) of stop and search policies.
- 5.2.2 In response to **Recommendation 41** – Under the Race Relation Act 1976, section 44 the CRE can grant funding to voluntary sector organisations to undertake work under the act. The CRE:
- have given 2.3 million grant to voluntary sector organisations
  - have given advice to 90 multi-agency panels involved in reporting of racist crime
  - are working effectively across the country with a number of voluntary groups
  - in the last financial year reviewed the type of funding given to 26 voluntary organisation working to tackle hate crimes or racial harassment

### ***How proactive is the CRE regarding challenging stop and search practice?***

- 5.2.2.1 **GM** responded that the CRE was disappointed regarding the low level of complaints on stop and search and is concerned that the public are not aware of their rights.

***The chair emphasised that there was difficulty in encouraging people to complain and enquired if the work being done around stop and search in Westminster could suggest better ways to raise awareness?***

***HA enquired whether the CRE funds RECs in terms of third party reporting of complaints on stop and search.***

- 5.2.2.2 **GM** stated that they are working with the IPCC on funding 32 voluntary bodies around complaints (such as all race issues) and looking at current establishments to help promote that message e.g. Law Centres, etc.

***HA asked whether any forces had not prioritised stop and search in the first RES completed an impact assessment?***

- 5.2.2.3 Having visited 16 police services in the South East and South West, functions and polices were seen to be of high priority. **GM** added that he encouraged one force to do a pilot scheme promoting trust and confidence. However, due to the FI their work had been halted.

***HA asked if the funding given to RECs allows them to get involved with local monitoring groups working with the police to challenge stop and search practice?***

- 5.2.2.4 **GM** responded that the funding given to RECs is related to specific projects which are closely measured (e.g. the number of casework done in the year)

However, in terms of multi-agency work whether funding is provided or not, they would need to be looking to ensure public authorities are putting in place policies and procedures in respect of race hate crime, complaints, etc.

- 5.2.2.5 **MA** added that in terms of complaints around stop and search, Leicester REC have done very good work around race hate crimes including setting up their Community Interdependent Advisory Group.

### 5.3 **MPS**

- 5.3.1 **GL** reported that MPS boroughs are still in the process of completing the stop and search equality impact assessments and would welcome any good practice and guidance from the CRE and would also continue to work with MPA on this matter. He added that Senior Managers are being encouraged to engage in meaningful work with their community although some colleagues continue to view the process as a 'tick box' exercise.

#### Monitoring Mechanism

- 5.3.1.1 **GL** updated the panel that David Skelton (Internal Consultancy Group) is leading on developing monitoring mechanisms of stop and search across the MPS. There are no corporate mechanisms in place around the use of stop and search although a number of boroughs were trying to highlight issues around disproportionality where some good practice was found.
- 5.3.1.2 In particular Lambeth was found to be engaging with their community through a meaningful dialogue over the last 18 months where a sub group of the CPCG is looking specifically at stop and search.
- 5.3.1.3 However it has been difficult to ensure senior management prioritise stop and search and put in place sufficient resources to begin monitoring implementation of policy.
- 5.3.1.4 David Skelton is trying to implement a good practice framework and is looking at what information can be transferred across the MPS. The intention stop and search.
- 5.3.1.5 There is difficulty in introducing criteria for the collection of the qualitative elements of stop and search practice. However, the community may have the answers around how this could be done. If local monitoring issues are presented to the borough commander and remain unresolved has some authority with chief officers. (MPS is looking to the MPA to manage this process.
- 5.3.1.6 The 1<sup>st</sup> April is being considered to run a pilot of the monitoring framework to examine its effectiveness, with local monitoring group community members.
- 5.3.1.7 There are also concerns following preliminary work done on the data held by the stops database where there is no clear sense of who is accountable. In some boroughs responsibility for the database lies with the borough



intelligence unit whereas in others, it sits with the management unit. It could be envisaged that database is being used for a range of uses:

- An intelligence tool
- A way of gathering data for the Home Office
- A way of identifying the disproportionality; and or
- A way of managing policing activity

5.3.1.8 It is also possible that there little thought has been given to the possibility of costing stop and search practice.

5.3.1.9 The **chair** added that there is a need to develop work to examine the quality of interactions. The chair also asked what level of funding had been allocated to the response to the scrutiny.

5.3.1.10 **GL** stated that there is no specific budget for the scrutiny, that work being delivered is from the TP budget and therefore there is a need to ensure this issue is prioritised. He added that one of the reasons why a seminar will be put in place is to introduce the SOP, the monitoring framework and reinforce Borough commander responsibilities.

***HA asked what were the implications for the policy without a monitoring framework?***

5.3.1.11 **GL** stated that once a decision is made on what to publish, the SOP would need to be reviewed and amended. It would also be a priority to give a minimum level framework on what must be delivered and will send a clear message regarding those with responsibilities in relation to stop and search practice.

***The chair enquired if TP was leading the work in relation to recommendation 20?***

5.3.1.12 **GL** responded that his team was leading on this work.

***The chair stated that the scrutiny found that everyone says ‘the right thing’ around stop and search. However, the chair added that during the scrutiny DAC Paddick stated that he was never asked as a borough commander by a senior officer to account for use of stop and search. Therefore if the issue is not prioritised the resources will not be allocated.***

5.3.1.13 The **chair** also stated that a letter would need to be written to the appropriate officers.

5.3.1.14 **GL** reported that Hackney had produced an excellent equality impact assessment where supervision and strong leadership were clear. **GL** also reported that a seminar is planned for those working with the stops database at borough level as part of the consultation for developing the database.

## **6. COMMUNITY MONITORING OF STOP AND ACCOUNT AND SEARCH**

6.1 HA will be taking issues around local monitoring groups to the MPA for consideration.

## **7. ANY OTHER BUSINESS**

7.1 HA introduced VK to the panel to give an update on the Safer London Panel to explore ways of using the panel to gather feedback on use of stop and search.

7.2 VK reported that the panel consists of 3000 members and that the MPA could track the opinion of those who have been stopped and searched. The next panel would be sent out in April 2005 and then again in June.

7.3 VK also added that once the proportion of the panel who have experienced stop and search is known, face-to-face interviews with those members could then be conducted exploring their experiences further

7.4 The chair added that a paper be written on the way forward and that consideration should be on options available.

## **8 DATE OF NEXT MEETING**

- 23 March, 09:00 – 13:00 (Training)
- 20 April, 09:00 – 13:00 (Awareness)
- May / June / July - TBA