



Home Office



# Police powers and procedures, England and Wales, year ending 31 March 2018

Statistical Bulletin 24/18

25 October 2018

## Further information

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The annual 'Police powers and procedures, England and Wales' publication and other Home Office statistical releases are available from the [Statistics at Home Office](#) pages on the GOV.UK website.

The dates of forthcoming publications are pre-announced and can be found via the [GOV.UK publication hub](#).

For further information about the statistics in this publication, email [crimeandpolicestats@homeoffice.gsi.gov.uk](mailto:crimeandpolicestats@homeoffice.gsi.gov.uk), or write to:

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This statistical bulletin is produced to the highest professional standards and is free from political interference. It has been produced by statisticians working in the Crime and Policing Analysis Unit in accordance with the Home Office's [statement of compliance](#) with the Code of Practice for Official Statistics, which covers Home Office policy on revisions and other matters. The Chief Statistician, as Head of Profession, reports to the National Statistician with respect to all professional statistical matters and oversees all Home Office National Statistics products with respect to the Code, being responsible for their timing, content and methodology.

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# 1 Introduction

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## 1.1 General introduction

This release contains statistics on the use of various police powers in England and Wales up to the year ending 31 March 2018. The release is broken down into seven main sections.

The **arrests** section contains information provided by the 43 territorial police forces in England and Wales on a financial-year basis (April to March). It includes statistics on the:

- number of arrests for notifiable offences;
- reason for which persons were arrested; and,
- age, gender and ethnicity of those arrested.

The **stop and search** section contains information provided by the 43 police forces in England and Wales, and the British Transport Police (BTP), on a financial-year basis. It includes statistics on the:

- number of stops and searches carried out under a number of different legislative powers including
  - section 1 of the Police and Criminal Evidence Act 1984 (PACE)
  - section 60 of the Criminal Justice and Public Order Act 1994
  - section 44/47A of the Terrorism Act 2000
- ethnicity of persons searched;
- reason given by the officer for conducting a search; and,
- number of searches that led to an arrest.

The **Best Use of Stop and Search (BUSS)** section contains information provided by the 43 police forces in England and Wales, and the British Transport Police (BTP), on a financial-year basis. It includes statistics on:

- additional outcomes given following a stop and search under the [Best Use of Stop and Search Scheme \(BUSSS\)](#);
- whether or not the outcome was linked to the initial reason for conducting the search (i.e. the officer found what they were searching for).

The section on **other PACE powers** contains data provided by the 43 police forces in England and Wales on a financial-year basis. It includes statistics on the:

- number of persons detained under a warrant for further detention;
- number of intimate searches made under section 55 of PACE.

The **Fixed Penalty Notices (FPNs) and other outcomes for motoring offences** section contains data from the national fixed penalty processing system (PentiP), on a calendar-year basis. It includes statistics on the number of:

- endorsable and non-endorsable FPNs issued for a range of motoring offences;
- FPNs issued as a result of camera-detected offences;
- cases where the penalty was paid; and,
- motoring offences that resulted in a driver retraining course, or court action.

The **breath tests** section contains data from the 43 police forces in England and Wales on a calendar-year basis. It includes statistics on the number of:

- alcohol screening breath tests carried out by police; and, tests that were positive or refused.

The section on **detentions under section 136 of the Mental Health Act 1983** contains data provided by the 43 police forces in England and Wales, and British Transport Police, on a financial-year basis. It includes statistics on the:

- number of detentions under section 136 of the Mental Health Act 1983;
- age-group, gender and ethnicity of persons detained;
- type of place of safety used to detain individuals, and the reason for using a police station (where applicable); and,
- method of transportation used to transport an individual to a place of safety, and the reason for using a police vehicle (where applicable).

[Annex A](#) provides provisional data on **detentions under section 135 of the Mental Health Act 1983**, which have been designated as **Experimental Statistics**.

[Annex B](#) provides provisional data on **pre-charge bail**, which have also been designated as **Experimental Statistics**.

Further information on these data collections can be found in the [user guide](#) and in the accompanying [data tables](#) on the relevant sections.

## 1.2 New content in this release

This release contains some data which have not featured in previous publications.

From April 2017 the Home Office requested information on a voluntary basis from police forces on the number of individuals released on pre-charge bail following an arrest, broken down by bail length. Data collected from a subset of forces who supplied this data, covering the 2017/18 financial period, are published for the first time in this release.

## 1.3 National Statistics Status

These statistics have been assessed by the UK Statistics Authority to ensure that they continue to meet the standards required to be designated as National Statistics. This means that these statistics meet the highest standards of trustworthiness, impartiality, quality and public value, and are fully compliant with the Code of Practice for Official Statistics.

The Home Office worked closely with the UK Statistics Authority to improve information on the quality and limitations of the various datasets, and the ways in which the Home Office engages with users of the statistics. This is documented in the [user guide](#), which is published alongside this release.

Given the known issues around the quality of the data, statistics in this release on 'Best Use of Stop and Search' are designated as **Official Statistics**, and not National Statistics. Further information can be found in the [chapter 5](#).

Furthermore, given the partial nature of the data, statistics on detentions under section 135 of the Mental Health Act and pre-charge bail are designated as **Experimental Statistics**. These statistics are new, currently have partial coverage and do not yet meet the overall quality standards necessary to be designated as National Statistics. The Home Office intends to improve the completeness and quality of these data in future years.

## 2 Key findings

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### 2.1 Arrests

In the year ending March 2018 there were 698,737 arrests carried out by police in England and Wales, a fall of 8% on the previous year<sup>1</sup>. This continues the downward trend since a peak in the year ending March 2008, when there were almost 1.5 million arrests.

As was the case in previous years, the majority of individuals arrested in the year ending March 2018 were male (85%). Over a third of arrests (38%) were for offences related to violence against the person and 20% were for theft offences. In comparison, violence against the person offences made up 25% of police recorded crime in the year to March 2018, and theft offences made 36% of all police recorded crime ([ONS Crime Statistics](#)).

In the year ending March 2018, the majority (77%) of persons arrested for notifiable offences considered themselves to be White. As in previous years, persons who identified as Black (or Black British) were over 3 times as likely to be arrested than those who identified themselves as White, and those from Black and minority ethnic (BME) groups were over 1 and a half times as likely to be arrested than those who identified themselves to be White.

### 2.2 Stops and search

In the year ending March 2018, there were 282,248 stops and searches conducted by the police in England and Wales, a fall of 7% compared with the previous year (304,132 stops and searches), and the lowest number of stop and searches carried out since the current data collection began in the year ending March 2002. In the latest year, arrests resulting from stops and searches fell by 7%.

In the year ending March 2018, 17% of stop and searches led to an arrest, a similar proportion to last year and again the highest proportion since the collection began.

In the latest year, the Chinese or Other ethnic group saw a 6% increase in stop and searches. While all other ethnic groups saw falls in stop and searches, they have fallen at different rates. Stops of White individuals have fallen the most, by 13%, while BME stops have fallen by 1%.

Individuals from BME groups are 4 times as likely to be stopped and searched compared with those who are White. In particular, individuals who are Black (or Black British) are around 9 and a half times as likely to be stopped as those who are White. In both cases, these figures are higher than the previous year, and reflect the fact that although stop and searches have fallen, stops of White individuals have fallen by more than stops of BME individuals.

### 2.3 Best Use of Stop and Search (BUSS)

In around 1 in 5 (22%) of stop and searches in the year ending March 2018, the outcome of the search was linked to the initial reason for the search, a similar proportion to the year ending March 2017.

In 70% of stop and searches the outcome was 'No further action'. In a further 17% of stop and searches the initial outcome was an arrest. An alternative outcome was given in the remaining 13% of cases.

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<sup>1</sup> Lancashire Constabulary were unable to provide the Home Office with arrests data in time for this publication and are therefore excluded from analyses for the year on year comparisons.

## 2.4 Detentions and intimate searches

In the year ending March 2018, there were a total of 3,137 persons detained under part IV of PACE for more than 24 hours and subsequently released by police in England and Wales. Excluding a number of forces who were unable to supply complete data<sup>2</sup>, this represents a decrease of 2% on the previous year.

In the year ending March 2018, there were 105 intimate searches carried out by the police in England and Wales and an object was found in 11% of cases.

## 2.5 Fixed Penalty Notices (FPNs) and other outcomes for motoring offences and breath tests

Last year the Home Office widened the scope of this collection to include outcomes other than FPNs, such as the driver attending a driver retraining course, or facing court action. Excluding cancelled cases (351,500), the PentiP system recorded 2.4 million motoring offences in 2017. Specifically:

- 853,153 cases resulted in the driver receiving an endorsable FPN
- 115,824 cases resulted in a non-endorsable FPN
- A driver attended a drive retraining course in 1,085,180 cases
- 341,738 cases resulted in court action

The total of 2.4 million outcomes represents an increase of 0.2% compared with the previous year. Over four-fifths (84%) of FPNs and other outcomes for motoring offences in 2017 were for speed limit offences, up 2 percentage points compared with the previous year.

In 2017, 45% of motoring offences recorded on the PentiP system resulted in the driver attending a driver retraining course, a fine was paid by the individual in a further 40% and 14% of individuals faced court action, similar proportions to the previous year.

Police in England and Wales (excluding four<sup>3</sup> forces who could not provide a full data return for 2017) carried out 325,887 breath tests in 2017, a fall of 15% compared with the previous year (381,746 breath tests after excluding the forces who could not supply data). In 2017, 14% of breath tests carried out were positive or refused, up 1 percentage point on 2016.

## 2.6 Detentions under the Mental Health Act 1983

In the ending March 2018 there were 29,662 detentions under section 136 of the Mental Health Act 1983. This is a relatively new collection, and some forces reported that new IT systems and improved processes have led to better recording of these detentions. To ensure comparability with data for the year ending March 2017, forces who expressed concerns about the consistency of their recording have been excluded from year on year comparisons. Excluding these forces shows that there has been a 5% increase in detentions under section 136 of the Mental Health Act since the year ending March 2017.

A police vehicle was used to transport the person being detained to a place of safety in 12,367 (52%) of cases where the method of transport was known, a similar proportion to last year. A police station was used as a place of safety in 2% of cases following a section 136 detention (down from 4%). Of these, 40% were taken there because there was no capacity at the Health Based Place of Safety (HBPOS).

<sup>2</sup> Cheshire, Dorset, Durham, Gloucestershire, Leicestershire, Lincolnshire, Thames Valley, Warwickshire, West Mercia and Wiltshire police were unable to provide complete data for 2016/17 and/or 2017/18. These forces have therefore been excluded from the year-on-year comparisons.

<sup>3</sup> Norfolk and Suffolk were unable to supply any breath test data for 2017. The Metropolitan Police and Sussex were unable to supply the overall total number of breath tests for 2017.

## 3 Arrests

### 3.1 Introduction

Data presented here are on the police power of arrest. In line with police recorded crime statistics, these data only cover arrests for notifiable offences<sup>4</sup> carried out by police in England and Wales. In this collection, an arrest is counted for each occasion on a person is arrested, provided that the arrest is for offence which is not related to an offence for which the person has already been subject to arrest during the same year. If the arrest is connected, or if a person has been arrested for one or more notifiable offences at the same time, only one arrest is counted and the offence with the highest maximum penalty is recorded.

Data are presented on a financial-year basis and are provided to the Home Office by the 43 territorial police forces in England and Wales though Lancashire Constabulary has not been able to provide data in time for inclusion in this year's publication. The Home Office does not receive data on arrests from the British Transport Police (BTP).

Figures on arrests reported to the Home Office reflect police activity and should not be used to infer levels of crime committed by offenders. For example, the number of arrests for drug offences is greatly dependent on police activities and priorities and does not give a reliable indication of trends in the level of drug offending. When looking at arrests, it should be considered that, as with recorded crimes, the figures are also influenced by the willingness of victims to report offences.

The Office for National Statistics (ONS) amended the offence groups for the police recorded crime series in the year ending March 2013. Since the publication of 'Police powers and procedures' in October 2016, arrests data collected by the Home Office on the reason for arrest are in line with the ONS crime groups. For this reason, data from year ending March 2016 on the reason for arrest are not directly comparable with earlier years. The table below lists the current offence categories and indicates how comparable each is with previous years.

**Table 3.1 Comparability of the 'reason for arrest' groups with previous years**

Reason for arrest (offence group)	Comparability with the year ending March 2018 data
Criminal damage and arson	Mostly comparable with the year ending March 2015 and earlier.
Drug offences	Directly comparable with the year ending March 2015 and earlier.
Fraud offences	Not comparable with the year ending March 2015 and earlier.
Misc. crimes against society	Not comparable with the year ending March 2015 and earlier.
Possession of weapons offences	Not comparable with the year ending March 2015 and earlier.
Public order offences	Not comparable with the year ending March 2015 and earlier.
Robbery	Directly comparable with the year ending March 2015 and earlier.
Sexual offences	Mostly comparable with the year ending March 2015 and earlier.
Theft offences	Not comparable with the year ending March 2015 and earlier.
Violence against the person	Not comparable with the year ending March 2015 and earlier.

<sup>4</sup> A Notifiable Offence is any offence where the police must inform the Home Office by completing a crime report form for statistical purposes. There are strict rules regarding the recording of crime which is outlined in the [Home Office counting rules for recorded crime](#).

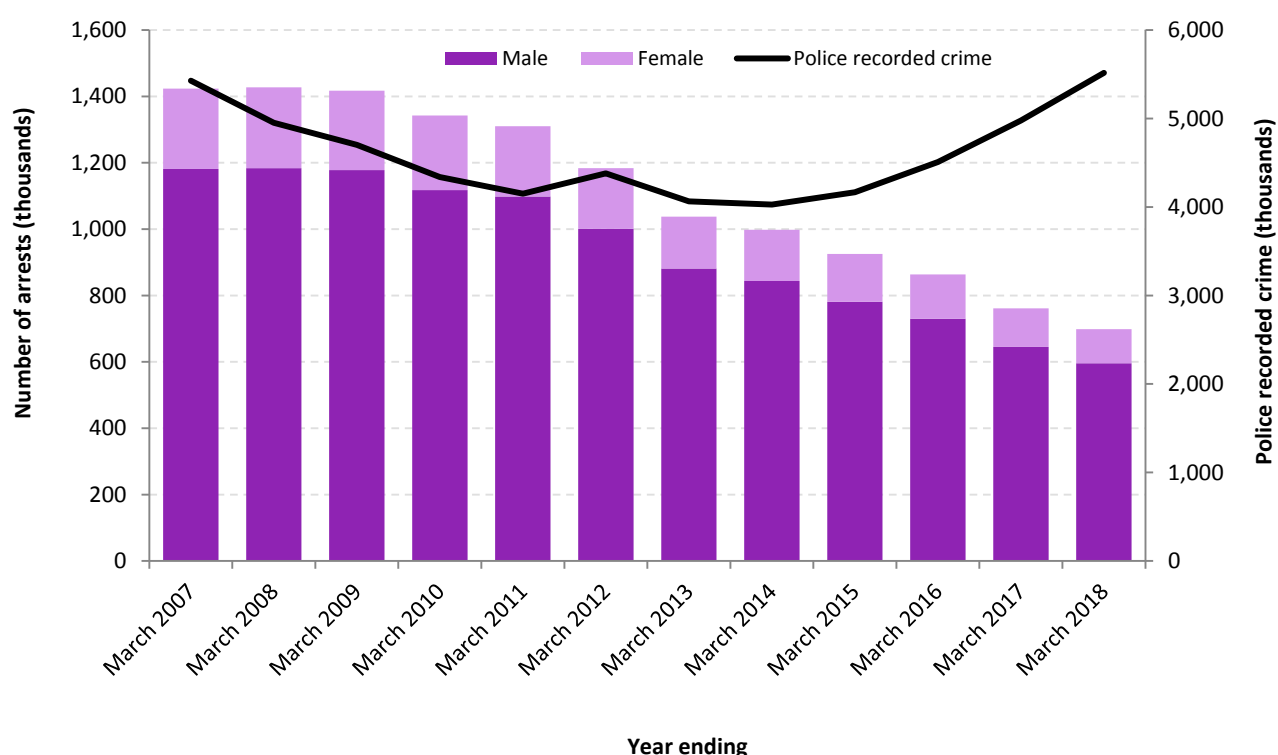


### 3.2 Trends in the number of arrests

Lancashire Constabulary were unable to provide the Home Office with arrests data in time for this publication. Therefore, to ensure comparability with previous years, Lancashire Constabulary are excluded from all analyses in this chapter. In previous years, this force has contributed around 3% of the total number of arrests in England and Wales.

In the year ending March 2018 there were 698,737 arrests carried out by police in England and Wales, a fall of 8% on the previous year. This continues the downward trend seen since a peak in the year ending March 2008, when there were 1,475,266 arrests (or 1,427,387 arrests excluding Lancashire Constabulary).

**Figure 3.1** Number of arrests, by sex, and police recorded crime, England and Wales, years ending March 2007 to 2018<sup>1</sup>



**Source:** [Arrests table A.01](#), Home Office  
[Appendix table A.4](#), ONS Crime statistics

**Notes:**

1. Arrests data excludes Lancashire Constabulary for all years, however, Lancashire are included in the police recorded crime data.

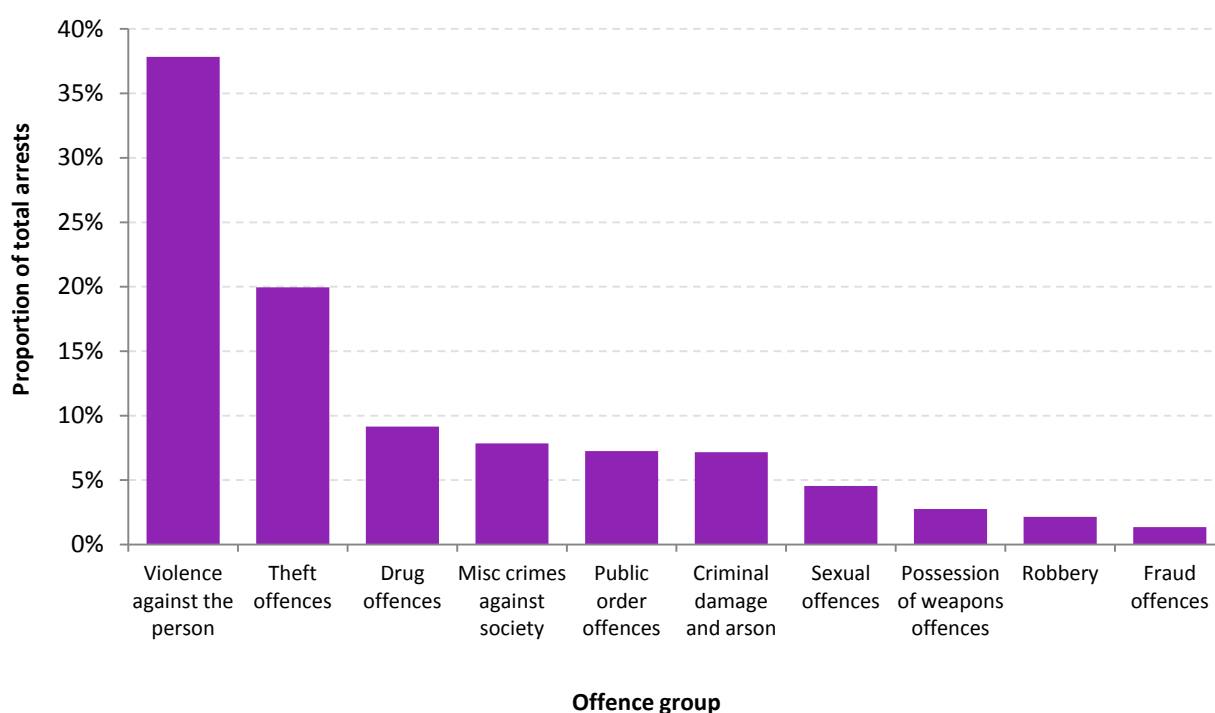
As Figure 3.1 shows, a general downward trend was seen in both the volume of crimes recorded by the police and the number of arrests between the year ending March 2007 and year ending March 2013. However, in the last four years the downward trend in arrests has continued at the same time as the volume of crimes recorded by the police has increased. As explained by the [ONS](#), improvements in recording processes by the police in the wake of critical reviews, by both the [Home Affairs Select Committee](#) and [HMICFRS](#), is thought to be the main driver behind the rise in recorded crime. In addition, it is thought that victims of domestic violence and sexual offences have come forward in greater numbers which has also added to the growing volume and complexity of the crime mix being dealt with by the police. The downward trend in arrests is also mirrored in the falling volume of crimes being resolved through a charge or summons that has been reported in [Crime Outcomes England and Wales: year ending March 2018](#).

There are a number of further factors which may have contributed to the downward trend in the number of arrests. Inspections carried out by HMICFRS in 2016, as part of their police effectiveness assessments, did not identify one single cause ([PEEL report on police effectiveness](#)) but pointed to a range of possible factors including increased use of voluntary attendance, where an individual attends voluntarily at a police station or at any other place where a constable is present without having been arrested for the purpose of assisting with an investigation. It is thought that the use of this practice has increased due to a more stringent application of the “necessity test” (which was introduced in 2012), where, for an arrest to be lawful, there must be reasonable grounds for believing that the arrest is necessary ([PACE Code G](#)).

### 3.3 Arrests by offence group

As in previous years, over a third of all arrests by police in England and Wales were connected with violence against the person offences (38%). The next most common offence group was theft, which accounted for 20% of all arrests, the same as the previous year (Figure 3.2).

**Figure 3.2** Proportion of arrests in each offence group, year ending March 2018<sup>1</sup>



**Source:** [Arrests table A.02](#), Home Office.

**Notes:**

1. Excludes Lancashire Constabulary for all years.

In comparison, violence against the person offences made up 25% of police recorded crime in the year to March 2018, and theft offences made 36% of all police recorded crime ([ONS Crime Statistics](#)). Most other offence types were represented in the arrest collection in the same proportion as their distribution in the recorded crime series. One outlier was fraud which comprised just 1% of all arrests but 12% of all recorded crime (Table 3.2). Direct comparisons between the two series should be made with caution since arrests relate to persons and recorded crime relates to offences. For example, one offence may be committed by multiple offenders and therefore may generate a number of arrests. In addition, some crimes take longer to investigate than others and therefore arrests and charges may lag behind trends in recorded crime.

However, as noted elsewhere ([Crime Outcomes in England Wales: year ending March 2018](#) statistical bulletin), in recent years police forces have been dealing with both an increased volume of crime and a more complex crime mix. This is thought to have contributed to a downward trend in both the volume and proportion of crimes resulting in a charge/summons and a growth in the proportion of cases in which victims do not support police action. This provides important context to the statistics on arrests presented here. Data on the outcomes assigned to police recorded crime, as well as the median length of time taken to assign an outcome by offence group, can be found in the '[Crime outcomes, England and Wales](#)' statistical bulletin.

**Table 3.2**      **Offence group breakdowns of persons arrested in England and Wales and police recorded crime, year ending March 2018<sup>1, 2</sup>**

Offence group	<b>Percentages</b>	
	<b>England and Wales</b>	
	Arrests	Police recorded crime
Violence against the person	38%	25%
Theft offences	20%	36%
Drug offences	9%	2%
Misc. crimes against society	8%	2%
Public order offences	7%	7%
Criminal damage and arson	7%	11%
Sexual offences	5%	3%
Possession of weapons	3%	1%
Robbery	2%	1%
Fraud offences	1%	12%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**Source:** [Arrests table A.02](#), Home Office and [ONS Crime Statistics](#)

**Notes:**

1. Following a change in offence groups (in 2015/16) it is believed that a number of police forces are incorrectly recording some 'public order' offences against 'miscellaneous crimes against society'. Caution should therefore be exercised when comparing these offences over time and across forces.
2. Excludes Lancashire Constabulary for arrests data only.

Information on police recorded crime figures are published by ONS in the [Crime statistics in England and Wales](#) statistical bulletin.

The fall in the number of arrests in the latest year was seen across most offence groups, with the exception of possession of weapons offences (which rose by 13%) and robbery offences, which rose by 1% on the previous year (Table 3.3). Police recorded crime data, as published in the '[Crime in England and Wales](#)' statistical bulletin, show an increase of 25% in possession of weapons offences, and an increase of 30% in robbery offences in the year ending March 2018 compared with the year ending March 2017.

**Table 3.3** Offence group breakdowns of persons arrested in England and Wales, year ending March 2017 compared with year ending March 2018<sup>1, 2</sup>

<i>Numbers and percentages</i>		<b>England and Wales</b>	
Offence group	Year ending		% change
	31-Mar-17	31-Mar-18	
Violence against the person	284,011	264,335	-7
Theft offences	166,732	139,447	-16
Drug offences	67,736	63,920	-6
Misc. crimes against society	56,519	54,808	-3
Public order offences	53,188	50,651	-5
Criminal damage and arson	55,576	50,038	-10
Sexual offences	33,067	31,793	-4
Possession of weapons offences	17,101	19,262	13
Robbery	14,788	14,976	1
Fraud offences	12,520	9,507	-24
<b>Total</b>	<b>761,238</b>	<b>698,737</b>	<b>-8</b>

Source: [Arrests table A.02](#), Home Office

**Notes:**

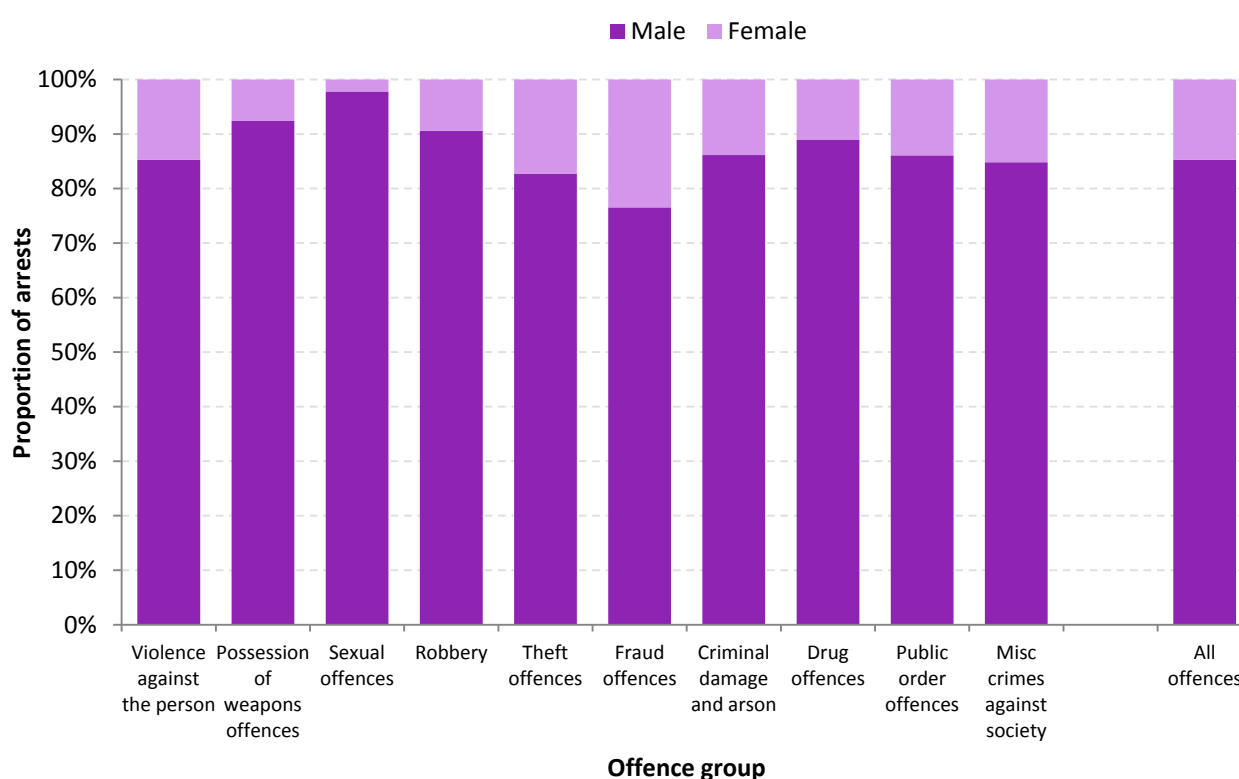
1. Following a change in offence groups (in 2015/16) it is believed that a number of police forces are incorrectly recording some 'public order' offences against 'miscellaneous crimes against society'. Caution should therefore be exercised when comparing these offences over time and across forces. The Home Office is working with forces to investigate this issue.
2. Excludes Lancashire Constabulary for both years.

### 3.4 Arrests by sex

As in previous years, the majority of arrests in the year ending March 2018 were of males (85%). In the latest year there was an 8% fall in the number of males arrested, and an 11% fall in the number of females arrested, compared with the previous year.

The most common offence group related to the arrest, for both males and females, was violence against the person, followed by theft offences. However, there were some differences in arrest patterns for males and females. For example, females have consistently made up a very small proportion of those arrested for sexual offences (2%) and possession of weapons offences (8%), but a larger proportion of those arrested for fraud offences (23%). Figure 3.3 shows the split for each offence type.

**Figure 3.3** Proportion of arrests by sex and offence group, England and Wales, year ending March 2018<sup>1</sup>



Source: [Arrests table A.02](#), Home Office

**Notes:**

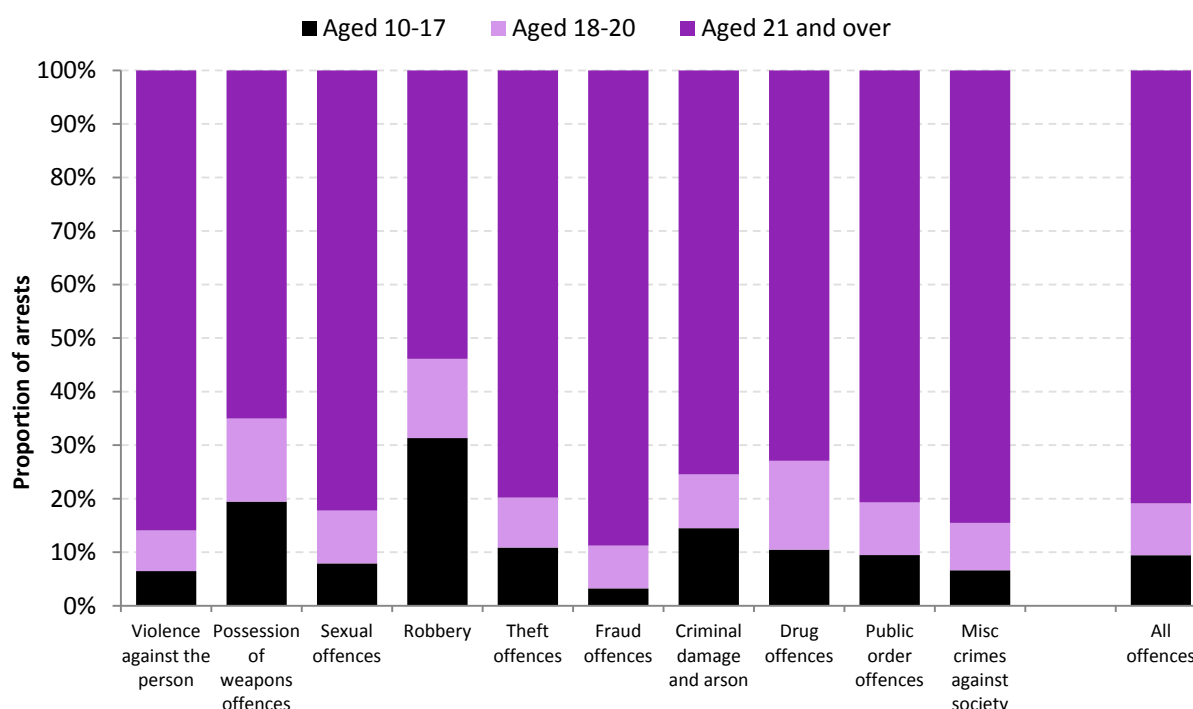
1. Excludes Lancashire Constabulary.

### 3.5 Arrests by age

Data on arrests by age are grouped into 1 of 5 categories: 'Under 10', 'Aged 10 to 17', 'Aged 18 to 20', 'Aged 21 and over', or, 'Age unknown'. The legal minimum age for prosecution in England and Wales is 10 years old, so the 'Under 10' category includes persons who, after further investigation, were found to be too young to be charged with an offence.

The proportions of arrests in each age-group remained similar to the previous year, with 81% of all arrestees being 21 or over. However, there was some variation when analysing the reasons for arrest. For example, although persons under 21 years old accounted for 19% of all arrests, they made up 46% of arrests for robbery offences and just over a third (35%) of possession of weapons offences. Those aged 21 or over made up 89% of all arrests for fraud offences. Figure 3.4 shows the number of persons arrested by offence type and age-group.

**Figure 3.4** Age-group<sup>1</sup> of persons arrested, by offence type, England and Wales, year ending March 2018<sup>2</sup>



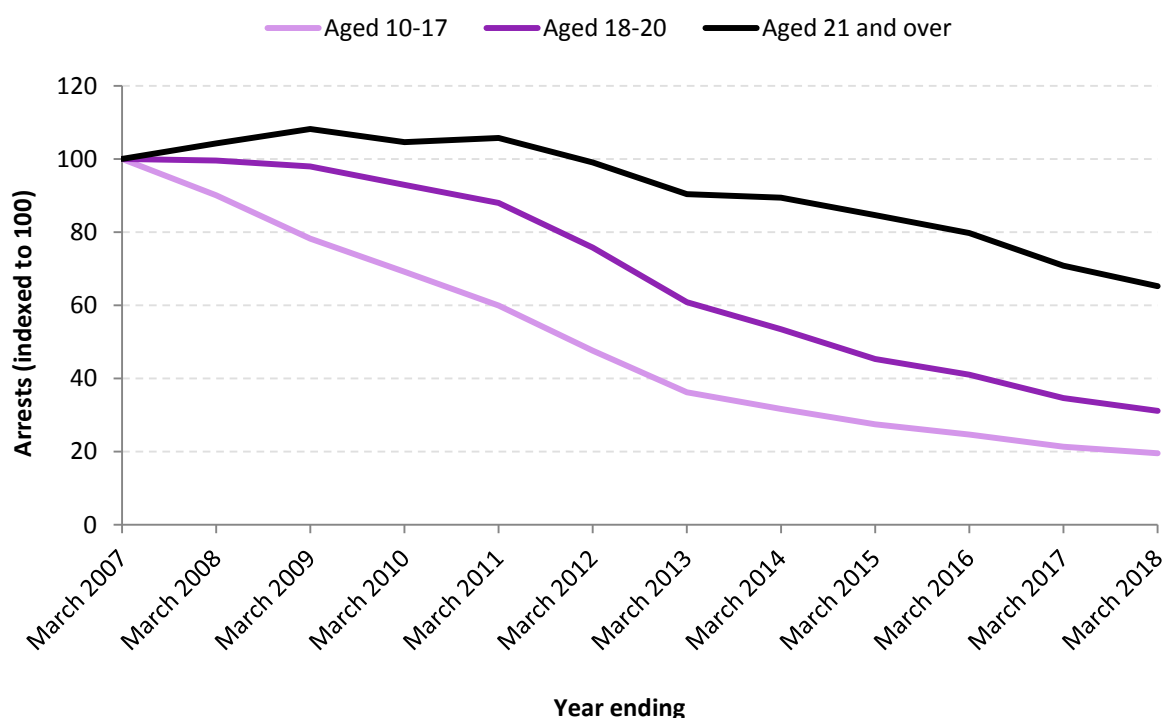
Source: [Arrests table A.03](#), Home Office

**Notes:**

1. Excludes those whose age was unknown (263 arrests), and those who were under 10 years old at the time of the arrest (6).
2. Excludes Lancashire Constabulary.

In the latest year, the falls in number of arrests were similar across the different age-groups. The number of arrests of those aged 18 to 20 fell by 10% compared with the previous year, and 8% of those aged 10 to 17, and those aged 21 years and over. As Figure 3.5 shows, arrests across all three age-groups have fallen sharply over the past decade, with arrests of those age under 21 falling by much more than arrests of those aged 21 and over. There has therefore been a shift in the age profile of those arrested over this period; in the year ending March 2007 those aged 21 and over accounted for 61% of all arrests but accounted for 81% in the year ending March 2018 (a similar proportion to the previous year).

**Figure 3.5** Number of arrests (indexed to 100 in the year ending March 2007) by age group, England and Wales, years ending March 2007 to 2018<sup>1</sup>



Source: [Arrests table A.01b](#), Home Office

**Notes:**

1. Excludes Lancashire Constabulary.

### 3.6 Arrests by ethnicity

When an individual is arrested, they are asked to define their ethnicity. For the purpose of this analyses, these are grouped into the following 6 categories:

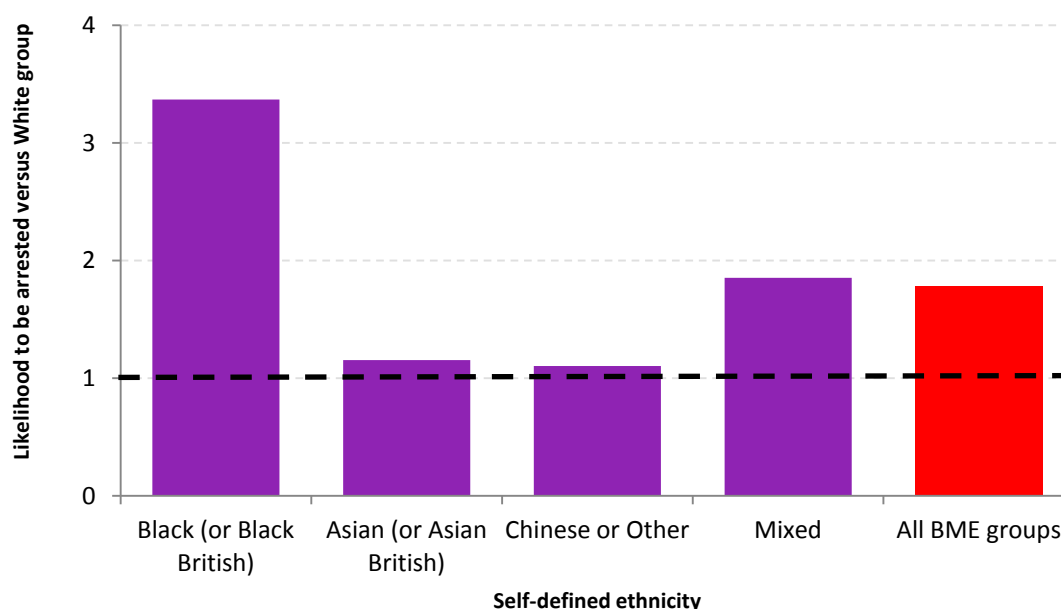
- White;
- Black (or Black British);
- Asian (or Asian British);
- Chinese or other;
- Mixed; and,
- Not stated.

The ethnic breakdown of those arrested in the latest year was similar to the previous year. Excluding those who did not state their ethnicity (who accounted for around 7% of arrestees in both years), 77% of those arrested defined their ethnicity as White, 10% as Black (or Black British) and 7% as Asian (or Asian British). The remaining 5% considered themselves either of mixed ethnicity, or Chinese or other.

The following analysis considers the ethnicity of those arrested relative to the population as a whole, by calculating arrest rates for each ethnic group. Population data is based on the 2011 Census, and so should be considered with caution given that the ethnic breakdown of the population is likely to have changed since 2011. Data are presented in terms of how likely Black and minority ethnic (BME) groups are to be arrested compared to those who are White.

As in previous years, persons who identified as Black (or Black British) were over 3 times as likely to be arrested than those who identified themselves as White, and those from BME groups were over 1 and a half times as likely to be arrested than those who identified themselves as White in the latest year (Figure 3.6).

**Figure 3.6** Likelihood<sup>1</sup> of being arrested by self-defined ethnic group, compared with those from White ethnic groups, England and Wales<sup>2</sup>, the year ending March 2018<sup>3</sup>



Source: [Arrests table A.04](#), Home Office

**Notes:**

1. A likelihood of 1 indicates that the ethnic group is equally as likely to be arrested as those who are White.
2. Population breakdowns are based on 2011 Census (the latest available figures). It is likely that ethnicity breakdowns of the population have changed since 2011. Such changes are not accounted for in the figures. Therefore, these figures should be considered estimates only.
3. Excludes Lancashire Constabulary.



In general the declining trend in the number of arrests was reflected across all ethnicities. Overall, the number of arrests of those from the BME group fell by 8%, and there was also a decrease of 8% in the number of arrests of those who considered themselves to be White (Table 3.4).

**Table 3.4 Ethnic breakdowns of persons arrested in England and Wales, year ending March 2018 compared to 2017<sup>1</sup>**

Self-defined ethnicity	<i>Numbers and percentages</i>			<b>England and Wales</b>	
	Year ending		% change		
	31 March 2017	31 March 2018			
White	551,470	505,780	-8		
Black (or Black British)	71,723	65,919	-8		
Asian (or Asian British)	50,672	46,276	-9		
Mixed	25,100	23,805	-5		
Chinese or Other	12,112	11,075	-9		
Not stated	50,161	45,885	-9		
<b>All BME</b>	159,607	147,075	-8		
<b>Total</b>	<b>761,238</b>	<b>698,737</b>	<b>-8</b>		

Source: [Arrests table A.04](#), Home Office

**Notes:**

1. Excludes Lancashire Constabulary.

### 3.7 Arrests by Police Force Area

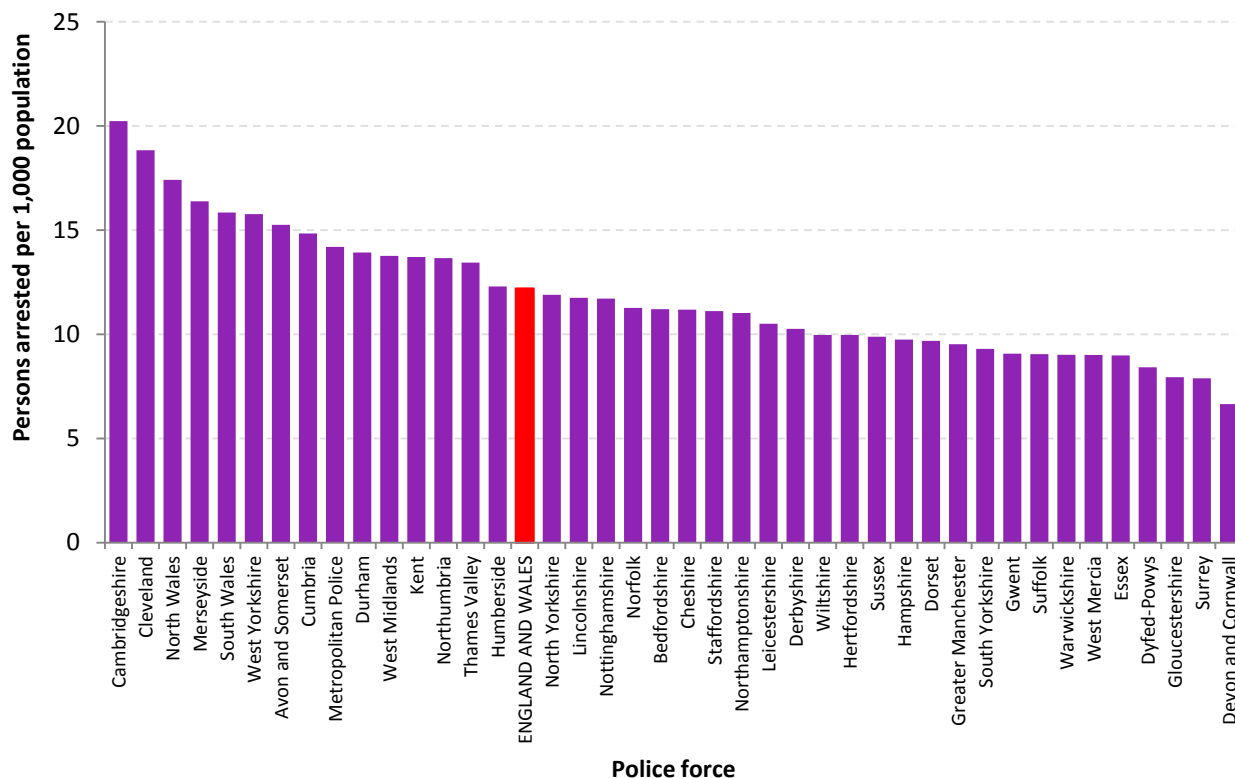
The number of arrests expressed per 1,000 member of the population in England and Wales was 12 in the year ending March 2018. This varied by Police Force Area<sup>5</sup> with the highest rate in Cambridgeshire (20 per 1,000 and up from 13 per 1,000 in the previous year). The lowest arrest rate, at 7 arrests per 1,000 members of the population, was found in the Devon and Cornwall Police Force Area (the same rate as the previous year).

Differences in the proportion of BME arrestees in some Police Force Areas are likely to, in part, reflect the differing populations and visitors to those areas. For example, the proportion of those arrested that were from BME groups ranges from under 3% (in Durham and North Wales area) to 53% (in the Metropolitan Police Service area). Comparisons in arrest rates between areas should be made with caution because population breakdowns are based on residents of a particular area (i.e. they do not include visitors).

<sup>5</sup> City of London Police force area has been excluded from this analysis, as the small resident population and large transient population within means that rates can be misleading.

Of the 42 forces in England and Wales who provided data, 5 showed an increase in the number of arrests, while 37 forces showed a decrease, in the latest year compared with the previous.

**Figure 3.7** Number of persons arrested per 1,000 population<sup>1</sup>, by Police Force Area, England and Wales<sup>2</sup>, year ending March 2018<sup>3</sup>



Source: [Arrests table A.05](#), Home Office.

**Notes:**

1. Calculated using the [mid-2017 population estimates for England and Wales](#), supplied by ONS.
2. City of London rates not shown due to the small resident population of the area relative to the transient or visiting population. City of London figures have been included in the England and Wales total.
3. Excludes Lancashire Constabulary.

### 3.8 Data quality and interpreting the figures

The figures presented are correct at the time of publication and include revisions submitted by forces for the previous years.

In both 2016/17 and 2017/18 Lancashire Constabulary were unable to supply arrests data. Figures for this force were therefore estimated in the Open Data Tables for 2016/17, but have been omitted for 2017/18.

### 3.9 Other data sources

While some ethnic breakdowns are provided here, more detailed figures and analyses are published by the Ministry of Justice (MOJ). The latest edition of its [Statistics on Race and the Criminal Justice System](#) series was published in February 2018. Figures presented relate to the period up to and including the financial year ending March 2016, and may since have been superseded by data included in this edition of 'Police powers and procedures'. The next edition in the MOJ statistical series is due to be published in November 2019.

MOJ also publishes biennial statistics on the representation of females and males as victims, suspects, offenders and employees in the criminal justice system. Its latest statistics can be found in Statistics on [Women and the Criminal Justice System 2015](#), and includes arrest figures for the financial year ending March 2016. The next edition in the MOJ statistical series is due to be published in November 2018.

The Youth Justice Board's series on [Youth Justice Statistics](#) looks at the flow of young people through the Youth Justice System. The latest edition was released in January 2018 and includes arrests data for the financial year ending March 2017. The next release is scheduled for January 2018, and will cover the period up to the financial year ending March 2018.

Data on individuals given an out of court disposal or proceeded against at court are published in MOJ's [Criminal Justice Statistics Quarterly](#).

[Crime Statistics](#), including police recorded crime figures, are published by ONS on a quarterly basis.

## 4 Stop and search

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### 4.1 Introduction

This section looks at stops and searches conducted by police in England and Wales (including the British Transport Police) under three different legislative powers. These are:

- section 1 of the Police and Criminal Evidence (PACE) Act 1984 and associated legislation<sup>6</sup>;
- section 60 of the Criminal Justice and Public Order Act 1994; and,
- sections 44/47A of the Terrorism Act 2000.

These powers allow police to search persons and vehicles without a warrant in specific situations. Details of the above legislation and the legislation associated with section 1 of PACE are included in the [user guide](#).

This release includes statistics on the number of stops and searches carried out by police in England and Wales on a financial-year basis. It includes statistics on the:

- number of stops and searches, and subsequent arrests carried out under different legislation;
- reason for the stop and search and/or subsequent arrest; and,
- ethnicity of persons stopped.

### 4.2 Section 1 PACE and associated legislation

Under section 1 of PACE, police are given the power to search persons and/or vehicles for a range of items including stolen property, offensive weapons, controlled drugs or evidence relating to terrorism, if the officer has reasonable cause to suspect he/she will find such items. Further details can be found in the [user guide](#).

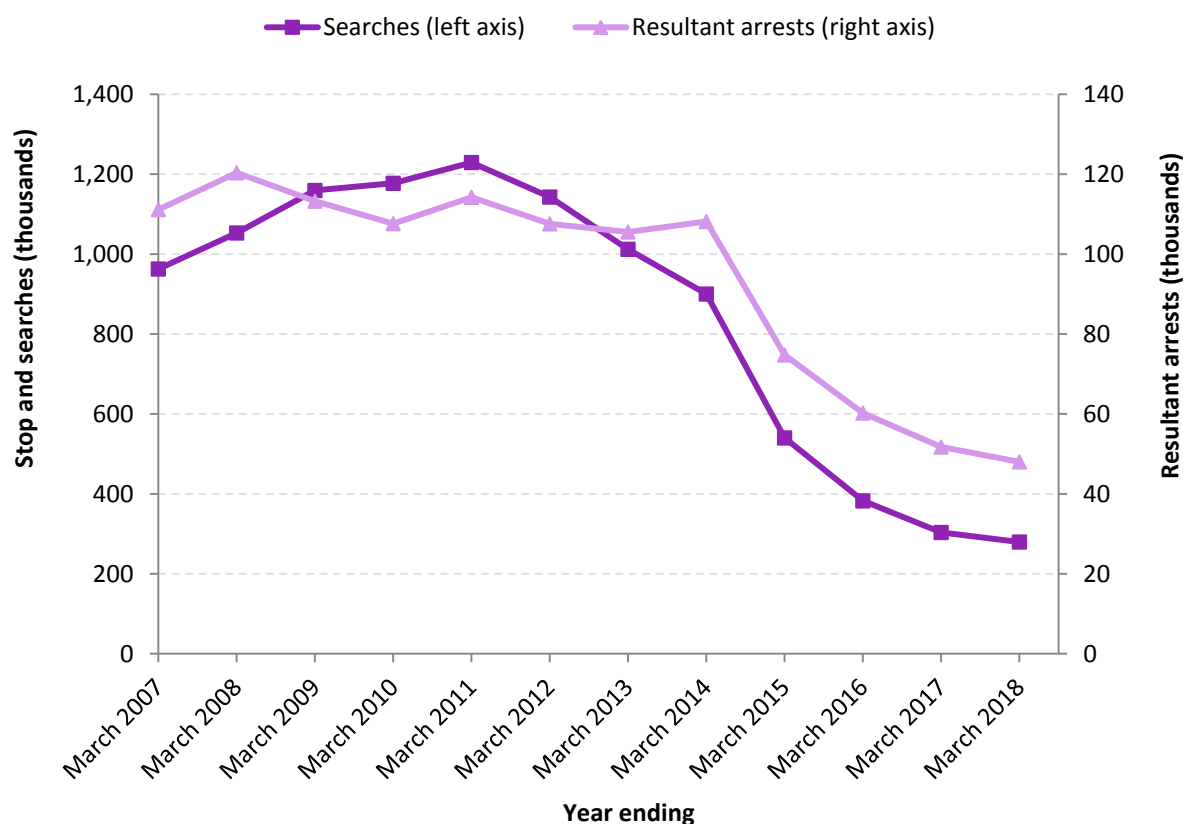
In the year ending March 2018, there were 279,598 stops and searches conducted under section 1 PACE (and associated legislation) by police in England and Wales (including the British Transport Police). This was a fall of 8% compared with the previous year (303,501), continuing the downward trend since the peak in the year ending March 2011 (1,229,324 stop and searches; Figure 4.1). This was the lowest number of stops under this power since the data collection began in the year ending March 2002.

The rate of reduction in stop and searches accelerated following the then Home Secretary's decision in 2014 to re-focus the use of such powers but has fallen less sharply in the latest year. In part this is thought to reflect the Met Police Commissioner's encouragement to make greater use of such powers as part of the operational response to knife crime in the capital.

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<sup>6</sup> The associated legislation includes stop and search powers under section 47 of the Firearms Act 1968, section 23 of the Misuse of Drugs Act 1971, section 43 of the Terrorism Act 2000 as well as other legislation.

**Figure 4.1** Number of stops and searches and resultant arrests under section 1 PACE and associated legislation, England and Wales<sup>1</sup>, year ending March 2007 to 2018



Source: [Stop and Search table SS\\_02](#), Home Office

**Notes:**

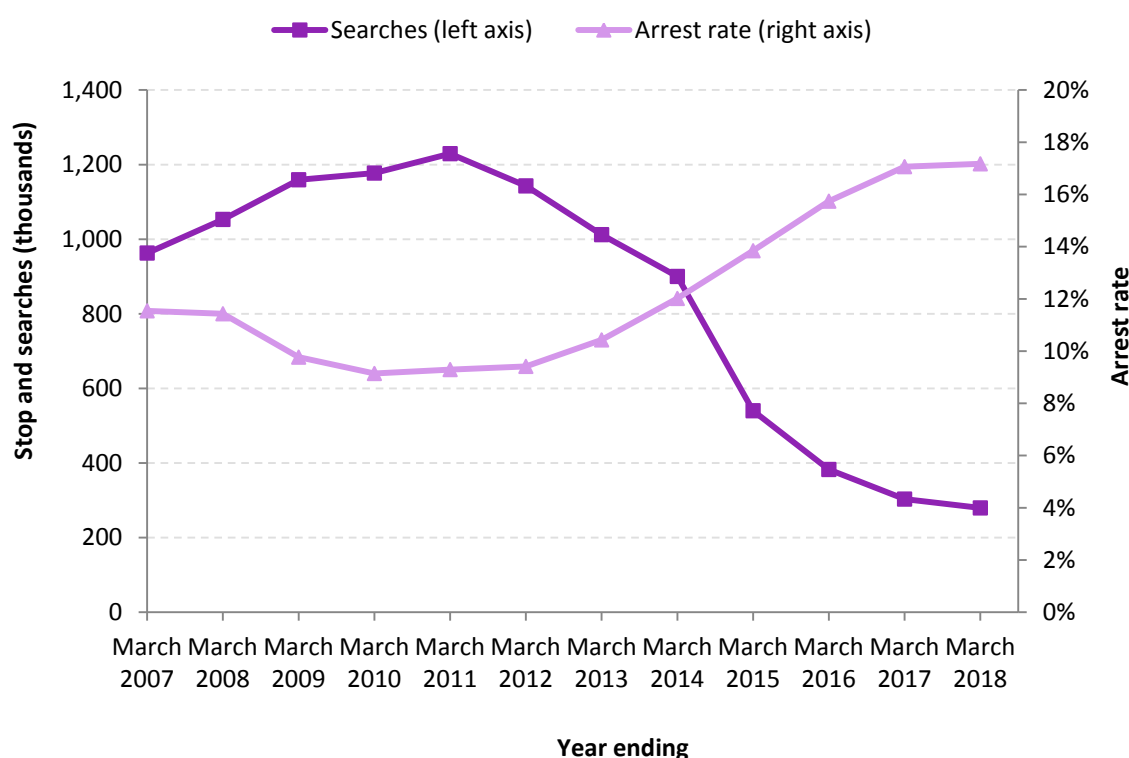
1. Data from 2009/10 onwards includes the British Transport Police (BTP). BTP did not provide data to the Home Office prior to 2009/10, therefore data from before this period are not directly comparable with more recent years. Although, BTP account for less than 1% of stop and searches in 2017/18.

The number of arrests resulting from stops and searches (under section 1 PACE) fell by 7% compared with the previous year (from 51,844 to 48,014). As Figure 4.1 shows, the number of arrests following a stop and search generally follows a similar pattern to the total number of stops and searches. However, arrest numbers remained fairly stable between the years ending March 2011 and 2014, despite a large fall in the number of searches during this period, suggesting better targeting of the power. In the latest 4 years, arrests have fallen alongside stop and search numbers, and the fall in the arrests in the latest year is in line with the fall in searches. The number of arrests resulting from stops and searches are at their lowest level (in terms of volume) since the series began in the year ending March 2002, but the arrest rate (the proportion of stops that led to an arrest) are the highest on record.

**Arrest Rate – the proportion of stop and searches resulting in an arrest**

Of the 279,598 stop and searches under section 1 PACE (and associated legislation) in the year ending March 2018, 48,014 led to an arrest. This was an arrest rate of 17%, a similar proportion to last year and, again, the highest rate since the series began (Figure 4.2). The arrest rate following a stop and search has increased from 9% in the year ending March 2010, to 17% in the year ending March 2018. This suggests the police are taking a more targeted approach to the use of stop and search and are therefore finding reason for an arrest in a higher proportion of cases.

**Figure 4.2** Number of stops and searches, and arrest rates under section 1 of PACE, England and Wales<sup>1</sup>, year ending March 2007 to 2018



Source: [Stop and Search table SS\\_02](#), Home Office

**Notes:**

1. Data from 2009/10 onwards includes the British Transport Police (BTP). BTP did not provide data to the Home Office prior to 2009/10, therefore data from before this period are not directly comparable with more recent years.

Although the arrest rate can be used as an indicator of the effectiveness of stop and search, there are a number of other possible outcomes following a stop and search that are not covered here. The [Best Use of Stop and Search Scheme \(BUSSS\)](#) aims to capture these additional outcomes to provide a fuller picture of how effectively stop and search is being used. Data on other outcomes resulting from stop and search can be found in the [Best Use of Stop and Search section](#).

## Reason for search

There are a number of reasons why the police may carry out a section 1 PACE stop and search, such as suspecting an individual is carrying drugs or a weapon. Any subsequent arrests resulting from a PACE search may not be related to the initial reason for the search; for example, an officer may suspect that an individual is carrying drugs, but actually arrest them as they are found to be carrying a weapon. As a result, while arrest rates give an overall picture of the number of searches leading to arrests, they do not give insight into arrest rates for specific offence categories. More information on how frequently arrests (and other outcomes) are linked to the initial reason for the search can be found in the [Best Use of Stop and Search section](#).

The most common reason for carrying out a PACE stop and search is on suspicion of drug possession. These accounted for 60% of all stop and searches in the year ending March 2018, a similar proportion (60%) to the previous year (Table 4.1)

**Table 4.1** Proportion of PACE stops and searches and subsequent arrests, England and Wales, year ending March 2017 and year ending March 2018

Reason	<i>England and Wales</i>			
	Proportion of searches (%)		Proportion of subsequent arrests (%)	
	2016/17	2017/18	2016/17	2017/18
Drugs	62	60	53	45
Stolen property	13	13	19	17
Offensive weapons	11	14	14	14
Going equipped	9	9	9	5
Other <sup>1,2</sup>	5	5	6	18

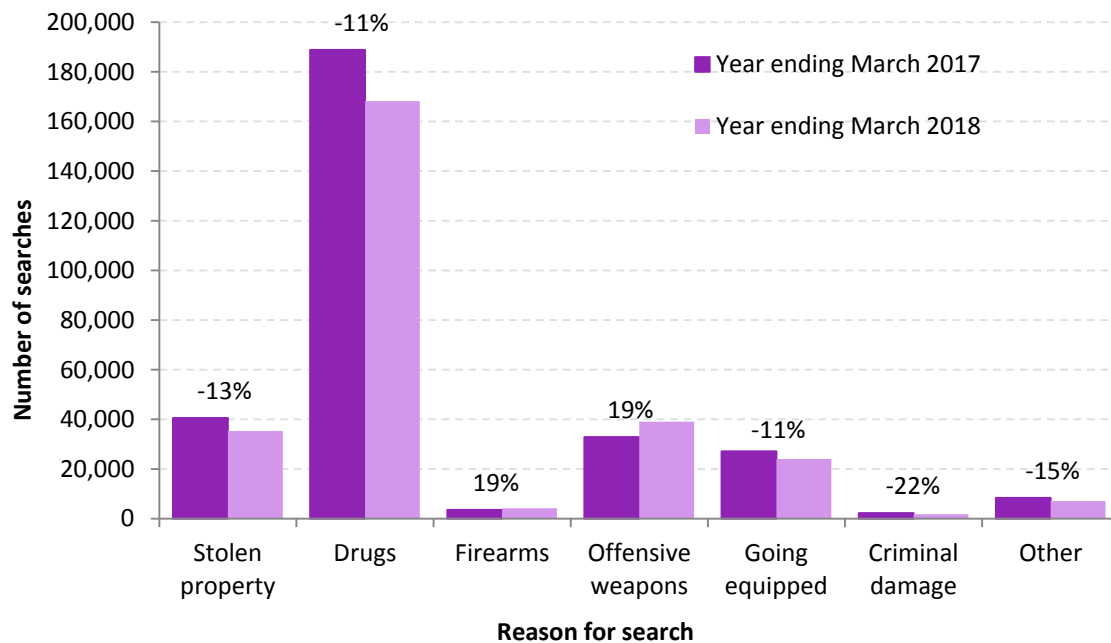
Source: [Stop and Search tables SS\\_03 and SS\\_04](#), Home Office

### Notes:

1. 'Other' reason for search category includes all other reasons for a stops/arrests, such as firearms, and criminal damage, as well as searches and arrests under section 43 of the Terrorism Act 2000.
2. The Metropolitan Police Service are unable to supply data for criminal damage arrests as these are not separately identified on their system. Arrests from criminal damage are included in 'Other'. This is likely to be driving the large proportion of 'Other' arrests. Excluding the Metropolitan Police Service, the proportion of arrests for 'Other' In England and Wales is 6%, similar to the previous year.

The number of searches conducted in the latest year fell across most search reasons, with the exception of firearms and offensive weapons which both saw an increase of 19% compared with the previous year (see Figure 4.3).

**Figure 4.3** PACE stops and searches by reason for search, England and Wales, the year ending March 2018 compared with the year ending March 2017



Source: [Stop and Search tables SS\\_03](#), Home Office

**Notes:**

1. The 'other' search category includes searches for reasons such as fireworks, as well as searches under section 43 of the Terrorism Act 2000.

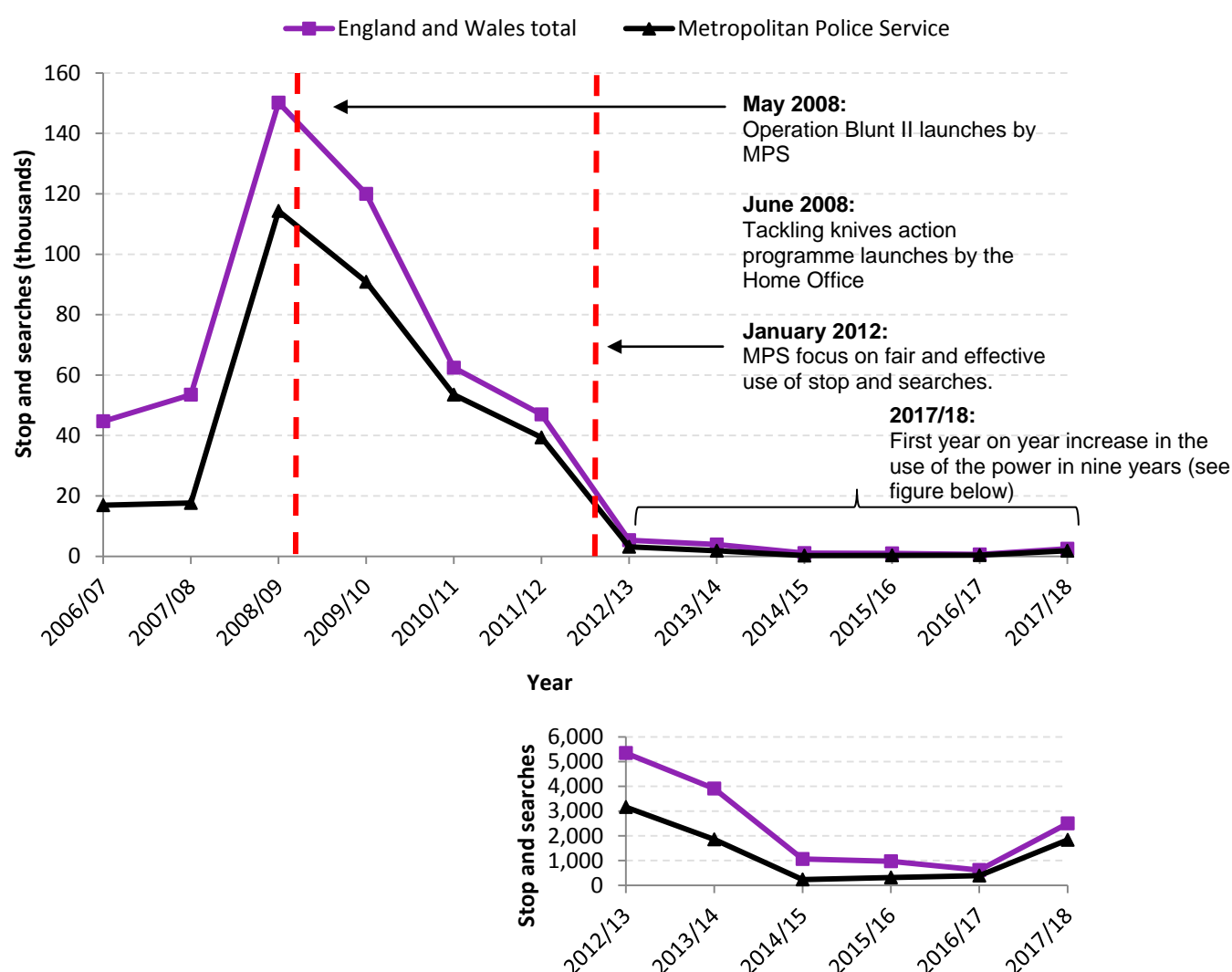


### 4.3 Section 60 of the Criminal Justice and Public Order Act

Under section 60 of the Criminal Justice and Public Order Act 1994, the police have the power to stop and search persons and/or vehicles in anticipation of violence through the use of offensive weapons or dangerous instruments. Further details can be found in the [user guide](#).

In the year ending March 2018, police in England and Wales carried out 2,501 stops and searches under section 60 of the Criminal Justice and Public Order Act. This is quadruple the number of searches under this power in the year ending March 2017 (from 631 to 2,501), but follows a large downward trend since a peak of around 150,000 searches in the year ending March 2009. The increase in the latest year was the first year on year increase in 9 years, and was driven by the Metropolitan Police Service.

**Figure 4.4** Stops and searches under section 60 of the Criminal Justice and Public Order Act 1994, England and Wales<sup>1</sup>, years ending March 2007 to 2018



Source: [Stop and search open data table](#), Home Office

**Notes:**

1. Data from 2009/10 onwards includes the British Transport Police (BTP). BTP did not provide data to the Home Office prior to 2009/10, therefore data from before this period are not directly comparable with more recent years.

In the latest year, most forces did not execute this power: only 18 of the 44 forces in England and Wales (including BTP) conducted at least 1 stop and search under section 60. The Metropolitan Police Service account for a large proportion (73%) of all section 60 searches in England and Wales in the year ending March 2018, followed by the British Transport Police (10%), Merseyside Police (6%) and West Midlands Police (4%).

The proportion of section 60 searches that resulted in an arrest in the year ending March 2018 was 8%, a fall of 3 percentage points compared with the previous year. Between the year ending March 2003 to 2016, the arrest rate fluctuated between 2% and 6%. The previous year (year ending March 2017) saw the highest arrest rate (11%) since the series began in the year ending March 2002, and the arrest rate in the latest year for section 60 searches (8%) is still notably lower than the arrest rate following searches under section 1 of PACE, which was 17%.

#### **4.4 Section 44/47A of the Terrorism Act 2000**

Section 47A (as amended by the Protection of Freedoms Act 2012) of the Terrorism Act 2000 (TACT) allows the police to exercise stop and searches powers when there is reasonable suspicion an act of terrorism will take place, and only when such powers are considered necessary to prevent such an act taking place. This must be authorised by a senior officer, at least the rank of Assistant Chief Constable, and the area and duration of the authorisation must be no greater than is necessary to prevent such an act. Section 47A of TACT stop and search powers replaced similar powers under section 44 of TACT on 18 March 2011. Further information on these searches can be found in the [user guide](#).

Following the Parsons Green attack, on 15 September 2017, the police used the power of stop and search under s.47a of TACT 2000 (previously s.44) for the first time since the legislation was formally amended in 2011 to significantly raise the threshold for authorisation of the power. In the year ending March 2018, there were 149 stop and searches under 47a of TACT 2000. Four forces authorised the use of these powers with the British Transport Police (BTP) conducting the majority (145 stop and searches). North Yorkshire Police conducted 3 stop and searches and West Yorkshire Police conducted one. While the City of London Police authorised the use of this power, it was not ultimately used to stop anyone. Among these forces, of the 149 stop and searches, 5 resulted in an arrest.

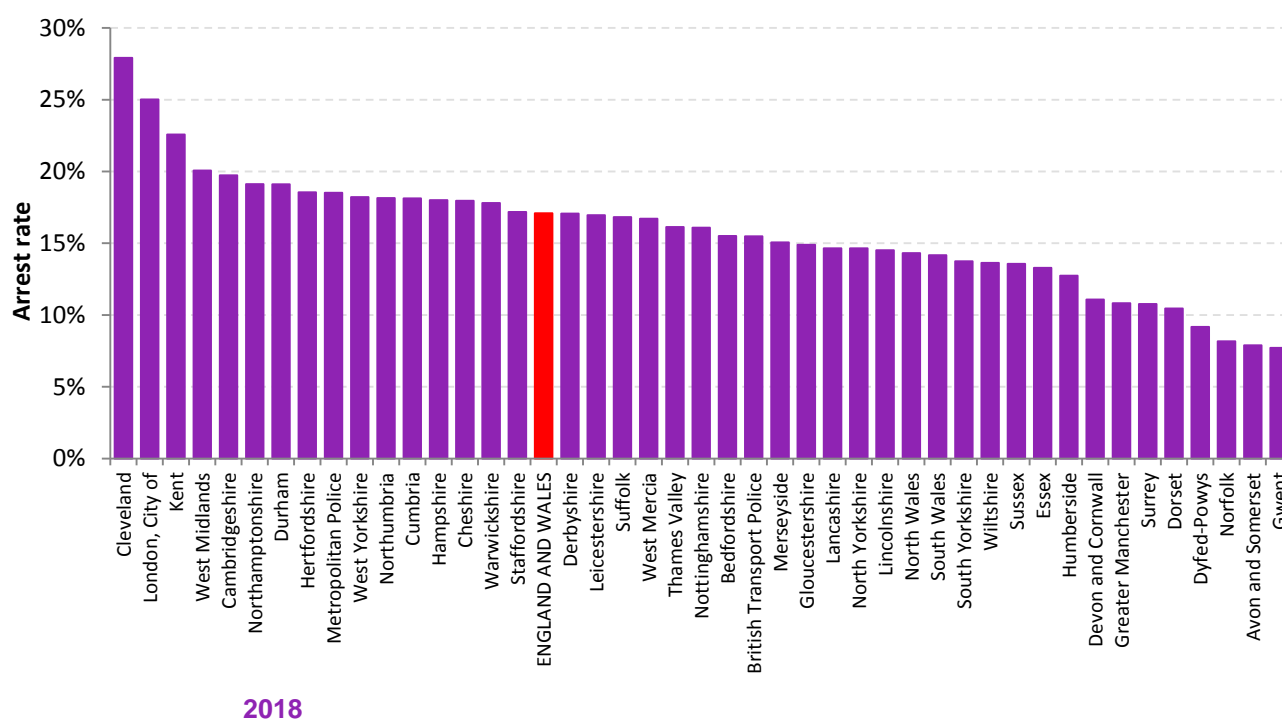
## 4.5 Stop and search by Police Force Area

The Metropolitan Police Service continue to account for a large proportion of all stop and searches in England and Wales (48% in the year ending March 2018)<sup>7</sup>. When examining the use of stop and search amongst different police forces, it is useful to factor in the population of each force by considering search rates.

In England and Wales there were 5 searches per 1,000 population in the year ending March 2018. The Metropolitan Police had the highest search rate at 15 stops per 1,000 population.

In England and Wales there was an arrest rate of 17% in the year ending March 2018 following any stop and search (Figure 4.5). Stop and searches in the Cleveland Police Force Area resulted in the highest arrest rate (28%) followed by City of London Police (25%). Avon and Somerset and Gwent police force areas had the lowest arrest rates with just under 8% of searches leading to an arrest.

**Figure 4.5** Arrest rate following a stop and search<sup>1</sup>, England and Wales, year ending March



**Source:** [Stop and search table SS 14](#), Home Office

**Notes:**

1. Includes stop and searches under section 1 of PACE and associated legislation, section 60 of the Criminal Justice and Public Order Act 1994, and section 47A of the Terrorism Act 2000.

While arrest rates do offer some indication of the effective and targeted use of stop and search, there are a range of other outcomes that could indicate a successful stop and search. These are not included in this section, but the [BUSSS](#) aims to collect data on these additional outcomes (more information can be found in the [Best Use of Stop and Search section](#)).

<sup>7</sup> Includes searches under section 1 PACE, section 60 of the Criminal Justice and Public Order Act 1994 and section 47A of the Terrorism Act 2000.

## 4.6 Ethnicity of persons searched

When conducting a stop and search, police are required to ask the person being stopped to define their ethnicity. For the purpose of this analysis, ethnicities are grouped into the following categories:

- White;
- Black (or Black British);
- Asian (or Asian British);
- Chinese or other;
- Mixed; and,
- Not Stated.

The Metropolitan Police Service undertake a large proportion (48%) of all stops and searches in England and Wales. As the force has a considerably larger Black and minority ethnic (BME) population (40%) than the rest of England and Wales (10%), data for the Metropolitan Police can skew the data at a national level when considering the ethnicity of those stopped. In the table below, as with tables [SS 16](#) and [SS 17](#), the Metropolitan Police Service are presented separately, and England and Wales totals exclude the force.

Table 4.2 shows that for both section 1 PACE searches and section 60 searches, stops of BME individuals accounted for a much larger proportion of all stops in the Metropolitan Police when compared with forces in the rest of England and Wales.

**Table 4.2** Proportion of stop and searches<sup>1,2</sup> by ethnic group, England and Wales<sup>3</sup> and the Metropolitan Police Service (MPS), year ending March 2018

	<i>Percentages</i>				<i>England and Wales</i>	
	<b>Section 1 PACE</b>		<b>Section 60</b>		<b>Population</b>	
	<b>England &amp; Wales<sup>1</sup></b>	<b>MPS</b>	<b>England &amp; Wales<sup>1</sup></b>	<b>MPS</b>	<b>England &amp; Wales</b>	<b>MPS</b>
White	71	34	47	17	90	60
BME	19	53	33	64	10	40
Not Stated	10	13	20	19	-	-

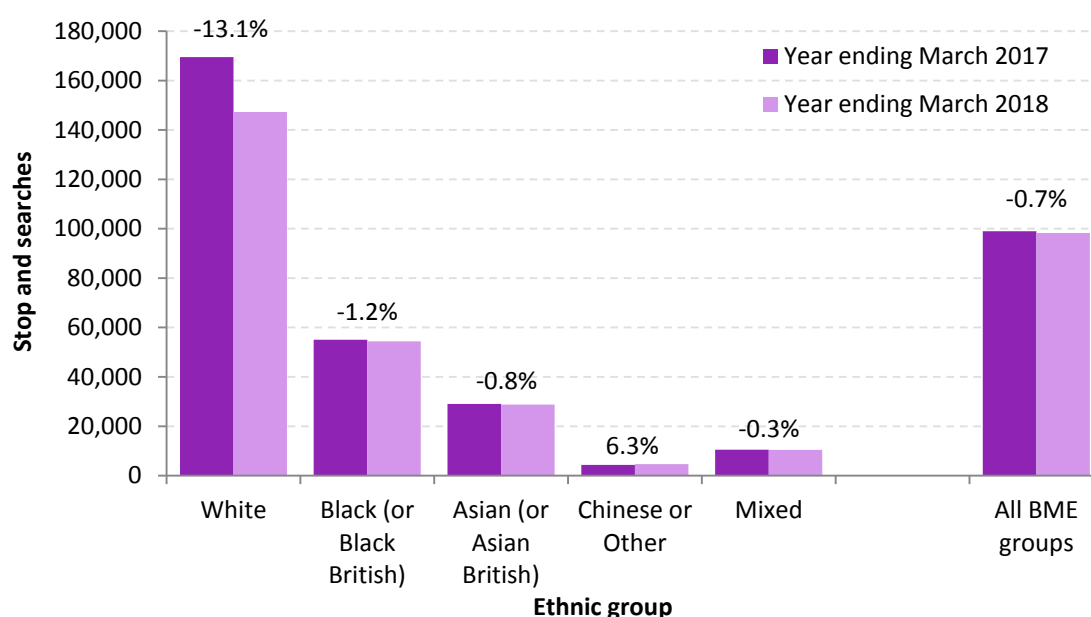
**Source:** [Stop and search table SS 16](#), Home Office

**Notes:**

1. Excludes vehicle only searches.
2. Includes searches under section 1 PACE and associated legislation and section 60 of the Criminal Justice and Public Order Act 1994. Excludes searches under section 47A of the Terrorism Act 2000.
3. MPS are excluded from England and Wales figures.

The falls in the use of stop and search over the last year have been seen across most ethnicity groups, except for the Chinese or Other ethnic group which saw an increase (Figure 4.6). Among those ethnic groups that saw reductions in the use of stop and search there were different rates of falls. Stops of White individuals have fallen by the most (13%), while BME stops have fallen 1%. The number of stops on those who considered themselves to be Black has also fallen by 1% in the latest year.

**Figure 4.6** Change in stops and searches<sup>1</sup> by ethnicity, England and Wales, the year ending March 2018 compared with the year ending March 2017



Source: [Stop and search tables SS 06 and SS 10](#), Home Office

**Notes:**

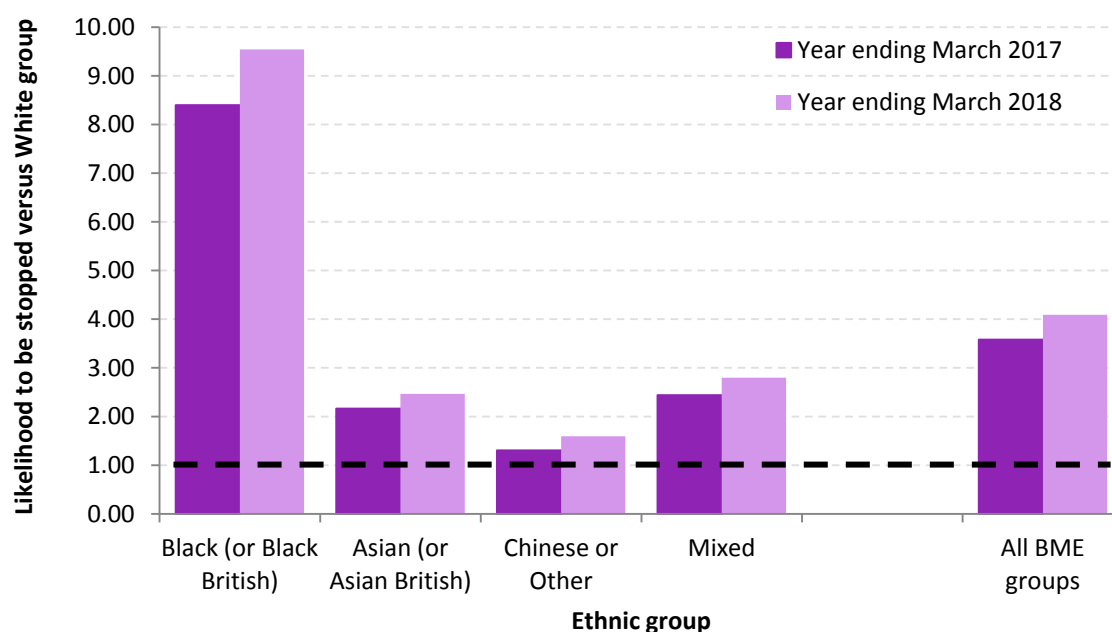
1. Includes searches under section 1 PACE and associated legislation, section 60 of the Criminal Justice and Public Order Act 1994, and section 47A of the Terrorism Act 2000.

The following analysis considers the ethnicity of those searched relative to the population as a whole, by calculating search rates for each ethnic group. Population data is based on the 2011 Census, and so should be considered with caution given that the ethnic breakdown of the population is likely to have changed since 2011. Data are presented in terms of how likely BME groups are to be searched compared with those who are White.

In the year ending March 2018, those who considered themselves to be from BME groups were 4 times as likely to be stopped as those who considered themselves to be White. The difference between the two groups narrowed to twice as likely between the years ending March 2013 and 2015, rising to 3 times as likely in the year ending March 2016 and rising again to just over 3 and a half times as likely in the year ending March 2017. This is likely to be because, as mentioned above, searches have fallen more amongst the White group than among BME groups in the latest year driving the disparity rate.

A similar pattern was seen for the Black ethnic group, which fell from 6 times as likely to just over 4 times as likely between the years ending March 2012 and 2015, before rising to 6 and a half times as likely in the year ending March 2016 and rising again to over 8 times as likely in the year ending March 2017. In the year ending March 2018, the rate has risen again, with those who considered themselves to be Black 9 and a half times as likely to be stopped as those who considered themselves to be White.

**Figure 4.7** Likelihood<sup>1</sup> of being stopped and searched<sup>2</sup> by self-defined ethnic group, compared with those from White ethnic groups, England and Wales<sup>3</sup>, year ending March 2018 compared with 2017



Source: [Stop and search table SS 13](#), Home Office

**Notes:**

1. Likelihood of 1 indicates that the ethnic group is equally as likely to be stopped as those who are White.
2. Includes searches under section 1 PACE and associated legislation, section 60 of the Criminal Justice and Public Order Act 1994, and section 47A of the Terrorism Act 2000.
3. Population breakdowns are based on the 2011 Census. It is likely that ethnicity breakdowns have changed since 2011. Such changes are not accounted for in the figures. Therefore, these figures should be considered as estimates only.

## 4.7 Data quality

Data presented here have been provided to the Home Office by the 43 territorial police forces in England and Wales and the British Transport Police (BTP). Since the year ending March 2010, BTP have been providing data to the Home Office. Data on total searches prior to this period are therefore not directly comparable to more recent years. However, as BTP only account for just under 1% of stop and searches in the year ending March 2018, the longer-term time series provides a reasonably accurate long-term measure.

The figures presented are correct at the time of publication and may include revisions submitted by forces for previous years.

For some years, certain forces were unable to provide all of the requested breakdowns of the data; for example, the reason for some stops and searches or the ethnicity of the person searched may not have been provided for all cases. Such cases have been outlined in the relevant table notes. To ensure data are comparable over time, some forces may have been excluded from comparisons. These cases have been highlighted.

The [user guide](#) provides further details relating to definitions, legislation and procedure around stop and search.

## 4.8 Other data sources

Quarterly figures for stops and searches conducted in Great Britain under the Terrorism Act 2000 appear in the Home Office series [Operation of police powers under the Terrorism Act 2000](#).

MOJ publishes a biennial [Race and the criminal justice system](#) series that includes data supplied by the Home Office on stop and search. The next publication is due for release in November 2019.

The Metropolitan Police Service publishes [monthly reports](#) on the use of stop and search by the force. Other forces may publish similar reports.

## 5 Best Use of Stop and Search

### 5.1 Introduction

On 30 April 2014, the [Best Use of Stop and Search \(BUSS\) scheme](#) was announced. The aims of the scheme were to:

- achieve greater transparency around how stop and search is used;
- improve community engagement and involvement in the use of stop and search powers;
- develop a more intelligence-led approach to the use of stop and search; and,
- encourage accountability in the police use of stop and search powers.

### Outcomes of stop and search

Historically, forces have provided data on the number of stops and searches conducted, and the number of resultant arrests. Arrests represent only one of a number of possible outcomes available to the police when conducting a stop and search. As part of the scheme, forces are required to report on a wider range of outcomes including:

- Arrests;
- Cautions;
- Summons;
- Penalty Notices for Disorder;
- Cannabis/Khat warnings;
- Community resolutions; and,
- No further action.

### One outcome per stop and search

For each stop and search, only the first outcome is recorded. Where an outcome follows an arrest, only the arrest will be recorded to avoid double counting. Therefore, outcomes that follow an arrest (such as cautions) will be under-recorded in these figures. The data should therefore not be used to infer, for example, the total number of cautions that result from stops and searches.

### Outcome linked to reason for stop and search

Forces are also required to report on whether the outcome was linked to the initial reason for conducting the search. This aims to increase transparency by allowing for a distinction between those outcomes that are a result of a professional judgement (i.e. the officer found what they were searching for), and those where the item found was not what the officer was searching for, or where nothing was found. Table 5.1 presents some example scenarios to demonstrate this distinction.

**Table 5.1** Example scenarios for a stop and search

Reason for stop	Scenario	Outcome	Linked?
Drugs	Cannabis found	Cannabis warning	Linked
Drugs	No drugs found, but weapon found	Arrest	Not linked
Drugs	Nothing found	No further action	Not linked

Further details can be found in the [BUSS guidance](#).



Currently all forces in England and Wales are signed up to the BUSS scheme. This release includes data provided from the 43 police forces in England and Wales and the British Transport Police for the year ending March 2018. Given the known issues around the quality of the data, these statistics are designated as **Official Statistics**, and not National Statistics. Further information can be found in the limitation section of this chapter (5.4).

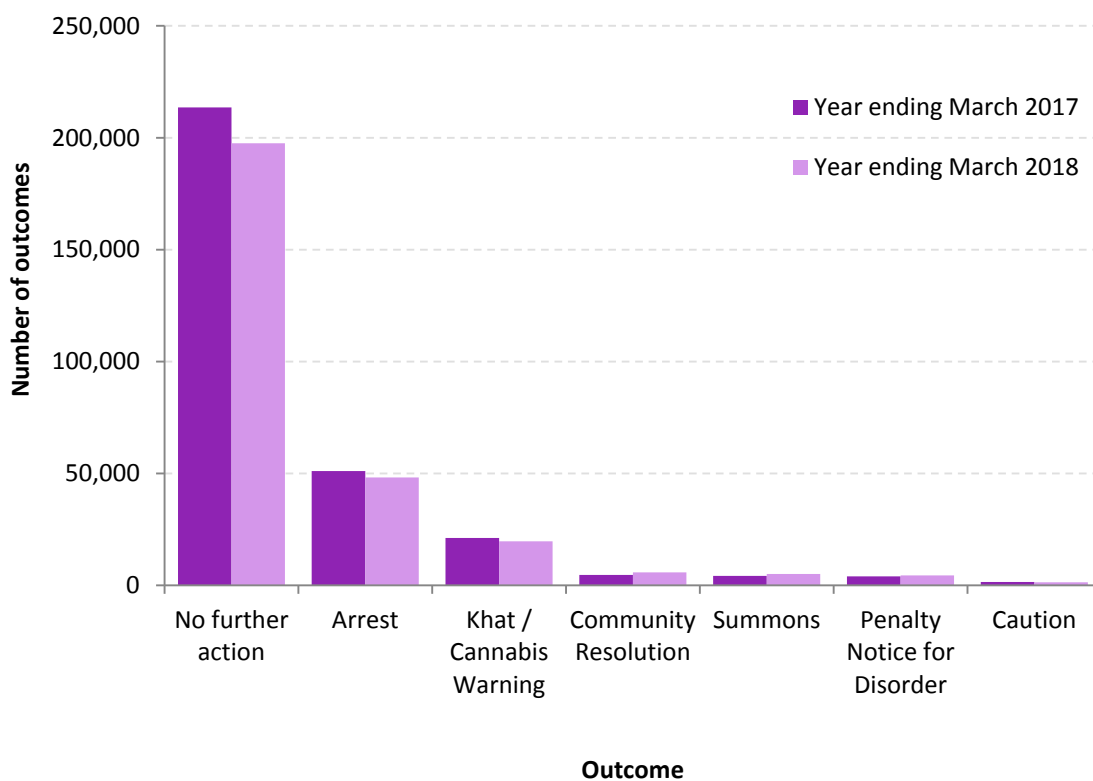
Since BUSS data are collected separately from stop and search data in [chapter 4](#), figures and arrest rates in this chapter may not match exactly with those published in the previous chapter.

## 5.2 Principal outcome following a stop and search

These data include the initial outcome given following the search only. If an arrest took place and was later followed by a caution, only the arrest would be recorded. It should be noted that 'No further action' includes a wide range of scenarios, including, for example, where "words of advice are given". It is therefore possible that, in some cases, an outcome of 'No further action' could be given where the officer finds what they were looking for (outcome linked), but decides not to deal with it by means of arrest, cautions or another outcome.

These data include searches under both section 1 PACE and section 60 of the Criminal Justice and Public Order Act 1994. In 70% of stop and searches the outcome was 'No further action'. In a further 17% of stop and searches the initial outcome was an arrest. An alternative outcome was given in the remaining 13% of cases.

**Figure 5.1** Principal outcome following stop and search<sup>1</sup>, England and Wales<sup>2</sup>, year ending March 2018



Source: [Best Use of Stop and Search table BUSS\\_01](#), Home Office

**Notes:**

1. Includes vehicle only searches.
2. Includes British Transport Police.

### 5.3 Link between outcome and reason for stop and search

In the year ending March 2018, just over 1 in 5 stop and searches (22%) resulted in an outcome that was linked to the reason for the search, i.e. the officer found what they were searching for. This proportion varied considerably depending on the reason for the stop, as shown in Table 5.2. While over 1 in 4 drug stops (28%) led to an outcome related to 'Drugs', this figure was 1 in 5 (20%) for 'Stolen property' and just over 1 in 8 (12%) for searches relating to 'Offensive weapons' and 'Going equipped'.

**Table 5.2** Proportion of cases where the outcome of the stop was linked to the reason for the stop and search, by reason for stop and ethnicity, England and Wales<sup>1</sup>, year ending March 2018<sup>2</sup>

Reason for stop	<i>Percentages</i>		
	<i>England and Wales</i>		
	Self-defined ethnicity		
	White	BME	Overall <sup>3</sup>
Drugs	29	29	28
Stolen property	21	21	20
Firearms	17	14	15
Offensive weapons	14	11	12
Criminal damage	12	11	12
Going equipped	7	4	6
Other <sup>4</sup>	8	6	7
<b>Total Section 1 PACE</b>	<b>23</b>	<b>23</b>	<b>22</b>
Section 43 of TACT 2000	1	1	-
Section 60 of Criminal Justice and Public Order Act 1994	3	4	3
<b>Total</b>	<b>23</b>	<b>22</b>	<b>22</b>

Source: [Best Use of Stop and Search table BUSS 5a](#), Home Office

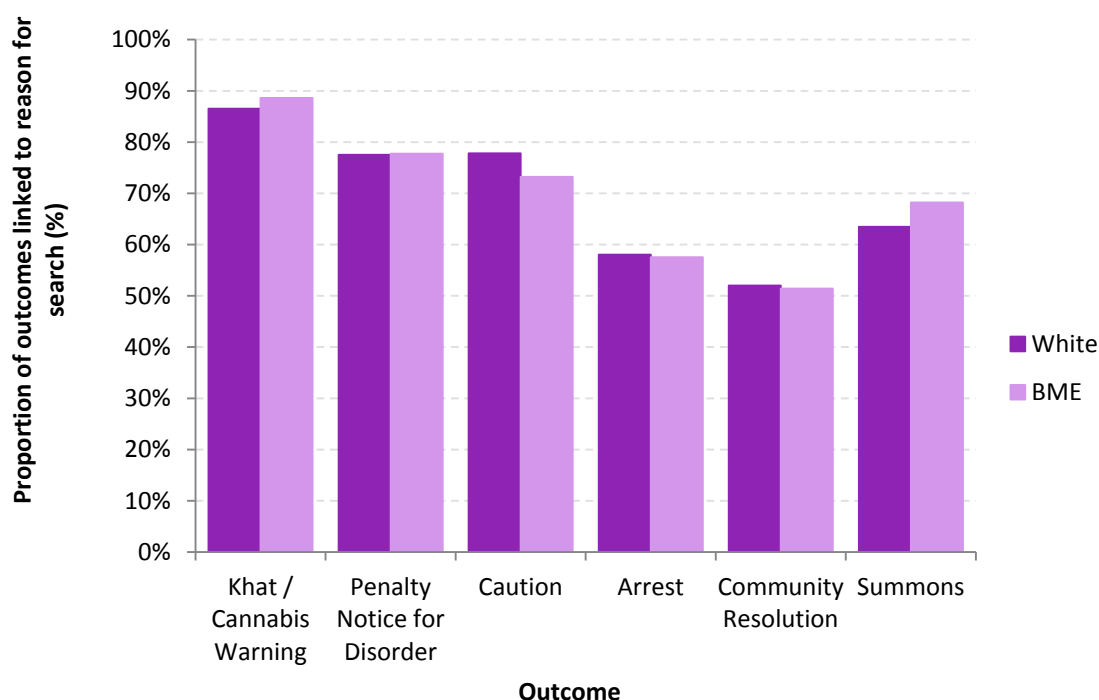
**Notes:**

1. Includes British Transport Police.
2. Proportions are calculated excluding cases where an object was found however the link between the reason for search and outcome is unknown, or where it's unknown whether an object was found.
3. Includes vehicle only searches.
4. The 'other' search category includes searches under associated legislation, such as section 43 of the Terrorism Act 2000, as well as other legislation.

The figures in Table 5.2 cover all searches, including those that resulted in an outcome of 'No further action'. Given that 'No further action' outcomes will rarely be linked to the initial reason for the search, it is helpful to consider the picture when these cases are excluded. When this is done, 66% of outcomes were linked to the initial reason for the search.

The proportion of each outcome (excluding 'No further action' outcomes) that was linked to the reason for the search is shown in Figure 5.2. There was relatively little difference between White and BME groups when considering how frequently an outcome was linked to the initial reason for the search.

**Figure 5.2** Proportion of cases where the outcome of the search was linked to the reason for the stop and search<sup>1</sup>, by outcome type and ethnicity, England and Wales<sup>2,3</sup>, year ending March 2018<sup>4</sup>



Source: [Best Use of Stop and Search table BUSS 7a](#), Home Office

**Notes:**

1. Excludes vehicle only searches.
2. Includes British Transport Police.
3. Proportions are calculated excluding cases where an object was found however the link between the reason for search and outcome is unknown, or where it's unknown whether an object was found.

## 5.4 Limitations of the data

Statistics on Best Use of Stop and Search are designated as '**Official Statistics**' rather than 'National Statistics'. This is due to a number of data quality issues, which are outlined below. While the findings in this section should be considered with caution, they give a reasonable indication of the picture at the national level but users should be wary of making force comparisons.

While the outcome of each stop and search is relatively straightforward to record, the link between the reason for the search and the search outcome is more complex. In many forces, officers themselves assess whether a link is involved, and so there is an element of subjectivity involved. It is likely that different officers may classify whether there is a link or not in different ways.

Furthermore, a number of forces have adopted mobile devices to allow officers to directly record stop and searches at the scene, as well as the outcome following a stop and search under the BUSS scheme. Some forces have reported inconsistencies in the way officers use these devices, leading to difficulties when deciding whether the outcome of the search was linked to the reason for the search (for example, more than one outcome was recorded, or the officer had marked the outcome as "linked" to the reason for the search where it did not appear that the outcome was linked).

The Home Office intends to continue to work with forces to ensure greater consistency of recording in future years.

## 6 Other PACE powers

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### 6.1 Introduction

The police have a number of other powers that are authorised under the Police and Criminal Evidence Act (PACE). This section provides information on the police powers of detentions and intimate searches. Previously, this section also provided information on road checks carried out by police forces in England and Wales. However, to reduce burden on the police, and because there was not a strong user demand for these statistics, the collection was discontinued following the November 2017 edition of the bulletin.

### 6.2 Detentions

Under section 42 of PACE, police may detain a suspect before charge, usually for a maximum of 24 hours, or for up to 36 hours when an alleged offence is an indictable<sup>8</sup> one. From 20 January 2004, powers were introduced which enabled an officer of the rank superintendent or above to authorise continued detention for up to 36 hours following an arrest. Additionally, police may apply to the Magistrates' Court to authorise warrants of further detention, extending the detention period to a maximum of 96 hours without charge. Further details can be found in the [user guide](#).

This section provides information on the number of persons detained for more than 24 hours who were subsequently released without charge. It also provides details on the number of warrants for further detention that were applied for and the number that led to charges. Data are requested by the Home Office from the 43 territorial police forces in England and Wales on a financial-year basis, though not all forces have been able to provide these data.

In the year ending March 2018, there were a total of 3,137 persons detained by police in England and Wales under part IV of PACE for more than 24 hours and subsequently released. This represented a decrease of 2% compared with the previous year (based on data from 33 forces that were able to provide complete data for both years).

Of those detained and subsequently released, 90% (2,831) were held for between 24 and 36 hours and a further 217 persons were held for more than 36 hours before being released without charge. The remaining 89 were detained under warrant for further detention (before being released without charge).

In the year ending March 2018, police in England and Wales applied to magistrates for 354 warrants of further detention. Of these applications 6 were refused, meaning warrants were granted in 98% of cases. When a warrant of further detention was granted, this led to a charge in 63% of cases (219 cases).

**Source:** [Other Pace Powers data tables, D\\_01 to D\\_04](#), Home Office

### 6.3 Intimate searches

If a person who is arrested is believed to be concealing Class A drugs, or anything that could be used to cause physical injury, a suitably qualified person may carry out an intimate search under section 55 of PACE. This section includes data on the number of intimate searches carried out by police in England and Wales, as well as details of who conducted the search and why, on a financial-year basis. Further details can be found in the [user guide](#).

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<sup>8</sup> These offences are the most serious breaches of criminal law, and must be tried at the Crown Court.

As is the cases with detentions over 24 hours, some forces were unable to provide these data. Based on the 40 forces who could supply data, there were 105 intimate searches carried out by police in the year ending March 2018. Excluding forces who could not supply data for both years, this was an increase of 16 searches on the previous year.

Of the 105 intimate searches, 97 (92%) were carried out by a medical practitioner or other suitably qualified person, 6 (6%) were carried out by a police officer and 1 (1%) was carried out by a designated civilian detention officer.

Of all searches, 90% were made in an attempt to find Class A drugs, with the remaining searches conducted to find harmful articles. This is consistent with breakdowns for recent years, where around 80% to 90% of searches were conducted to find Class A drugs. Of the searches made for drugs in the latest year, Class A drugs were found in 13% of cases, down 9 percentage points from 22% in the previous year.

Of the 40 police forces in England and Wales who could supply data to the Home Office, 23 had carried out intimate searches in the year ending March 2018. Suffolk Constabulary conducted the most intimate searches (17), followed by Surrey Police (14), and Norfolk Constabulary (12).

**Source:** [Other PACE Powers data tables, IS\\_01 to IS\\_02](#), Home Office

## 6.4 Data quality

The presented statistics in this section are correct at the time of publication.

Durham, Gloucestershire, Leicestershire, Lincolnshire, Thames Valley, Warwickshire and West Mercia police forces were unable to provide any detentions data for the year ending March 2018. Cheshire, Dorset and Wiltshire police forces were able to provide partial data only. These forces have been excluded from some year on year comparisons, as outlined in the footnotes accompanying the [detentions tables](#).

Durham, Kent and Thames Valley police forces were unable to provide any data on intimate searches in the year ending March 2018. Data for these 3 forces have been excluded from any year on year comparison.

The [user guide](#) provides further details relating to definitions, legislation and procedures, and data quality.

## 7 Fixed penalty notices and other outcomes for motoring offences

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### 7.1 Introduction

A fixed penalty notice (FPN) is a prescribed financial penalty issued to a motorist as an alternative to prosecution. They can be issued for a limited range of motoring offences, such as speeding offences and using a handheld mobile phone while driving. An FPN can be endorsable (accompanied by points on a driving licence) or non-endorsable (not accompanied by points on a driving licence).

Data in this section are extracted from the PentiP system, a central database, which replaced the Vehicle Procedures and Fixed Penalty Office (VP/FPO) system in 2011. VP/FPO data were previously supplied to the Home Office by individual police forces. Further information can be found in the [user guide](#).

In 2017 the Home Office widened the scope of the collection for motoring offences to include cases where a driver retraining course, such as a speed awareness course, was attended by the individual, as well as cases where an individual faced court action. However, information on the outcome of those summoned to court is not provided and therefore data do not contain the number of individuals prosecuted for motoring offences<sup>9</sup>. A full-time series back to 2011 was published. Since PentiP is an administrative dataset used by police forces, data for previous years can be amended. Furthermore, there is a cleansing process where some outcomes (particularly cancelled FPNs) are removed from the system after 6 months. For this reason, after publication in this bulletin, the figures represented in the accompanying data tables become fixed, and revisions are not made to data from previous years in subsequent releases.

This section contains data on the outcomes for motoring offences (as recorded on the PentiP system) for police force areas in England and Wales (excluding BTP) on a calendar-year basis. Data are broken down by the number of motoring offences that resulted in an FPN (endorsable and non-endorsable), the number of offences where the driver attended a driver retraining course, and the number of offences which resulted in court action, as well as cancelled FPNs. The data also contain information on the types of motoring offences which led to these outcomes, whether or not the offence was camera detected, and whether or not a fine was paid (where the offence resulted in an FPN).

In previous versions of this bulletin, and although separately identified and labelled within the chapter and data tables, all outcomes were referred to as 'issued FPNs'. However, in cases where the driver accepted a driver retraining course, or faced immediate court action, an FPN will not have been issued by the police. Following engagement with stakeholders, and for clarity throughout this chapter, each outcome is now referred to separately.

Data on FPNs and other outcomes for motoring offences in England and Wales are presented in [the FPN and other outcomes data tables](#).

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<sup>9</sup> Ministry of Justice publishes data in its [Criminal Justice Statistics Quarterly](#) publication on prosecutions and convictions for motoring offences.

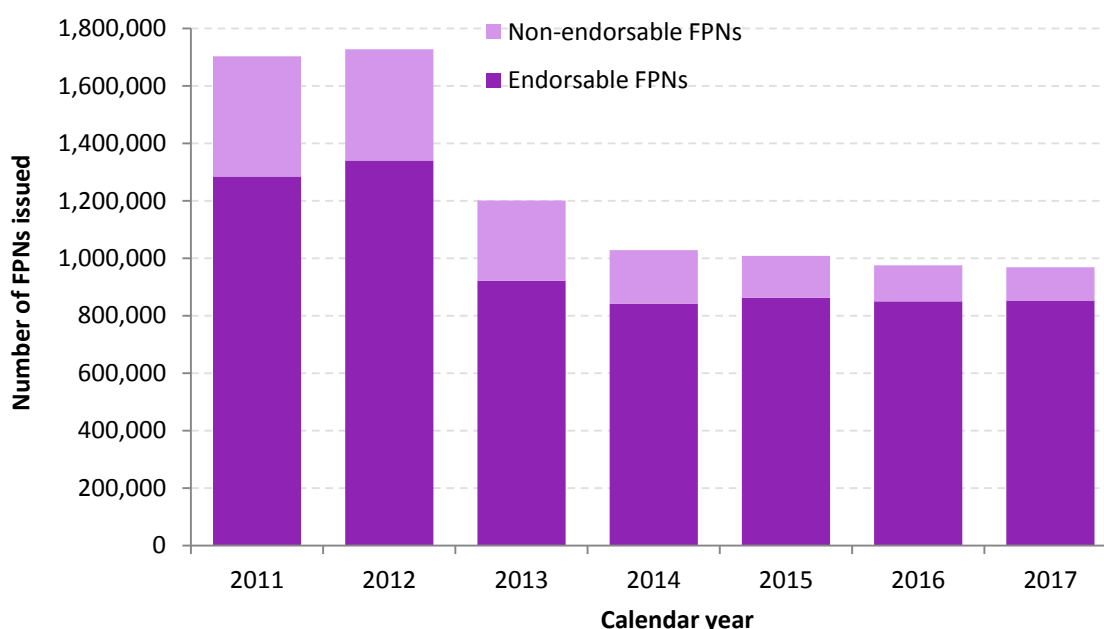
## 7.2 Trends in FPNs and other outcomes of motoring offences

Excluding cancelled cases<sup>10</sup> (351,520 cases), the PentiP system recorded 2.4 million motoring offences in 2017, which resulted in an FPN or another outcome, an increase of 0.2% compared with the previous year. Specifically, in 2017:

- 853,153 cases resulted in the driver receiving an endorsable FPN (36%);
- 115,824 cases resulted in a non-endorsable FPN (5%);
- A driver attended a drive retraining course in 1,085,180 cases (45%); and,
- 341,738 cases resulted in court action (14%).

The number of endorsable FPNs issued has remained fairly stable in recent years (around 850,000 in 2017) whilst the number of non-endorsable FPNs have fallen year-on-year (around 116,000 in 2017) (Figure 7.1).

**Figure 7.1** Number of motoring offences resulting in an endorsable or non-endorsable FPN<sup>1,2</sup>, England and Wales<sup>3</sup>, 2011 to 2017



Source: [FPN 01](#), Home Office

### Notes:

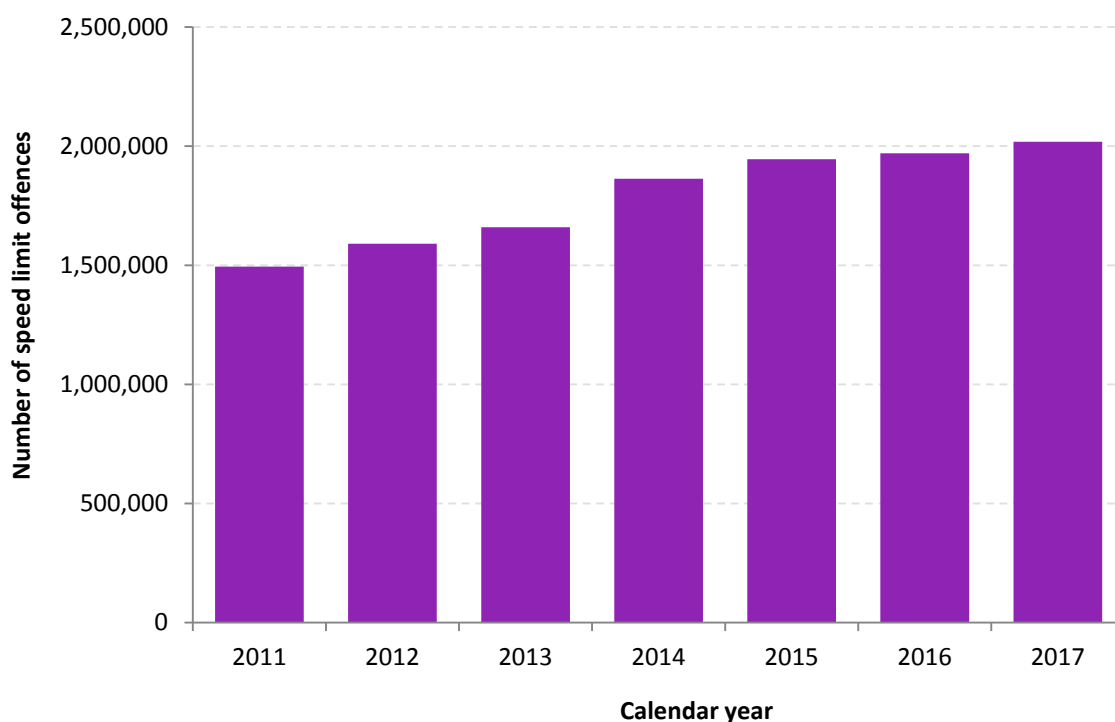
1. Excludes cancelled FPNs.
2. Excludes motoring offences which were dealt with via other outcomes such as cases where the individual attended a driver retraining course or faced court action.
3. Excludes British Transport Police.

<sup>10</sup> Examples of cancelled FPNs include cases where the police were unable to identify the driver of the vehicle, or when the vehicle belonged to the emergency services.

### 7.3 FPNs and other outcomes by offence type

Over four-fifths (84%) of the motoring offences recorded on PentiP were for speed limit offences (2,018,408), up 2 percentage points on the previous year (1,970,207). The number of speed limit offences has increased gradually year-on-year since 2011, and now stand at the highest level recorded (Figure 7.2).

**Figure 7.2** Number of speed limit offences recorded on the PentiP system, England and Wales, 2011 to 2017<sup>1,2,3</sup>



Source: [FPN 02](#), Home Office

**Notes:**

1. Excludes FPNs which were subsequently cancelled.
2. Includes cases where the individual attended a driver retraining course or faced court action.
3. Excludes British Transport Police.

Offences of 'work record or employment offences'<sup>11</sup> saw the largest increase (in percentage terms), of 7% in 2017 compared with the previous year (from 5,179 to 5,522). 'Licence, insurance and record-keeping' offences saw a 6% increase and 'speed limit' offences saw a 2% increase. All other offence types saw a decrease. Most notably, 'miscellaneous motoring offences'<sup>12</sup> fell by 49% in 2017 compared with the previous year (from 673 to 346) and 'use of handheld mobile phone while driving' fell by 34% over the same period (from 79,929 to 53,015). This may reflect changing police priorities and activity.

### 7.4 Camera-detected offences

Offences that come under 'neglect of traffic directions' (for example, failure to adhere to traffic signs such as 'right of way') and 'speed limit offences' may be detected by the police, or by traffic

<sup>11</sup> 'Work record or employment offences' includes offences relating to the failure of employers to monitor and observe limits on hours of driving, to ensure rest requirements are being met.

<sup>12</sup> 'Miscellaneous motoring offences' covers a number of offences, including summary offences, persons failing to give name or address when asked, not complying with prescribed requirements etc.



enforcement cameras. The proportion of 'neglect of traffic directions' offences that were detected by a camera in 2017 was 77%, a similar proportion to last year. The majority (96%) of 'speed limit offences' were camera-detected in 2017, up one percentage point on the previous year.

**Table 7.1** Number 'speed limit offences' and 'neglect of traffic directions' offences and proportion that were camera-detected, England and Wales<sup>2</sup>, 2016 and 2017

Offence type	England and Wales	
	Calendar year	
	2016	2017
<b>Neglect of traffic directions</b>	<b>92,011</b>	<b>87,583</b>
<i>of which</i>		
Camera-detected (%)	76	77
<b>Speed limit offences</b>	<b>1,970,207</b>	<b>2,018,408</b>
<i>of which</i>		
Camera-detected (%)	95	96

Source: [FPN 04](#), Home Office

**Notes:**

1. Includes offences where an FPN was issued or the individual attended driver retraining or court action. Excludes FPNs which were subsequently cancelled.
2. Excludes British Transport Police.

## 7.5 Outcomes following motoring offences

In last year's publication, the Home Office widened the scope of the outcome data it collects and publishes. Data in this section have been widened to include cases where a driver retraining course, such as a speed awareness course was attended by the individual. These statistics also now include the number of individuals facing court action, but do not provide the outcome of those summoned to court and therefore do not provide the number of individuals prosecuted for motoring offences. A full-time series back to 2011 is published alongside this release.

After an individual is found to have committed a motoring offence there are a number of possible outcomes:

- receive an FPN and pay a fine;
- attend a driver retraining course; and,
- or face court action which may lead to prosecution.

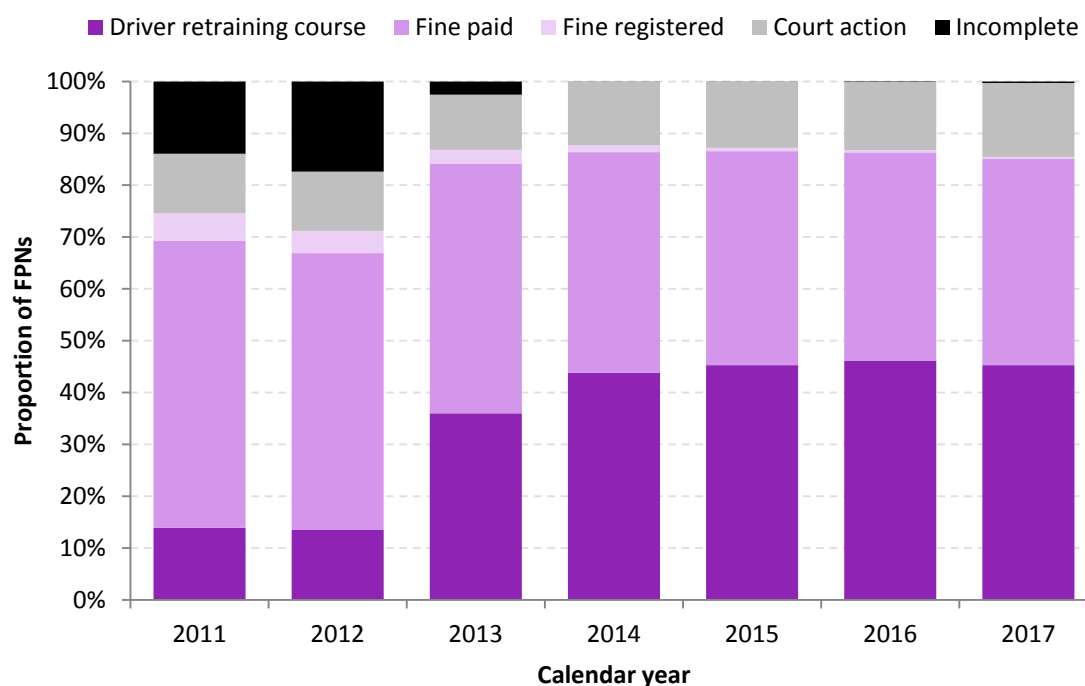
There has been an increase in the number of people attending a driver retraining course as an alternative outcome to paying a fine. In 2011, 14% of individuals found to have committed a motoring offence (excluding cases which were subsequently cancelled) attended a driver retraining course. This figure has increased to 45% of individuals attended a driver retraining course in 2017.

The use of driver retraining courses is at the discretion of the police and the use of such courses can differ by police force area. It's important to note that an individual can only attend a driver retraining course once in a 3-year period for committing the same offence. Therefore, if the individual reoffends and commits the same offence within a three-year period, having previously attended a driver retraining course, they cannot attend again.

In 2017, a fine was paid in a further 40% of cases (excluding those subsequently cancelled) and 14% of cases involved court action, similar proportions to the previous year. These statistics do not provide

the outcome of those summoned to court and therefore do not provide the number of individuals successfully prosecuted for motoring offences.

**Figure 7.3 Outcomes following motoring offences, England and Wales, 2011 to 2017<sup>1,2,3,4</sup>**



Source: [FPN 01](#), Home Office

**Notes:**

1. Excludes FPNs which were subsequently cancelled.
2. Includes offences where an FPN was issued or the individual attended driver retraining or court action.
3. Excludes British Transport Police.
4. There is a large number of incomplete FPNs in 2011 and 2012 due to the transition from VP/FPO to PentiP in 2011. Caution should be taken when looking at the proportion of outcomes for these years.

## 7.6 Data quality

From 2011, data have been extracted from the PentiP system, a central database which replaced the Vehicle Procedures and Fixed Penalty Office (VP/FPO) system. VP/FPO data were previously supplied to the Home Office by individual police forces.

In 2017 the Home Office widened the scope of the dataset for Fixed Penalty Notices (FPNs) for motoring offences to include cases where a driver retraining course, such as a speed awareness course, was attended by the individual, as well as cases where an individual faced court action. However, information on the outcome of those summoned to court is not provided and therefore data do not contain the number of individuals prosecuted for motoring offences<sup>13</sup>. A full-time series back to 2011 was published.

Further information can be found in the [user guide](#).

## 7.7 Other data sources

Ministry of Justice publishes data in its [Criminal Justice Statistics Quarterly](#) publication on:

- penalty notices for disorder (PNDs); these follow similar principles to FPNs and can be issued for low-level summary offences, e.g. being drunk and disorderly, petty theft, and possession of cannabis prosecutions and convictions for motoring offences

The Department for Transport (DfT) publishes a number of [Road Accident and Safety Statistics](#) including data on:

- road casualties; and
- drink and drug driving.

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<sup>13</sup> Ministry of Justice publishes data in its [Criminal Justice Statistics Quarterly](#) publication on prosecutions and convictions for motoring offences

## 8 Breath tests

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### 8.1 Introduction

Under the Road Traffic Act 1988, police may conduct a breath test at the roadside to determine whether motorists are driving with alcohol in their body, beyond the prescribed limit.

This section includes data on the number of breath tests carried out by police in England and Wales (excluding BTP). It presents data on a calendar-year basis up to and including 2017. The data show the number of:

- breath tests carried out by police in England and Wales;
- positive/refused breath tests; and,
- breath tests conducted per 1,000 population in each police force across England and Wales.

Further details relating to definitions, legislation and procedure are given in the [user guide](#).

### 8.2 Trends in breath tests

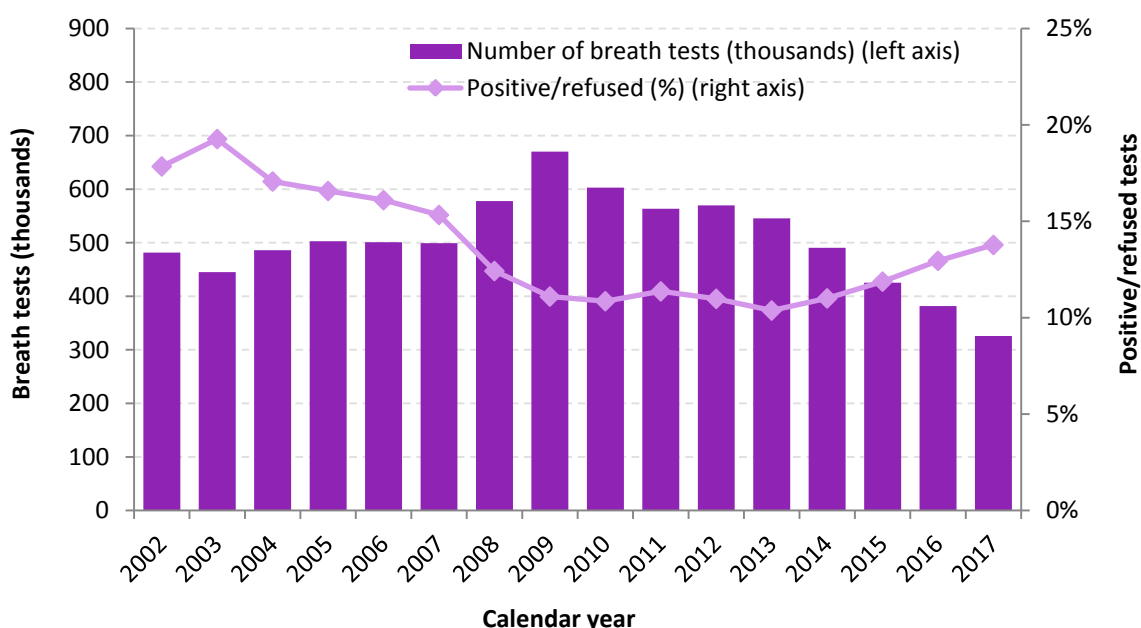
There were 325,887 breath tests carried out by police in 2017, the lowest number since the data collection began in 2002. This represents a fall of 15% when compared with 381,746 breath tests carried out in 2016 (excluding 4 forces who could not supply full breath test data for 2017<sup>14</sup>). This fall continues the downward trend seen since the peak of 670,023 breath tests in 2009 (also excluding the 4 forces who could not supply data for 2017).

Excluding 4 forces who could not supply data for 2017, there were 44,893 breath tests which were positive or refused in 2017 compared with 49,438 positive or refused tests in 2016. The number of positive or refused breath tests in 2017 represents 14% of the total number of breath tests, the highest proportion since 2007. The proportion of breath tests that were positive or refused gradually fell from 19% in 2003 to 11% in 2009 and remained stable until 2014. From 2014 to 2017 there has been a gradual increase in the proportion of breath tests that were positive or refused, from 11% to 14%.

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<sup>14</sup> Norfolk and Suffolk were unable to supply any breath test data for 2017. The Metropolitan Police and Sussex were unable to supply the overall total number of breath tests for 2017.

**Figure 8.1** Number of breath tests, and the proportion of positive/refused tests carried out by police in England and Wales, 2002 to 2017<sup>1</sup>



Source: [Breath test table BT.03](#), Home Office

**Notes:**

1. Excludes the Metropolitan Police, Norfolk, Suffolk, and Sussex, who could not supply complete data in 2017.

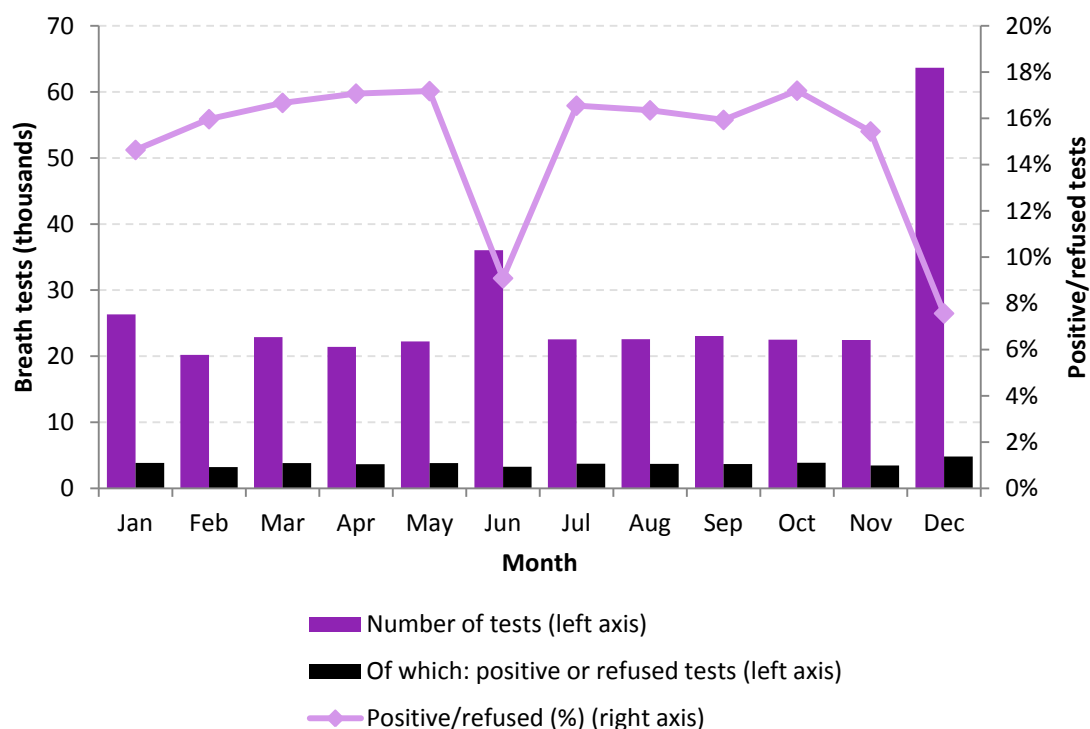
### 8.3 Seasonal variation

In 2017 (and excluding the Met, Norfolk, Suffolk, and Sussex police forces), most breath tests were carried out in December (63,648). This comprised 20% of all breath tests in 2017 and coincides with the annual national Christmas drink and drug driving campaign. The second highest number of breath tests occurred in June, with 36,041. This accounted for a further 11% of all breath tests in 2017 and is likely to be due to police campaigns against drink and drug driving during the early summer period.

Excluding the two peaks in June and December, the number of breath tests in each month averaged 22,620. The number of tests carried out in June (36,041) was over one and a half times this average, and in December (63,648) was almost 3 times the average of the other months.

Although more breath tests were conducted in June and December, the number of positive or refused tests increased only slightly, and so the proportion of tests that were positive or refused was much lower in June (9%) and December (8%) than it was throughout the rest of the year (between 15% and 17% in the other months).

**Figure 8.2** Number of breath tests, and proportion of positive/refused tests carried out by police in England and Wales, by month, 2017<sup>1</sup>



Source: [Breath test table BT.04](#), Home Office

**Notes:**

1. Excludes the Metropolitan Police, Norfolk, Suffolk, and Sussex, who could not supply complete data in 2017.

## 8.4 Geographical patterns

In 2017, and excluding the forces who could not supply complete data, 7 breath tests were conducted per 1,000 population across England and Wales. The rate for Wales (13 per 1,000 population) was almost twice that for England (7 per 1,000 population). This was, in part, due to the relatively large rates of breath tests carried out by Dyfed-Powys Police (22 per 1,000 population) and North Wales Police (21 per 1,000 population) which was down to a particularly proactive approach from the forces during the summer and Christmas drink and drug driving campaigns.

Excluding Dyfed-Powys and North Wales Police Force Areas (PFAs), North Yorkshire PFA had the highest rate with 13 tests per 1,000 population and Greater Manchester PFA the lowest rate with 3 tests per 1,000 population. The proportion of breath tests that were positive or refused ranged from 6% in Cleveland to 39% in Cambridgeshire Police Force Areas.

## 8.5 Data quality and interpreting the figures

Results of breath alcohol screening tests can only be regarded as indicative of the level of alcohol present in a sample of breath and are not used to determine whether or not a driver was above or below the legal limit to drive. It remains the case that it is only at a police station or hospital that a specimen(s) can be obtained to determine a person's actual alcohol concentration, using pre-calibrated evidential devices ensuring the sample has not been affected by any interfering substances or that blood or urine specimens may be taken for subsequent laboratory analysis. These subsequent evidential tests are not included in the breath test statistics.

From April 2008, new digital recording equipment started to be used by forces. The devices are able to record exact breath alcohol readings and the result of individual tests, as well as reason for test, time of day, day of week and age and gender profiles of those tested, and results are downloaded to data systems on a monthly basis and provided to the Department for Transport (DfT).

Data presented here have been sourced from annual statistical returns received from the 43 police forces in England and Wales. By 2011, a large number of police forces in England and Wales had made greater use of the digital breath test devices, in comparison with previous years. However, the manual recording systems are still used by some police forces. The figures presented here are based on the combined results of both systems. Negative breath test data supplied to the Home Office may have been under-reported based on the old system and it is likely that moving to the digital services has led to improvements in data recording practices by forces. This appears to have been reflected in the decrease in the proportion of positive or refused tests of total breath tests, since the beginning of 2008.

The [user guide](#) provides further details relating to data quality and interpreting the figures.

## 8.6 Other data sources

Analysis of reported roadside breath alcohol screening tests, based on data from digital breath testing devices, is published by the Department for Transport (DfT). Latest figures were included within DfT's [Reported road casualties in Great Britain: 2017 annual report](#).

## 9 Detentions under section 136 of the Mental Health Act 1983

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### 9.1 Introduction

Police forces in England and Wales regularly interact with people experiencing mental ill health. Sometimes these interactions may result in the need to remove a person from where they are, and take them to a place of safety, under section 136 of the Mental Health Act 1983.

Under section 136 of the Act a police officer may remove a person from any public place to a place of safety (for up to 72 hours) if, in the officer's judgement, that person appears to be suffering from mental ill health and is in need of immediate care or control, in the interests of their safety or the safety of others. This chapter relates to detentions under section 136 only.

#### Data Collected

Following concerns raised about the quality and transparency of police data in this area, at the Policing and Mental Health Summit in October 2014 the Home Secretary announced that the Home Office would work with the police to develop a new data collection covering the volume and characteristics of detentions under the Mental Health Act 1983.

A data collection was developed which requests forces to provide information on the age, gender and ethnicity of people detained, as well as the place of safety used (including, where applicable, the reason for using police custody), and the method of transportation used (including, where applicable, the reason for using a police vehicle).

In the year ending March 2016, the Home Office piloted this new data collection on a voluntary basis, and a response was received from 15 forces. These data were published in an Annex to the [Police Powers and Procedures, year to March 2016](#) statistical release.

This section summarises the findings on detentions under section 136 from the 43 territorial police forces in England and Wales, as well as the British Transport Police. Prior to 2016/17, data on the total number of section 136 detentions were collected and published by the National Police Chiefs' Council (NPCC), available [here](#).

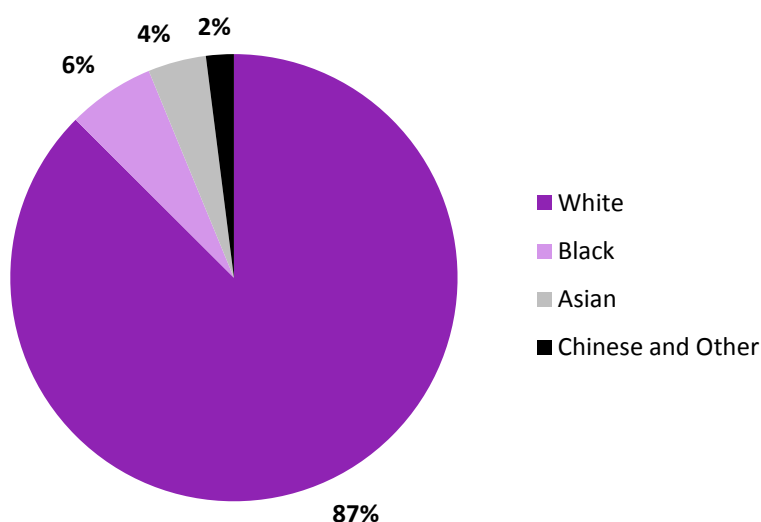


## 9.2 Detentions under section 136 of the Mental Health Act 1983

In the year ending March 2018 there were 29,662 detentions under section 136 of the Mental Health Act 1983. Following the implementation of new IT systems, a number of forces<sup>15</sup> reported improved recording of section 136 detentions compared with the previous year, making meaningful year on year comparisons difficult. However, excluding these forces there was a 5% increase in the number of detentions since the year ending March 2017.

- Of the cases where the gender of the person being detained was recorded, 55% were detentions of males.
- 95% of cases were detentions of adults aged 18 or over (excluding those cases where the age of the person being detained was not recorded).
- In terms of the ethnicity of those being detained (excluding those cases where the ethnicity was not recorded):
  - 86% of detentions were of White people;
  - 6% were of Black people;
  - 4% were Asian; and,
  - The remaining 2% of people detained were Chinese/Japanese/South East Asian, or of another ethnicity.

**Figure 9.1** Ethnicity<sup>1</sup> of those detained under section 136 of the Mental Health Act 1983, England and Wales, year ending March 2018



Source: [MHA\\_03](#), Home Office

**Notes:**

1. Excludes those cases where the ethnicity was not known.

<sup>15</sup> Forces who reported inconsistencies in reporting between 2016/17 and 2017/18 were: Avon and Somerset, Cheshire, Devon and Cornwall, Dorset, Essex, Warwickshire and West Mercia.

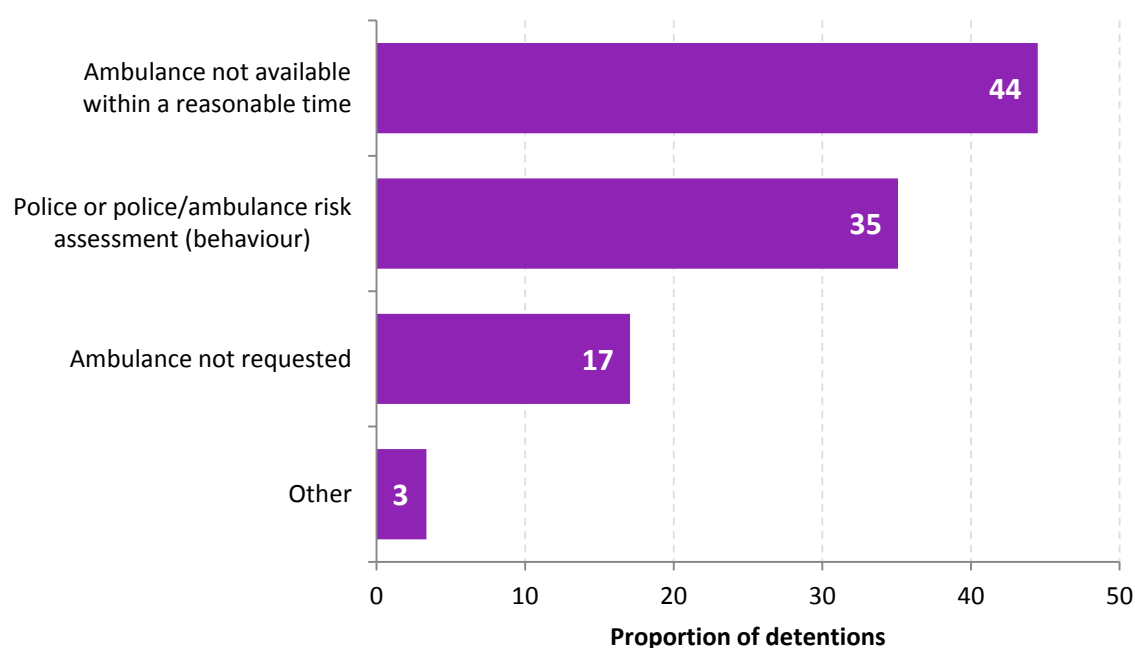
### Method of transport to a place of safety

Some forces were unable to distinguish the method of transport used to transport a person to a place of safety. This resulted in the method of transport for one in five (20%) cases being recorded as “not known”. Of those cases where the method of transport was recorded, a police vehicle was used in 12,367 (52%) of cases, a similar proportion to last year. An ambulance was used in a further 10,254 (43%) of cases, again, a similar proportion to the previous year.

In the case where a police vehicle was used to transport the person to a place of safety, police forces are requested to give a reason why:

- In 44% of cases (where a police vehicle was used to transport the person to a place of safety) the reason for using a police vehicle was that an ambulance was not available in a reasonable amount of time.
- In a further 35% of cases a risk assessment concluded the person being detained should be transported in a police vehicle due to their behaviour.
- In 17% of cases the reason for using a police vehicle was because an ambulance had not been requested.

**Figure 9.2** Reasons for using a police vehicle to transport a detainee to a place of safety<sup>1</sup>, England and Wales<sup>2</sup>, year ending March 2018



Source: [MHA 04b](#), Home Office

**Notes:**

1. Excludes those cases where the reason for using a police vehicle was not known.

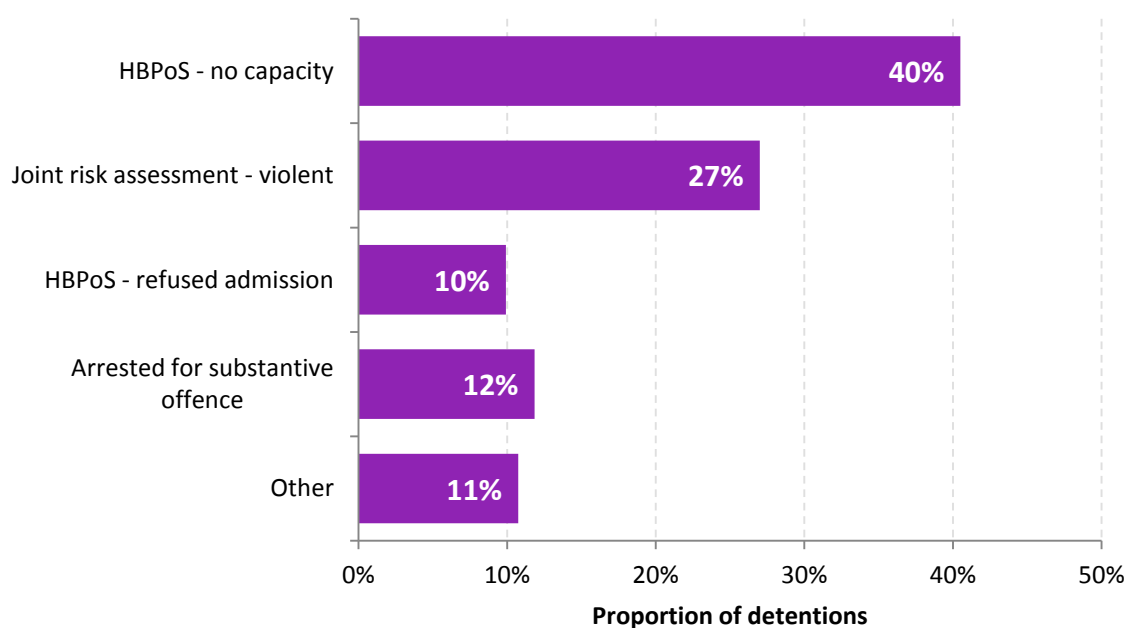
### Place of safety

Following a detention under section 136 of the Mental Health Act, a place of safety was recorded in 93% of cases. Of the cases where the place of safety was known, the person being detained was taken to a health-based place of safety (HBPOS) in 85% of cases, a similar proportion to the year ending March 2017. Around one in eight people (12%) were taken to Accident and Emergency as a place of safety, and 471 people (2%) were taken to a police station, down from 1,029 people (4%) on the previous year.

In those cases where the person being detained was taken to a police station (excluding those cases where the reason is not known):

- 40% were taken there because there was no capacity at the HBPOS;
- 27% were because a risk assessment concluded that the person should be detained in police custody due to violence;
- 12% were arrested for a substantive offence;
- 10% were because the HBPOS refused admission; and,
- 11% were for some other reason.

**Figure 9.3** Reasons for the detainee being taken to a police station<sup>1</sup>, England and Wales<sup>2</sup>, year ending March 2018



Source: [MHA 05b](#), Home Office

**Notes:**

1. Excludes those cases where the reason for using a police station was not known.

New provisions contained in the Policing and Crime Act 2017 and designed to improve outcomes for people in mental health crisis, came into effect on 11 December 2017. These included banning the use of police cells for under 18s in mental health crisis and ensuring that they can only be used as a place of safety for adults in genuinely exceptional circumstances. These changes are likely to have had an effect on the numbers of section 136 detentions only in the final quarter of 2017/18. However, it is anticipated they will have a much greater impact on the numbers of s136 detentions recorded during 2018/19.

Of the 1,345 detentions of those aged under 18 years old, a police station was used as a place of safety 12 times (1%). This compares with 2% of detainees aged 18 years or over who were held in a police station (of 28,106 detentions of over 18s, 458 were taken to a police station).

### 9.3 Other data sources

As part of its annual Mental Health Bulletin, NHS Digital (formerly the Health and Social Care Information Centre) publishes data on inpatients detained in hospitals in England under the Mental Health Act 1983. Although these numbers will include some cases where the police initially detained the individual, they will also include a large number of other cases where the police were not involved. The latest data can be found [here](#).

Data on the number of occasions where a HBPOS was used can differ between the NHS Digital data and the NPCC data, due to the different data sources used.

# Annex A Experimental Statistics – Detentions under section 135 of the Mental Health Act 1983

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## A.1 Introduction

Police forces in England and Wales regularly interact with people experiencing mental ill health. Sometimes these interactions may result in the need to remove a person from where they are, and take them to a place of safety, under section 135 of the Mental Health Act 1983.

Under section 135 a magistrate may issue a warrant, on application by a mental health professional, authorising a police officer to enter specific premises in respect of a mentally disordered person, believed to be in need of care or control, and to remove that person from those premises if necessary. Incidents are only recorded by the police under section 135 if an officer:

- enters a private premises in execution of the warrant, (including by force if necessary); and/or,
- removes the person from the premises to a place of safety in accordance with the terms of the warrant.

Either or both of these powers must be executed by an officer for it to constitute a section 135 detention for the purposes of this data collection. Therefore, incidents where an officer attends a private premises, in response to ad hoc requests for assistance or other reasons, but does not execute either part of a section 135 warrant are not recorded in this data set.

Data analysis on detentions under section 135 of the Act is based on data received from 34 police forces for 2017/18. Some of these forces mentioned quality concerns with their data, including partial returns. Therefore, data in this chapter give an indicative picture only, and should be treated with caution.

Due to the provisional and incomplete nature of this dataset, these statistics have been designated as **Experimental Statistics**, to acknowledge that further development will take place in the future. The Home Office is working with forces to understand the issues they face with this data collection and will consider whether any changes to the data return requirement are needed.

## A.2 Key findings

In the year ending March 2018, and based on a subset of 34 police forces, there were around 2,000 detentions under section 135 of the Mental Health Act.

- Of the cases where the gender of the person being detained was recorded, 58% were detentions of males.
- The vast majority (99%) of cases were detentions of adults aged 18 or over (excluding those cases where the age of the person being detained was not recorded).
- In terms of the ethnicity of those being detained (excluding those cases where the ethnicity was not recorded):
  - 65% of detentions were of White people;
  - 24% were of Black people;
  - 8% were Asian; and,
  - the remaining 4% of people detained were Chinese/Japanese/South East Asian, or of another ethnicity.

**Table A.1 Section 135 detentions, by police force area, year ending March 2018<sup>1</sup>**

Police Force Area	Gender			Total
	Male	Female	Not known	
Avon and Somerset	5	2	-	7
Bedfordshire	8	2	-	10
Cambridgeshire	1	1	-	2
Cheshire	9	7	-	16
Cleveland	..	..	..	..
Cumbria	40	19	-	59
Derbyshire	6	10	-	16
Devon and Cornwall	..	..	..	..
Dorset	..	..	..	..
Durham	8	9	-	17
Dyfed-Powys	3	2	-	5
Essex	29	18	-	47
Gloucestershire	1	1	-	2
Greater Manchester	..	..	..	..
Gwent	18	9	-	27
Hampshire	..	..	..	..
Hertfordshire	-	-	-	-
Humberside	5	2	-	7
Kent	15	10	-	25
Lancashire	..	..	..	..
Leicestershire	40	21	1	62
Lincolnshire	3	5	-	8
London, City of	..	..	..	..
Merseyside	16	12	-	28
Metropolitan Police	529	431	1	961
Norfolk	44	25	-	69
North Wales	5	5	-	10
North Yorkshire	..	..	..	..
Northamptonshire	1	2	-	3
Northumbria	23	13	-	36
Nottinghamshire	47	37	-	84
South Wales	13	7	-	20
South Yorkshire	-	-	56	56
Staffordshire	4	9	-	13
Suffolk	..	..	..	..
Surrey	48	30	-	78
Sussex	64	28	-	92
Thames Valley	86	58	1	145
Warwickshire	2	2	-	4
West Mercia	5	3	-	8
West Midlands	36	21	-	57
West Yorkshire	4	1	-	5
Wiltshire	22	13	-	35
<b>ENGLAND AND WALES</b>	<b>1,140</b>	<b>815</b>	<b>59</b>	<b>2,014</b>

Source: Home Office

**Notes:**

' - ' = Nil

' .. ' = Not available

1. Due to the provisional and incomplete nature of this dataset, these statistics have been designated as **Experimental Statistics**.

## Annex B Experimental Statistics – Pre-charge bail

### B.1 Introduction

Pre-charge bail, also known as police bail, is granted by the police under the Police and Criminal Evidence Act 1984 (PACE) to individuals that have been arrested on suspicion of a criminal offence, but where there are no grounds to keep them in detention while the investigation continues.

Applying bail conditions means that the police can manage a suspect effectively within the community while further investigations progress. Pre-charge bail can be made subject to conditions under the Bail Act 1976. Conditions may be necessary in order to ensure that the suspect:

- surrenders to custody at the end of the bail period;
- does not commit an offence while on bail;
- does not interfere with witnesses; and ,
- does not otherwise obstruct the course of justice.

Conditions may typically include:

- a ban on leaving the country, including a requirement to surrender a passport;
- not being allowed to enter a certain area, such as the home of the alleged victim;
- a ban on using the internet; and,
- not being allowed to communicate with certain people, e.g. victims, witnesses or known associates.

On 3 April 2017, the Policing and Crime Act 2017 was announced which introduced measures to limit pre-charge bail periods aiming to rebalance the police's user of bail in the interests of fairness. The Policing and Crime Act 2017 limited pre-charge bail to an initial period of 28 days. It is still possible for police to secure an extension beyond the initial period of 28 days where it is appropriate and necessary, for example in complex cases. One extension of up to 3 months can be authorised by a senior police officer at superintendent level or above. In exceptional circumstances, where the police need to keep an individual on bail for longer, they will have to apply to a magistrate for further bail.

### Data Collected

From April 2017 the Home Office has requested information on a voluntary basis from police forces on the number of individuals released on pre-charge bail following an arrest, broken down by bail length. The analyses in this chapter is based on data received from 17 police forces for the 2017/18 financial period. Some of these forces mentioned quality concerns with their data, including partial returns. Therefore, data in this chapter give an indicative picture only, and should be treated with caution.

Due to the provisional and incomplete nature of this dataset, these statistics have been designated as **Experimental Statistics**, to acknowledge that further development will take place in the future. The Home Office is working with forces to understand the issues they face with this data collection, and will consider whether any changes to the data return requirement is needed.

### B.2 Key findings

In the year ending March 2018, based on a subset of 17 police forces in England and Wales, there were around 16,500 individuals released on pre-charge bail. Of these cases:

- 70% were released on bail for 28 days or less;
- 91% were released on bail for 3 months or less; and,
- and a small proportion (9%) were released on bail for more than 3 months.

**Table B.1** Pre-charge bail durations, year ending March 2018<sup>1,2</sup>

Bail duration	Bails
0 to 7 days	1,004
8 to 14 days	1,018
15 to 21 days	2,574
22 to 28 days	6,873
29 days to 3 months	3,489
3 to 6 months	1,245
6 to 12 months	288
More than 12 months	-
<b>Total</b>	<b>16,491</b>

**Source:** Home Office

**Notes:**

' - ' = Nil

1. Due to the provisional and incomplete nature of this dataset, these statistics have been designated as **Experimental Statistics**.
2. Data are based on a subset of 17 police forces in England and Wales.





Statistical Bulletins are prepared by staff in Home Office Statistics under the National Statistics Code of Practice and can be downloaded from GOV.UK:

<https://www.gov.uk/government/organisations/home-office/about/statistics>

ISBN: 978-1-78655-710-0

ISSN: 1759-7005



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