



# Home Office

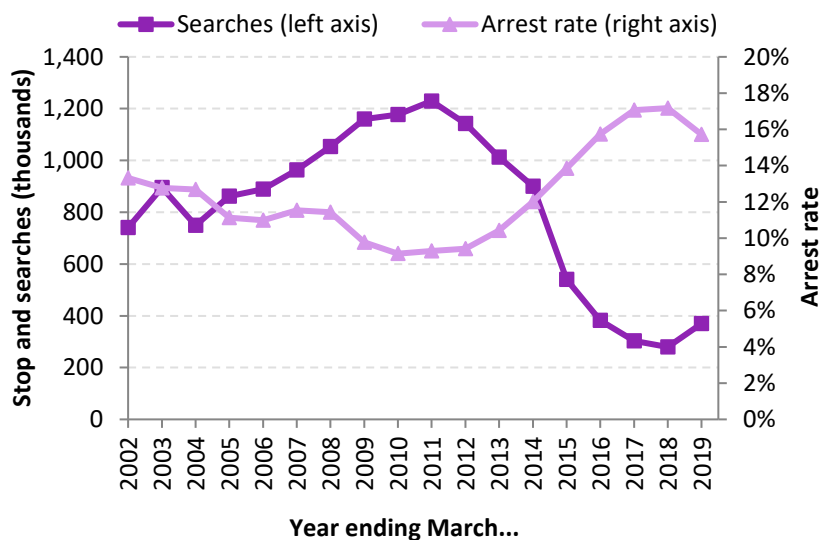
## Police powers and procedures, England and Wales, year ending 31 March 2019

### Key results

#### Stop and search

In the year ending March 2019, there were:

- 370,454 stop and searches conducted under section 1 PACE (and associated legislation), an increase of 32% compared with the previous year and the first rise following a downward trend between 2010/11 and 2017/18.
- Of these, 58,251 led to an arrest, an increase of 21% on the previous year.
- Despite the increase in the volume of arrests following a section 1 PACE stop and search, the arrest rate fell from 17% to of 16% compared with the previous year.



There were also 13,175 stops and searches under section 60 of the Criminal Justice and Public Order Act in anticipation of violence. This is more than five times the number of searches under this power in the year ending March 2018.

Of the 383,629 combined stops and searches, 279,601 resulted in no further action (73%).

#### Arrests

Overall, police carried out 671,126 arrests for notifiable offences in 2018/19, a fall of 0.6% on the previous year.

#### Other police powers

Key findings for other PACE powers, fixed penalty notices, breath tests, pre-charge bail and detentions under the Mental Health Act can be found in the relevant chapters.

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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 2019. The release is broken down into seven main sections. Each section contains a summary of the key findings at the start.

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 range of 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
- 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 **arrests** section contains information provided by the 43 territorial police forces in England and Wales on a financial-year basis. It includes statistics on the:

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

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
- 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)
- 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 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 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 [chapter 3](#).

Furthermore, given the partial nature of the data and inconsistencies across forces, statistics on detentions under section 135 of the Mental Health Act and pre-charge bail are designated as **Experimental Statistics**. These statistics 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 Stop and search

### Key results

In the year ending March 2019:

- There were **370,454 stops and searches** conducted under section 1 PACE (and associated legislation) by police in England and Wales. This was **an increase of 90,726 (32%)** compared with the previous year (**279,728**) and **the first rise following a downward trend between 2010/11 and 2017/18**.
- Of those conducted under section 1 PACE (and associated legislation), **58,251 led to an arrest**. This was **21%** higher than the previous year (48,106).
- Despite the increase in the volume of arrests following a section 1 PACE stop, the **arrest rate fell from 17% to of 16%** compared with the previous year.
- Police in England and Wales carried out **13,175 stops and searches** under section 60 of the Criminal Justice and Public Order Act in anticipation of violence. This is **more than five times** the number of searches under this power in the year ending March 2018 (**from 2,503 to 13,175**).
- Combined, there were a total of **383,629 searches** in 2018/19, resulting in **58,876 arrests (an overall arrest rate of 15%)**.

### 2.1 INTRODUCTION

This section presents the latest statistics on 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>1</sup>
- section 60 of the Criminal Justice and Public Order Act 1994
- 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 section 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
- ethnicity of persons stopped

<sup>1</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.

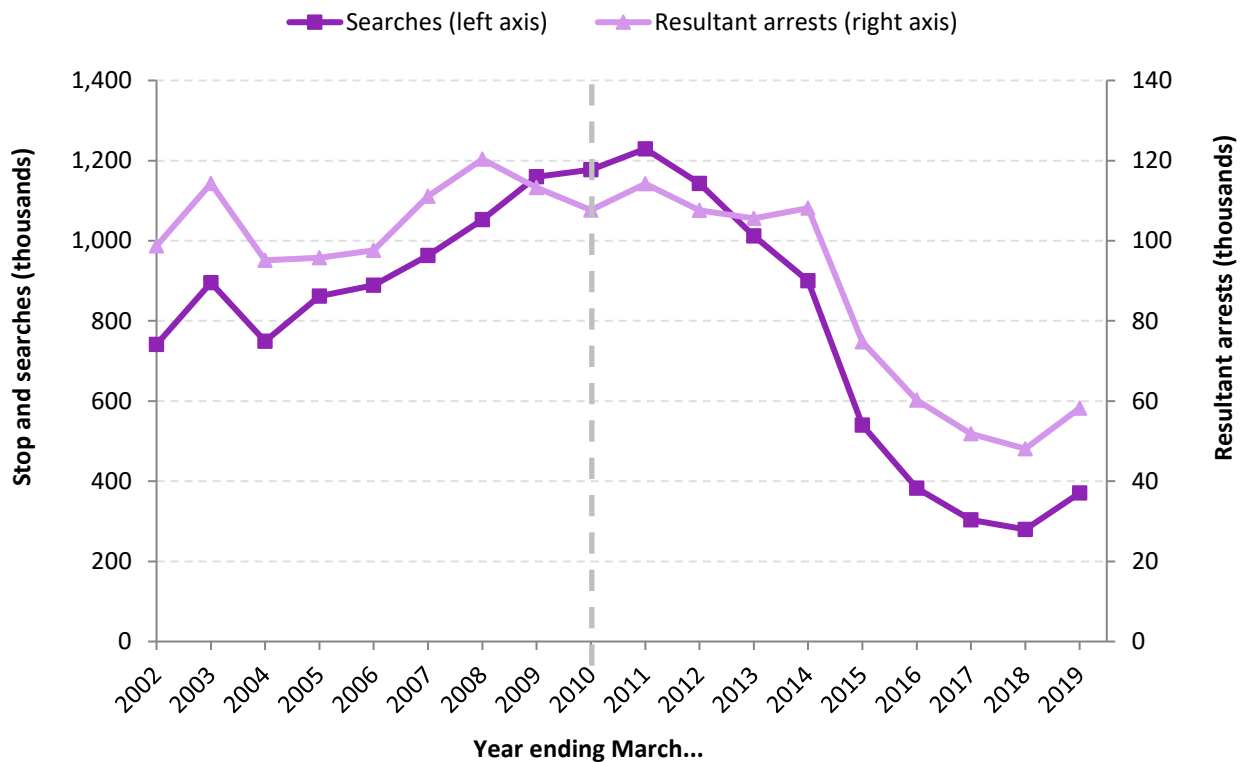
## 2.2 SECTION 1 PACE AND ASSOCIATED LEGISLATION

Under section 1 of PACE and associated legislation, 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 financial year 2018/19, there were 370,454 stops and searches conducted under section 1 PACE by police in England and Wales (including the British Transport Police). This was an increase of 90,726 or 32% compared with the previous year (279,728) and the first rise following a downward trend between 2010/11 and 2017/18 (Figure 2.1). Despite the latest increase, the number of stops and searches conducted in 2018/19 was 70% below the peak in 2010/11 (1,229,324 stops and searches).

The rate of reduction between 2010/11 and 2017/18 in stop and searches accelerated following the then Home Secretary's decision in 2014 to re-focus the use of such powers. This trend has reversed in the latest year and is in part thought to reflect willingness to make greater use of such powers as part of the operational response to knife crime. This has been driven by an increase in the Metropolitan Police Service (MPS), which account for 43% of the total increase in stops and searches in 2018/19. Merseyside Police accounted for 12% of the increase in the latest year and Essex Police for 6%.

**Figure 2.1: Number of stops and searches and resultant arrests under section 1 PACE and associated legislation, England and Wales<sup>1</sup>, year ending March 2002 to 2019**



Source: [Stop and Search table SS 02](#), Home Office

**Notes:**

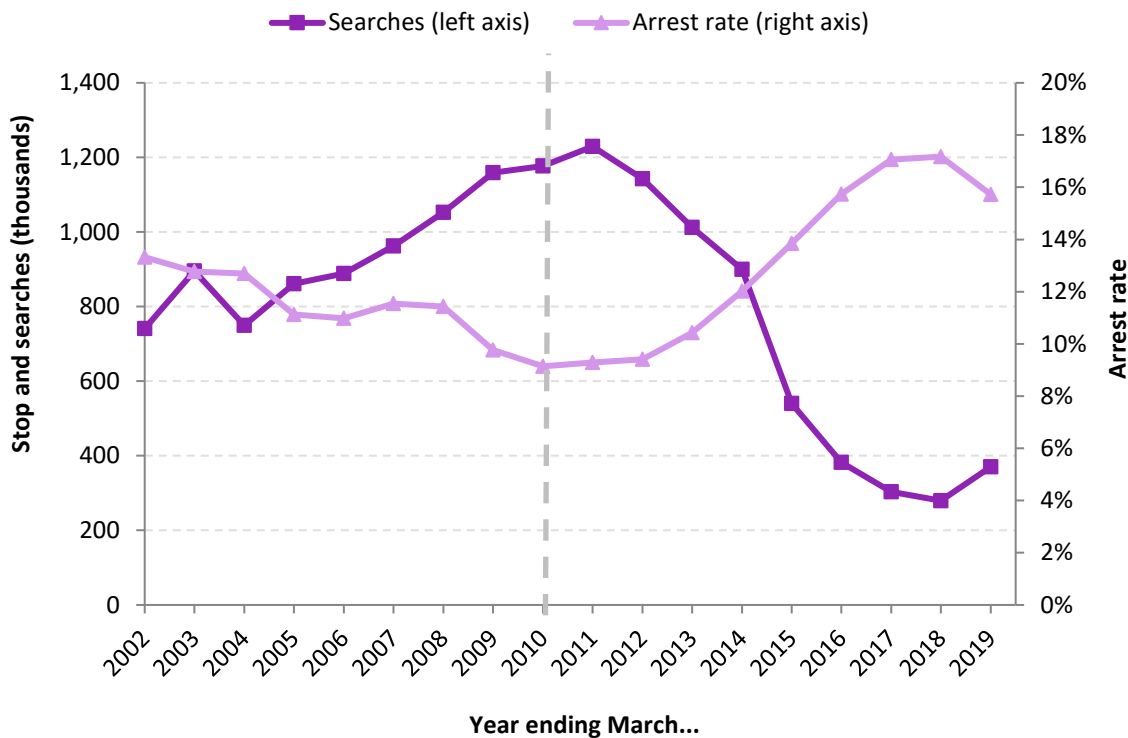
1. Data from 2009/10 onwards includes the British Transport Police (BTP). Prior to this data are not directly comparable with more recent years. BTP accounted for 1.5% of all stop and searches in 2018/19 across England and Wales.

The number of resulting arrests increased by 21% compared with the previous year (up from 48,106 to 58,251). As Figure 2.1 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 during this period.

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

While the number of arrests following a section 1 PACE search rose by 21% in the latest year, this was a smaller increase than the total number of section 1 PACE searches over the same time (32%). This led to a small reduction in the arrest rate from 17% to 16% compared with the previous year (Figure 2.2). Until the latest year, the arrest rate had been on an upward trend as the volume of stops decreased. The latest arrest rate is at a similar level to 2015/16, when there was also a similar number of stops compared with the latest year.

**Figure 2.2** Number of stops and searches, and arrest rates under section 1 of PACE, England and Wales<sup>1</sup>, year ending March 2002 to 2019



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

**Notes:**

1. Data from 2009/10 onwards includes the British Transport Police (BTP). Prior to this data are not directly comparable with more recent years.

Arrest is just one outcome following a stop and search, and there are several other possible outcomes 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 stop and search. Though impacts on crime levels and community relations are not covered in this release, 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 several 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 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](#).



As in previous years, the most common reason for carrying out a PACE stop and search was on suspicion of drug possession. These accounted for 61% of all stop and searches in the latest year, a similar proportion (60%) to the previous year (Table 2.1). There was a small rise in the proportion of searches on suspicion of carrying offensive weapons (up from 14% to 16%) which reflected increased police activity to combat knife crime. The number of searches on suspicion of carrying offensive weapons increased by 21,041, or 54% (from 39,050 to 60,091) between 2017/18 and 2018/19. The MPS accounted for 64% of this total increase.

**Table 2.1 Proportion of PACE stops and searches and subsequent arrests, England and Wales, year ending March 2018 and year ending March 2019**

Reason	<i>England and Wales</i>			
	Proportion of searches (%)		Proportion of subsequent arrests (%)	
	2017/18	2018/19	2017/18	2018/19
Drugs	60	61	45	47
Stolen property	13	11	17	15
Offensive weapons	14	16	14	14
Going equipped	9	8	5	6
Other <sup>1,2</sup>	5	4	18	18

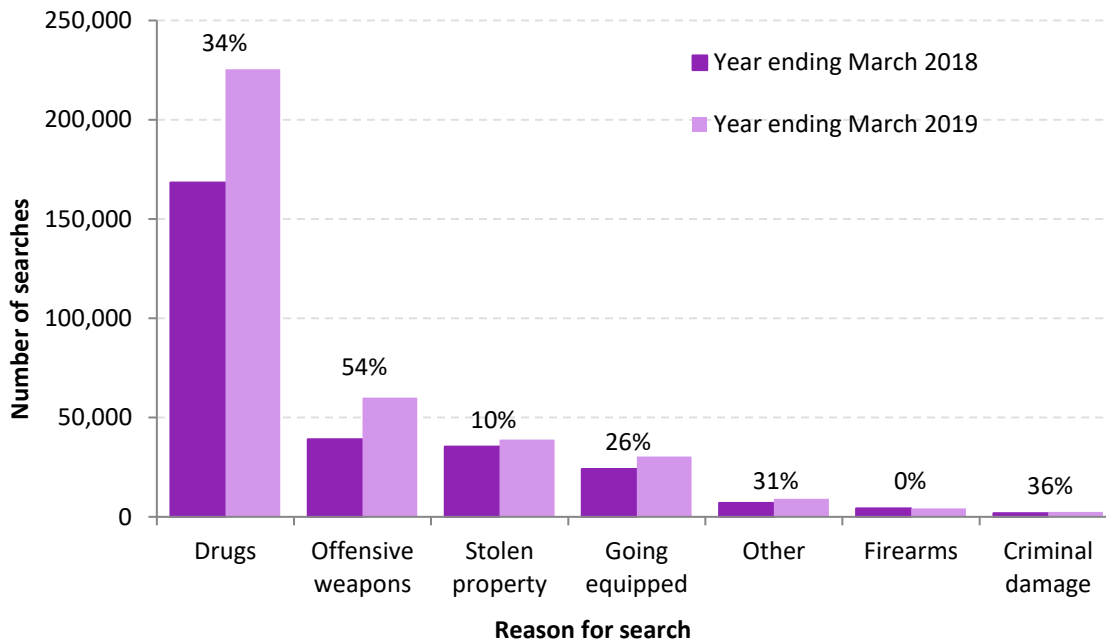
Source: [Stop and Search tables SS\\_03 and SS\\_04](#), Home Office

**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 going equipped arrests as these are not separately identified on their system. Arrests from going equipped are therefore 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 10%.

The number of searches conducted in the latest year rose across most search reasons, except for firearms, which remained at a similar level to last year (Figure 2.3).

**Figure 2.3 PACE stops and searches by reason for search, England and Wales, the year ending March 2019 compared with the year ending March 2018**



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

**Notes:**

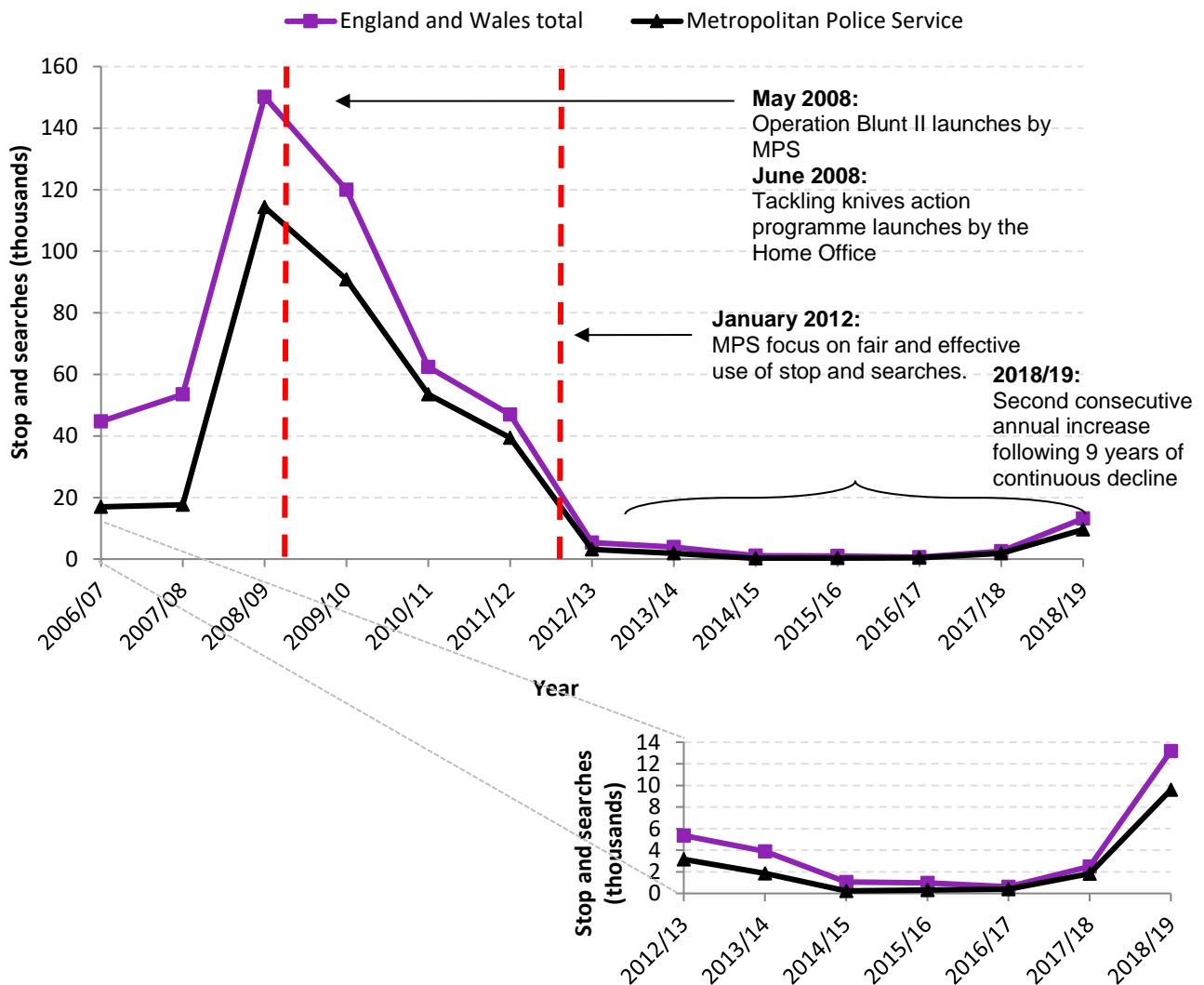
1. The 'other' search category includes searches for reasons such as fireworks, as well as searches under section 43 of the Terrorism Act 2000.

### 2.3 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 2019, police in England and Wales carried out 13,175 stops and searches under section 60 of the Criminal Justice and Public Order Act (CJPOA). This is more than five times the number of searches under this power in the previous year (2,503). This is the second consecutive annual increase, following a previous downward trend since a peak in 2008/09, of around 150,000 such searches. The increase in the latest year was driven by the MPS, who accounted for 73% of the increase, and West Midlands Police accounted for 18% of the increase.

**Figure 2.4 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 2019**



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

**Notes:**

1. Data from 2009/10 onwards includes the British Transport Police (BTP). Prior to this data are not directly comparable with more recent years.

The number of forces making at least one stop and search under section 60 powers increased from 19 to 25 of the 44 forces in England and Wales (including BTP) in the latest year. As in previous years, most section 60 stops took place in London with the MPS accounting for nearly three-quarters (73%) of all section 60 searches in England and Wales. This was followed by West Midlands Police (15%) and the British Transport Police (6%).

The proportion of section 60 searches that resulted in an arrest in the latest year was 5%, a fall of 3 percentage points compared with the previous year. Between 2002/03 and 2015/16, the arrest rate fluctuated between 2% and 6% then, in 2016/17 the arrest rate peaked at 11%. However, since then, the arrest rate has fallen by 3 percentage points in each of the

last two years. As in previous years, the arrest rate for section 60 searches (5%) is much lower than those under section 1 of PACE (16%).

## 2.4 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 at 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](#).

In the year ending March 2019, stop and search powers under section 47A of TACT were not used. In the previous year, there were 149 stop and searches under section 47A of TACT, details of which can be found in [last year's bulletin](#).

## 2.5 STOP AND SEARCH BY POLICE FORCE AREA

The MPS continued to account for a large proportion of all stop and searches in England and Wales (47% in the year ending March 2019)<sup>2</sup>. When examining the use of stop and search amongst different police forces, it is useful to take account of the population of each force using resident-based population figures, produced by the Office for National Statistics (ONS). It should be noted that in areas with relatively large influx of non-residents (such as commuters and tourists), such rates will not take into account the daytime population.

In England and Wales there were 6 searches per 1,000 population in the year ending March 2019. The Metropolitan Police Force Area had the highest search rate at 20 stops per 1,000 population<sup>3</sup>.

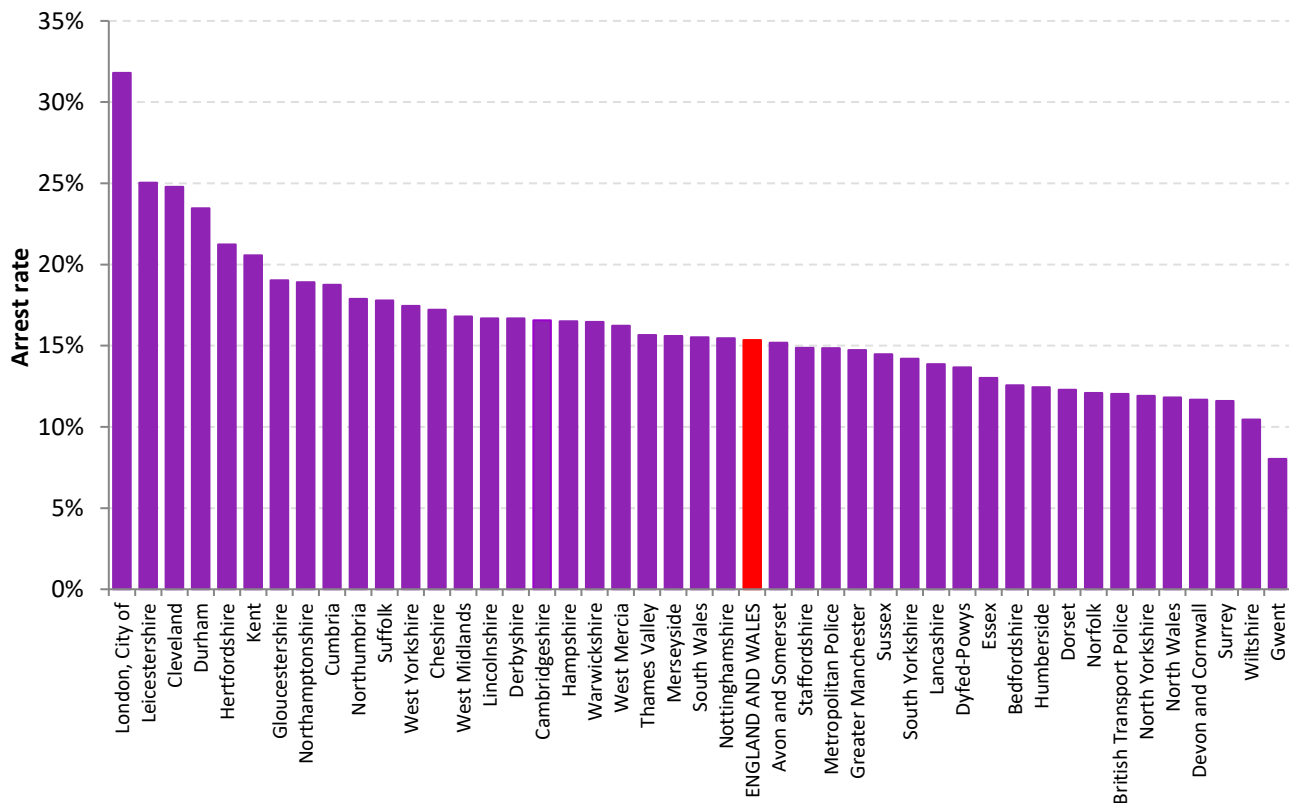
Taking into account searches under both section 1 PACE and section 60 CJPOA, in England and Wales there was an arrest rate of 15% in the year ending March 2019 (Figure 2.5). Stop and searches in the City of London Force Area resulted in the highest arrest rate (32%) followed by Cleveland Police and Leicestershire Police (both 25%). Gwent Police Force Area had the lowest arrest rate, with 8% of searches leading to an arrest.

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<sup>2</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 (though this power was not used in 2018/19).

<sup>3</sup> Based on the resident population of the Police Force Area.

**Figure 2.5 Arrest rate following a stop and search<sup>1</sup>, England and Wales, year ending March 2019**



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

**Notes:**

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

While an arrest is one outcome of a stop and search, there are a range of other outcomes that could indicate a successful search, including cautions, cannabis/khat warnings, community resolutions and summonses. 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](#)). This release does not look at other aspects of stop and search, such as its association with crime levels or the impact it has on community relations and perceptions of the police.

## 2.6 ETHNICITY OF PERSONS SEARCHED

When a stop and search is undertaken, the person being searched is asked by the police which ethnic group they consider themselves to be in. This is a measure of “self- defined” ethnicity rather than “officer observed” which appear in some other police data collections. For the purpose of analysis, ethnicities were grouped into the following categories:

- White
- Black (or Black British)

- Asian (or Asian British)
- Chinese or other
- Mixed
- Not Stated

The Metropolitan Police Service undertake a large proportion (47%) of all stops and searches in England and Wales. This Police Force Area also has a proportionately larger number of Black, Asian and Minority Ethnic (BAME) people within its resident population (40%) than the rest of England and Wales (10%)<sup>4</sup>. The combination of the two can mean that data for the MPS area can skew the picture at a national level. In the table below, as with tables [SS 16](#) and [SS 17](#), the MPS area are presented separately, and England and Wales totals exclude the force.

Table 2.2 shows that for both section 1 PACE searches and section 60 searches, stops of individuals who define themselves as BAME accounted for a larger proportion of all stops in the MPS area when compared with forces in the rest of England and Wales.

**Table 2.2 Proportion of stop and searches<sup>1,2</sup> by ethnic group, England and Wales<sup>3</sup> and the MPS area, year ending March 2019**

<i>Percentages</i>	<i>England and Wales</i>					
	Section 1 PACE		Section 60		Population	
	England & Wales <sup>1</sup>	MPS	England & Wales <sup>1</sup>	MPS	England & Wales	MPS
White	68	32	28	18	90	60
BAME	19	52	55	59	10	40
Not Stated	13	16	17	24	-	-

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

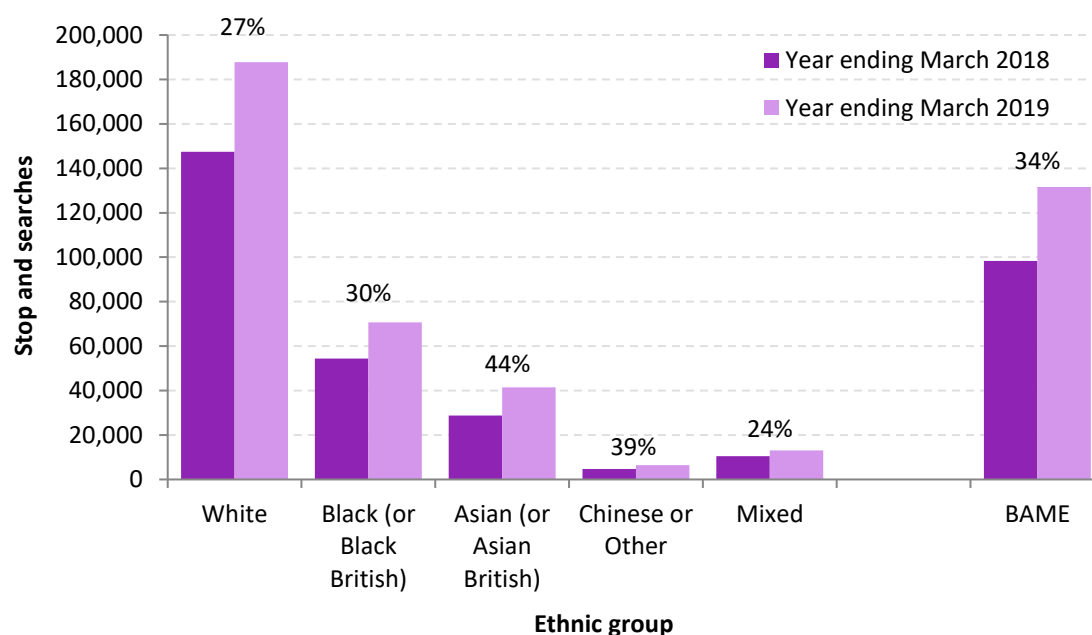
**Notes:**

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.
3. MPS are excluded from the England and Wales figures.

The increase in the use of stop and search over the last year has been seen across all ethnic groups (Figure 2.6). The largest rise, in terms of volume of searches, was for White individuals, which increased by 40,322 (27%) from 147,439 to 187,761, followed by Black individuals, which increased by 16,253 (30%) from 54,395 to 70,648. Proportionally, stops of Asian (or Asian British) individuals increased by the most (44%) from 28,787 to 41,472, followed by Chinese or Other, which increased by 39% from 4,659 to 6,457 Overall, stops of BAME individuals have increased by 33,281 (34%) from 98,310 to 131,591.

<sup>4</sup> Population data from the 2011 Census, based on whole population. Data available at: <https://www.ons.gov.uk/census/2011census/2011censusdata>

**Figure 2.6 Change in stops and searches<sup>1</sup> by ethnicity, England and Wales, the year ending March 2019 compared with the year ending March 2018**



Source: [Stop and search tables SS\\_06 and SS\\_10](#), Home Office

**Notes:**

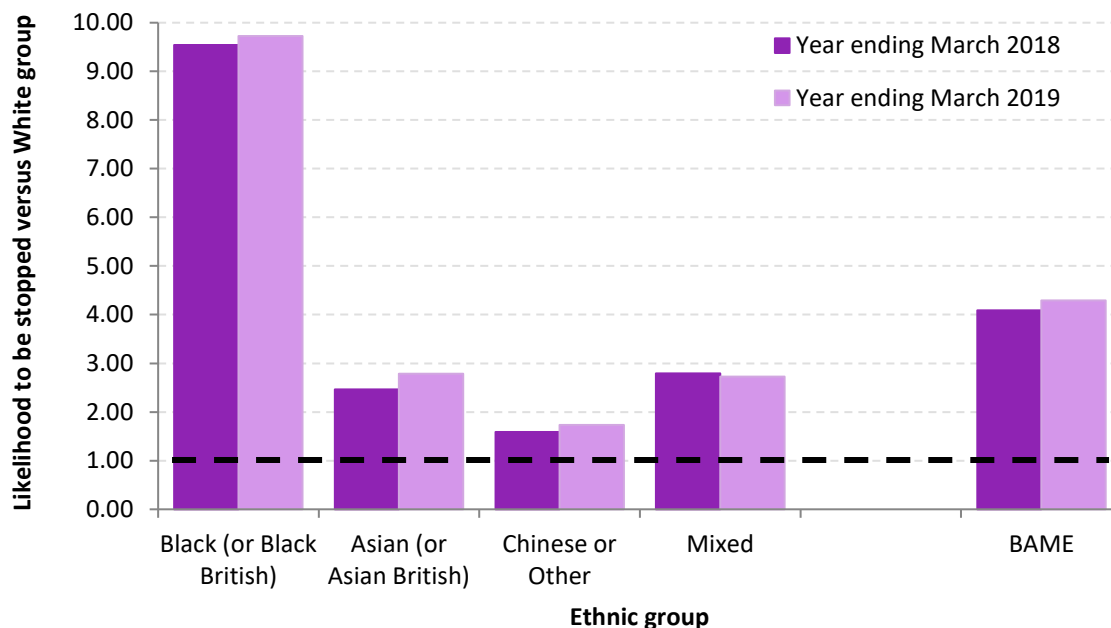
1. Includes searches under section 1 PACE and associated legislation, section 60 of the Criminal Justice and Public Order Act 1994, and section 47A of the Terrorism Act 2000.

The above aggregate numbers fail to take account of the rate of stop and search by ethnicity and particularly the variation in the size and geographical distribution of different ethnic groups. The following analysis considers the self-defined 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 the length of time since the last Census. Data are presented in terms of how likely BAME people were to be searched compared with those who were White.

In the year ending March 2019, BAME people were 4.3 times as likely to be stopped as those who were White. This was similar to the previous year when the differential was 4.1. However, there has been a general widening of the differential since 2012/13 when it was twice as likely. As figure 2.6 shows, in the latest year, searches against BAME people increased proportionally more than those who were White.

A similar pattern was seen for the Black ethnic group, where the differential 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. In the year ending March 2017 the differential rose to over 8 times as likely, before rising again to 9 and a half times in the year ending March 2018. In the year ending March 2019, those who identify as Black or Black British were 9.7 times as likely to be stopped than those who identify as White.

**Figure 2.7 Likelihood<sup>1</sup> of being stopped and searched<sup>2</sup> by BAME group, compared with those from White ethnic groups, England and Wales<sup>3</sup>, year ending March 2019 compared with 2018**



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.

**2.7 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 typically only account for just over 1.5% of all stop and searches each year, their exclusion has only a marginal impact on the longer-term time series.

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 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 annual comparisons. These cases have been highlighted.



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

## 2.8 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.

## 3 Best Use of Stop and Search

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### Key results

In the year ending March 2019:

- Of **383,629 stops and searches** conducted by police in England and Wales, **279,601 resulted in no further action (73%)**.
- **In 22% of stops and searches**, the outcome was linked to the initial reason for the search. This varied by reason for search, from **28% for drugs** to **4% for searches under section 60 of the Criminal Justice and Public Order Act** in anticipation of violence.

### 3.1 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
- 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 several 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
- No further action

### One outcome per stop and search

For each stop and search, only the first outcome is recorded. For example, where a criminal sanction follows an arrest, only the arrest will be shown in these statistics. Therefore, outcomes that follow an arrest (such as cautions) will be an under-count of the actual number of such outcomes. 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. For example, police may stop someone on suspicion of carrying drugs. If cannabis is found during the search and the person is given a cannabis warning, then the outcome is linked to the reason for the search. However, if a weapon is found instead of cannabis and the person is arrested, the outcome is not linked to the initial reason for the search. If nothing untoward is found and no action is taken, the outcome is also not linked to the reason for the search.

Tracking whether or not the outcome is linked to the reason for the search aims to increase transparency by allowing for a distinction between outcomes where the officer found what they were searching for, those where the item found was not what the officer was initially searching for, or where nothing was found. 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. 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 (3.4).

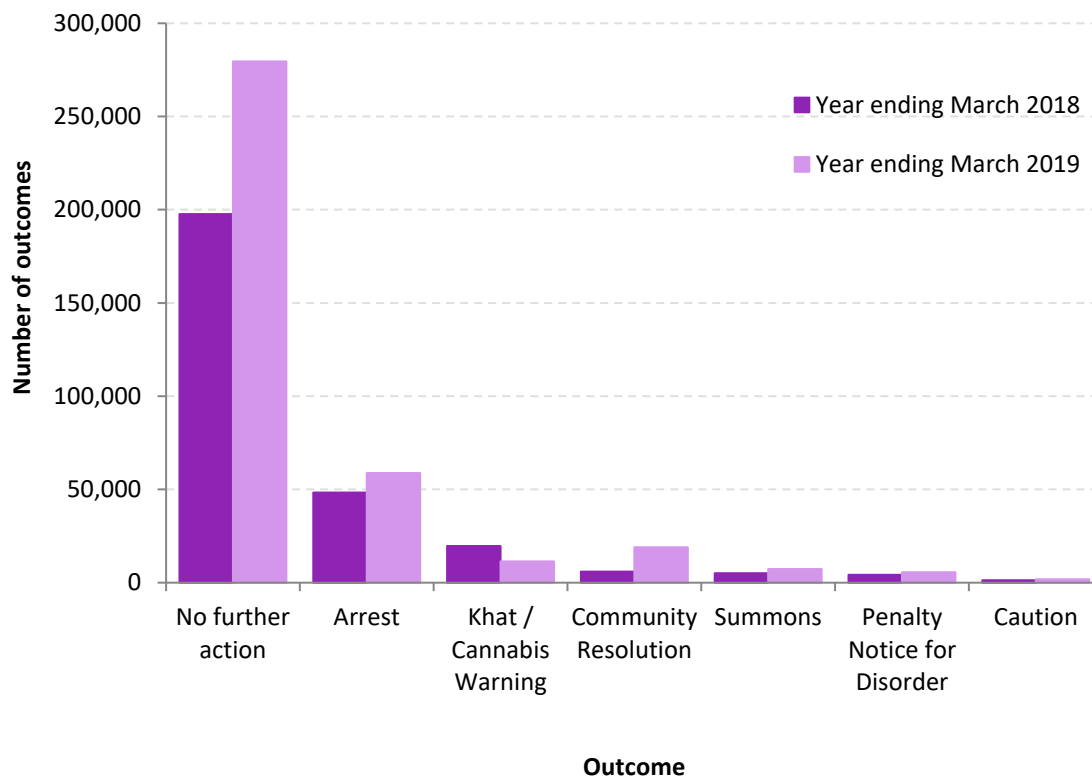
Since BUSS data are collected separately from stop and search data in chapter 2, figures and arrest rates in this chapter may not match exactly those presented in the previous chapter.

### 3.2 PRINCIPAL OUTCOME FOLLOWING A STOP AND SEARCH

These data include the initial outcome given following the search only. It should be noted that 'No further action' can include a wide range of scenarios. 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, community resolutions 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 73% of stop and searches the outcome was 'No further action'. In a further 15% the initial outcome was an arrest and an alternative outcome was given in the remaining 12% of cases.

**Figure 3.1 Principal outcome following stop and search<sup>1</sup>, England and Wales<sup>2</sup>, year ending March 2019**



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

**Notes:**

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

The latest figures show a reduction in the use of khat/cannabis warnings following a stop and search whilst, at the same time, there has been a rise in the use of community resolutions. This reflects the fact that a number of forces have adopted a policy of using community resolutions rather than a formal khat/cannabis warning to deal with the possession of small amounts of cannabis. Community resolutions require the offender to confirm that they accept responsibility for the offence, and may also include additional advice or warnings about the offending behaviour.

**3.3 LINK BETWEEN OUTCOME AND REASON FOR STOP AND SEARCH**

In the latest year, just over 1 in 5 stop and searches (22%) resulted in an outcome that was linked to the reason for the search. This proportion varied considerably depending on the reason for the stop, as shown in Table 3.2. While over 1 in 4 drug stops (28%) led to an outcome related to ‘Drugs’, this figure was 1 in 5 (21%) for ‘Stolen property’ and just over 1 in 8 (12%) for searches relating to ‘Offensive weapons’ and ‘Going equipped’. These proportions are similar to the previous year, with the exception of ‘Going equipped’, which increased from 6% to 12%.

**Table 3.2 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 2019<sup>2</sup>**

<i>Percentages</i>	<i>England and Wales</i>		
	Self-defined ethnicity		
Reason for stop	White	BAME	Overall <sup>3</sup>
Drugs	29	30	28
Stolen property	22	20	21
Firearms	16	8	12
Offensive weapons	14	10	12
Criminal damage	13	13	13
Going equipped	12	12	12
Other <sup>4</sup>	18	23	19
<b>Total Section 1 PACE</b>	<b>24</b>	<b>24</b>	<b>23</b>
Section 43 of TACT 2000	9	8	8
Section 60 of Criminal Justice and Public Order Act 1994	4	4	4
<b>Total</b>	<b>23</b>	<b>23</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 and instances where the ethnicity is not known.
4. The 'other' search category includes searches under Section 1 PACE that do not fall into other categories

### 3.4 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 several 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.

## 4 Arrests

### Key results

In the year ending March 2019:

- There were **671,126 arrests** carried out by territorial police forces in England and Wales, **a fall of 0.6% on the previous year**. Although this continues the downward trend seen since a peak in 2007/08, **the reduction this year is less than it has been in previous years**.
- The changes across England and Wales were mixed, with half of the police forces having an increased number of arrests, and the other half had fewer arrests compared with last year.
- The **change in the number of arrests varied among different offence groups**. There was a **19% increase in arrests for possession of weapons offences and a 7% increase in drug offences**, which reflects the increases in stop and search for these offence types (see [chapter 2](#)). In contrast to this, there was a 12% fall in arrests for fraud offences and, an 8% fall in arrests for theft offences.

### 4.1 INTRODUCTION

Data presented here are on the police power of arrest. In line with police recorded crime statistics, the arrest collection is designed to cover only arrests for notifiable offences<sup>5</sup> carried out by police in England and Wales. Further, in this collection, an arrest is counted for each occasion 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<sup>6</sup>. Thus, it does not provide a measure of all arrests made by the police during 2018/19.

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. However, Lancashire Constabulary was not able to provide complete 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

<sup>5</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](#).

<sup>6</sup> Devon and Cornwall Police, Kent Police and North Wales Police are unable to separately identify the primary arrest in a series of reasons for arrests. Due to this, these forces' data includes all arrests for notifiable offences.

offences is greatly dependent on police activities and priorities and does not give a reliable indication of trends in the level of drug offending.

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 4.1 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.

Where a person has been arrested for one or more notifiable offence on the same occasion, forces are asked to record the arrest against the offence with the highest maximum penalty (the primary arrest). However, Devon and Cornwall Police, Kent Police and North Wales Police are unable to separately identify the primary arrest in a series of reasons for arrests. Due to this, these forces' data includes all arrests for notifiable offences and are not directly comparable with other forces. These forces have minimal effect on national totals and have therefore been included in the England and Wales total.

## 4.2 TRENDS IN THE NUMBER OF ARRESTS

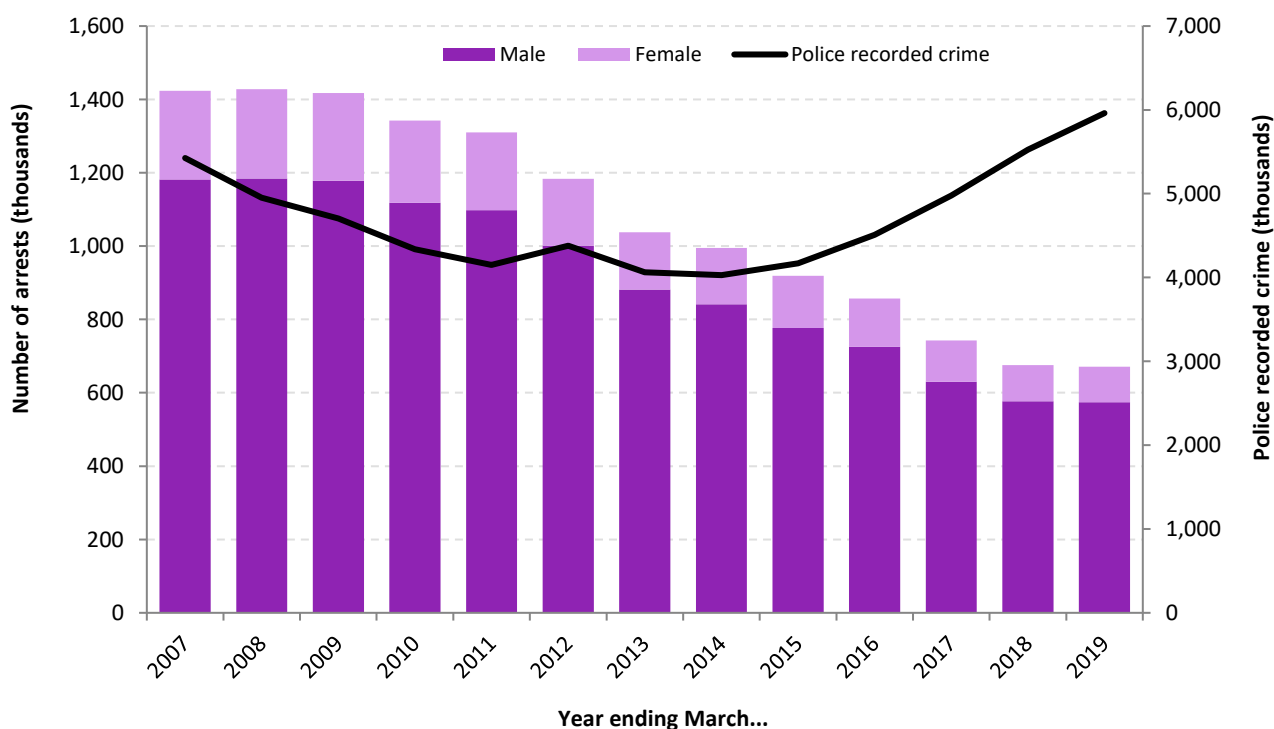
Lancashire Constabulary were unable to provide the Home Office with complete arrests data for this publication. Therefore, to ensure comparability with previous years, Lancashire Constabulary are excluded from all analyses in this chapter. In previous years, this force has contributed around 3% of the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

In the year ending March 2019 there were 671,126 arrests carried out by territorial police forces in England and Wales (excluding Lancashire), a fall of 0.6% on the previous year. Although this continues the downward trend seen since a peak in 2007/08, when there were



1,475,266 arrests (or 1,427,387 arrests excluding Lancashire Constabulary), the reduction this year is less than it has been in previous years (Figure 4.1).

**Figure 4.1 Number of arrests, by sex, and police recorded crime, England and Wales, years ending March 2007 to 2019<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.

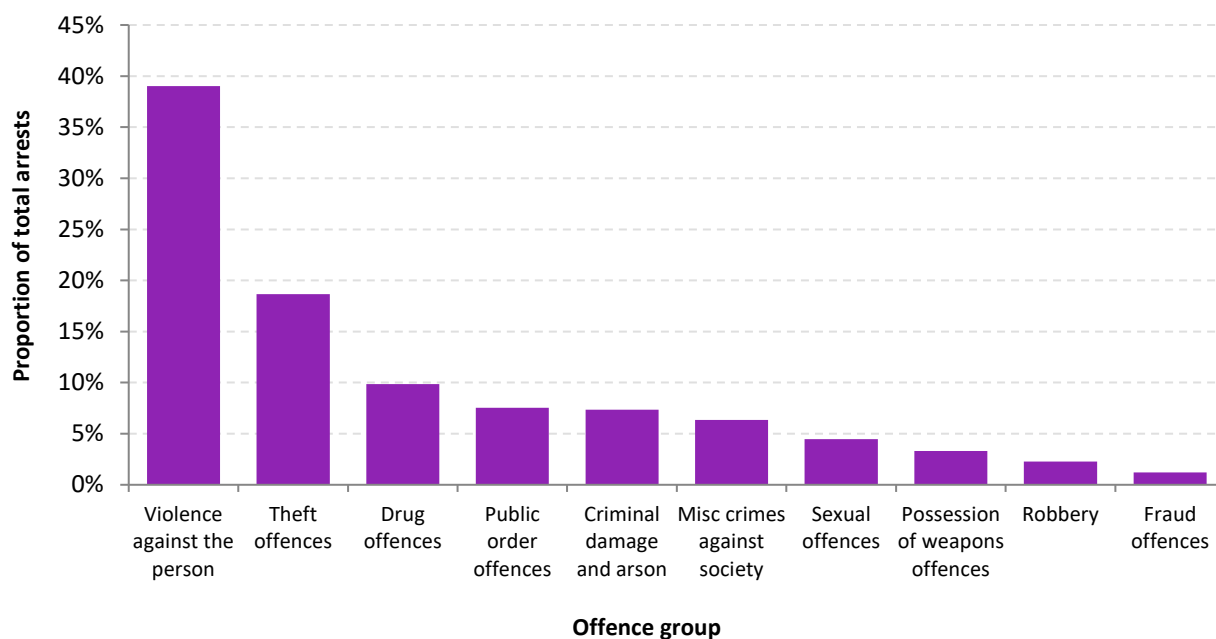
As Figure 4.1 shows, a general downward trend was seen in both the volume of crimes recorded by the police and the number of arrests between 2006/07 and 2012/13. In the four following years the downward trend in arrests continued at the same time as the volume of crimes recorded by the police increased. However, in the latest year, the downward trend in the number of arrests has levelled off, whilst police recorded crime has continued to increase.

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.

### 4.3 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 (39%). The next most common offence group was theft, which accounted for 19% of all arrests (Figure 4.2). The proportion of arrests in each offence group has changed little compared with the previous year.

**Figure 4.2 Proportion of arrests in each offence group, year ending March 2019<sup>1</sup>**



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

**Notes:**

1. Excludes Lancashire Constabulary.

In comparison, violence against the person offences made up 28% of police recorded crime in 2018/19, and theft offences made 34% 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. Two outliers were fraud which comprised just 1% of all arrests but 12% of all recorded crime (Table 4.2) and drug offences, which comprised 10% of arrests but 3% of recorded crime.

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 several arrests. In addition, some crimes take longer to investigate than others and therefore arrests and charges may lag trends in recorded crime.

As noted elsewhere ([Crime Outcomes in England Wales: year ending March 2019 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 4.2 Offence group breakdowns of persons arrested in England and Wales and police recorded crime, year ending March 2019<sup>1, 2</sup>**

<i>Percentages</i>	<b>England and Wales</b>	
	Arrests	Police recorded crime
Violence against the person	39%	28%
Theft offences	19%	34%
Drug offences	10%	3%
Public order offences	8%	8%
Criminal damage and arson	7%	10%
Misc. crimes against society	6%	2%
Sexual offences	4%	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 change in the number of arrests in the latest year varied among different offence groups. There was a 19% increase in arrests for possession of weapons offences and a 7% increase in drug offences, which reflects the increases in stop and search for these offence types (see Chapter 2). Police recorded crime data, as published in the '[Crime in England and Wales](#)' statistical bulletin, show similar increases in both offence groups (19% in possession of weapons offences and 11% in drug offences).

In contrast to this, there was a 12% fall in arrests for fraud offences and an 8% fall in arrests for theft offences.

**Table 4.3 Offence group breakdowns of persons arrested in England and Wales, year ending March 2018 compared with year ending March 2019<sup>1, 2</sup>**

<i>Numbers and percentages</i>	<b>England and Wales</b>		
	Year ending		% change
Offence group	31-Mar-18	31-Mar-19	
Violence against the person	260,311	261,914	0.6
Theft offences	136,096	125,173	-8.0
Drug offences	61,838	66,211	7.1
Misc. crimes against society	46,215	42,498	-8.0
Public order offences	48,998	50,534	3.1
Criminal damage and arson	48,385	49,275	1.8
Sexual offences	30,965	29,913	-3.4
Possession of weapons offences	18,643	22,241	19.3
Robbery	14,868	15,352	3.3
Fraud offences	9,142	8,015	-12
<b>Total</b>	<b>675,461</b>	<b>671,126</b>	<b>-0.6</b>

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

**Notes:**

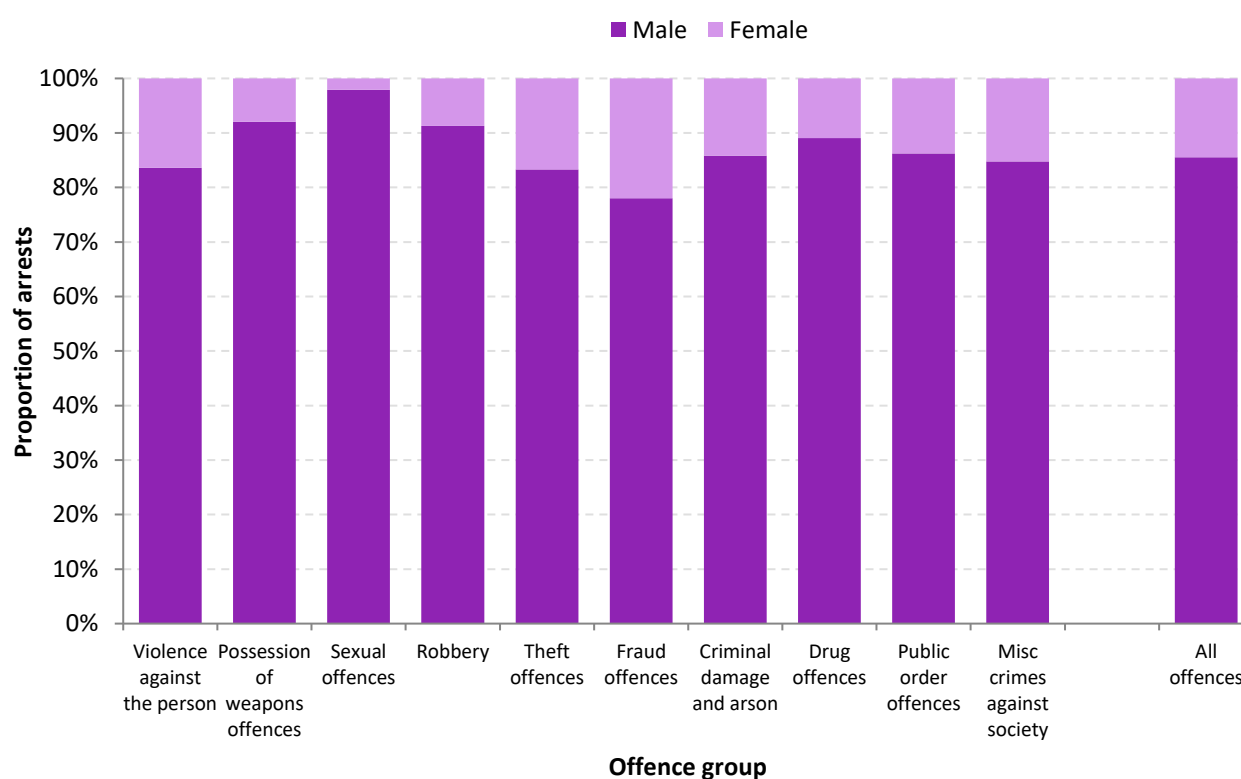
1. Following a change in offence groups (in 2015/16) it is believed that a number of police forces are incorrectly recording some 'public order' offences against 'miscellaneous crimes against society'. Caution should therefore be exercised when comparing these offences over time and across forces. The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

#### 4.4 ARRESTS BY SEX

As in previous years, the majority of arrests in the latest year were of males (86%). In the latest year there was a 0.4% fall in the number of males arrested, and a 1.8% 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 (22%). Figure 4.3 shows the split for each offence type.

**Figure 4.3 Proportion of arrests by sex and offence group, England and Wales, year ending March 2019<sup>1</sup>**



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

**Notes:**

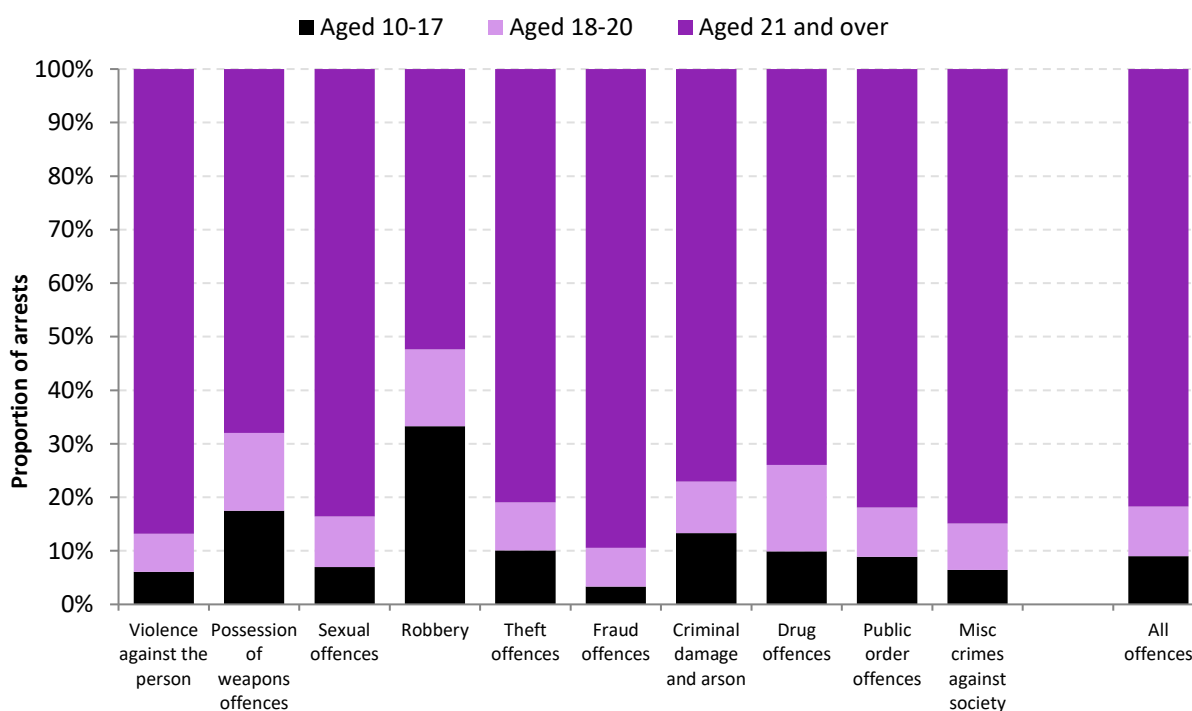
1. Excludes Lancashire Constabulary.

## 4.5 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 82% 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 18% of all arrests, they made up 48% of arrests for robbery offences and just under a third (32%) of possession of weapons offences. Those aged 21 or over made up 89% of all arrests for fraud offences. Figure 4.4 shows the number of persons arrested by offence type and age-group.

**Figure 4.4** Age-group<sup>1</sup> of persons arrested, by offence type, England and Wales, year ending March 2019<sup>2</sup>



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

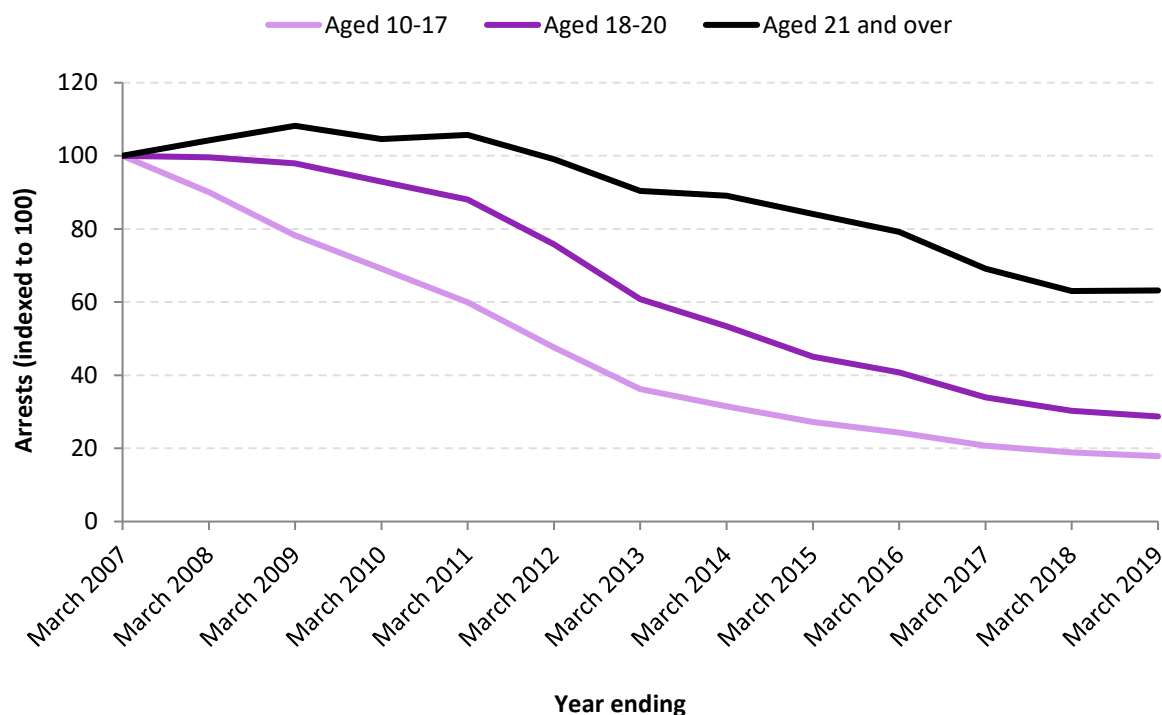
**Notes:**

1. Excludes those whose age was unknown (759 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 number of arrests of those aged 10 to 17 and 18 to 20 fell by 5% compared with the previous year. However, the number of arrests of those aged 21 and over increased by 0.3%. As Figure 4.5 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 2006/07 those aged 21 and over accounted for 61% of all arrests but accounted for 82% in 2018/19 (a similar proportion to the previous year).

**Figure 4.5** Number of arrests (indexed to 100 in the year ending March 2007) by age group, England and Wales, years ending March 2007 to 2019<sup>1</sup>



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

**Notes:**

1. Excludes Lancashire Constabulary.

## 4.6 ARRESTS BY ETHNICITY

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

- White
- Black (or Black British)
- Asian (or Asian British)
- Chinese or other
- Mixed
- Not stated

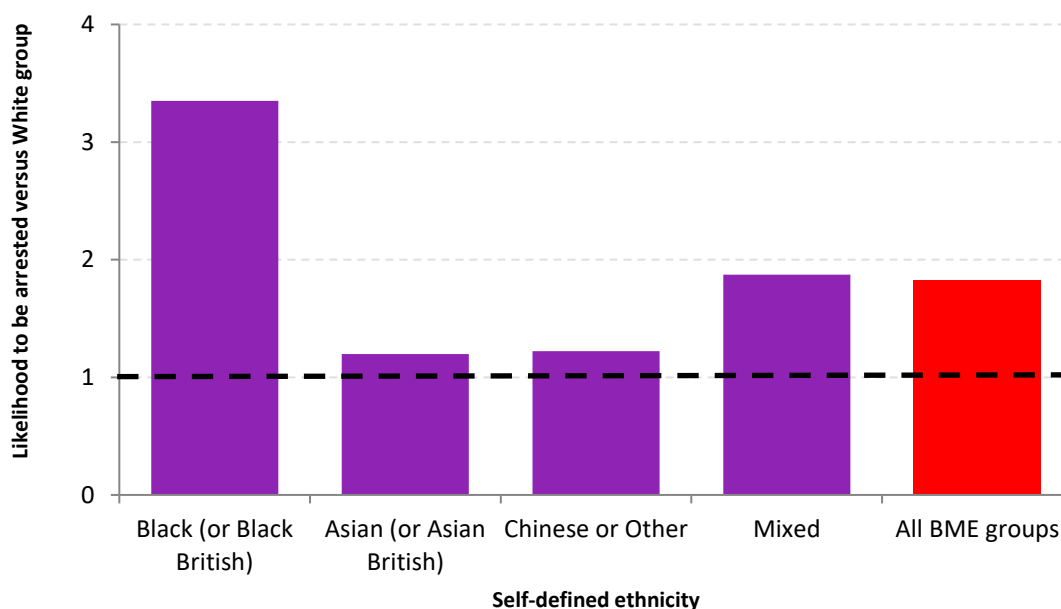
The ethnic breakdown of those arrested in the latest year was similar to the previous year. Excluding those who did not state their ethnicity (who accounted for around 12% of arrestees in 2018/19), 77% of those arrested defined their ethnicity as White, 10% as Black

(or Black British) and 7% as Asian (or Asian British). The remaining 6% 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 the length of time since the last Census. Data are presented in terms of how likely BAME people are to be arrested compared with 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 BAME people were over 1 and a half times as likely to be arrested that those who identified themselves to be White in the latest year (Figure 4.6).

**Figure 4.6 Likelihood<sup>1</sup> of being arrested by ethnic group, compared with those from White ethnic groups, England and Wales<sup>2</sup>, the year ending March 2019<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.

With the exception of Chinese or Other, which increased by 3.1%, there were fewer arrests in all other ethnicities in the latest year. Overall, the number of arrests of BAME people fell by 6%, and there was also a decrease of 7% in the number of arrests of those who considered themselves to be White. However, there was a large increase in arrestees without a stated ethnicity (Table 4.4).



**Table 4.4 Ethnic breakdowns of persons arrested in England and Wales, year ending March 2019 compared with 2018<sup>1</sup>**

Numbers and percentages	England and Wales		
	Year ending		% change
	31 March 2018	31 March 2019	
Self-defined ethnicity			
White	485,885	452,320	-6.9
Black (or Black British)	64,670	60,116	-7.0
Asian (or Asian British)	45,603	42,872	-6.0
Mixed	23,137	21,832	-5.6
Chinese or Other	10,810	11,148	3.1
Not stated	45,356	82,838	82.6
<b>BAME</b>	<b>144,220</b>	<b>135,968</b>	<b>-5.7</b>
<b>Total</b>	<b>675,461</b>	<b>671,126</b>	<b>-0.6</b>

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

**Notes:**

1. Excludes Lancashire Constabulary.

## 4.7 ARRESTS BY POLICE FORCE AREA

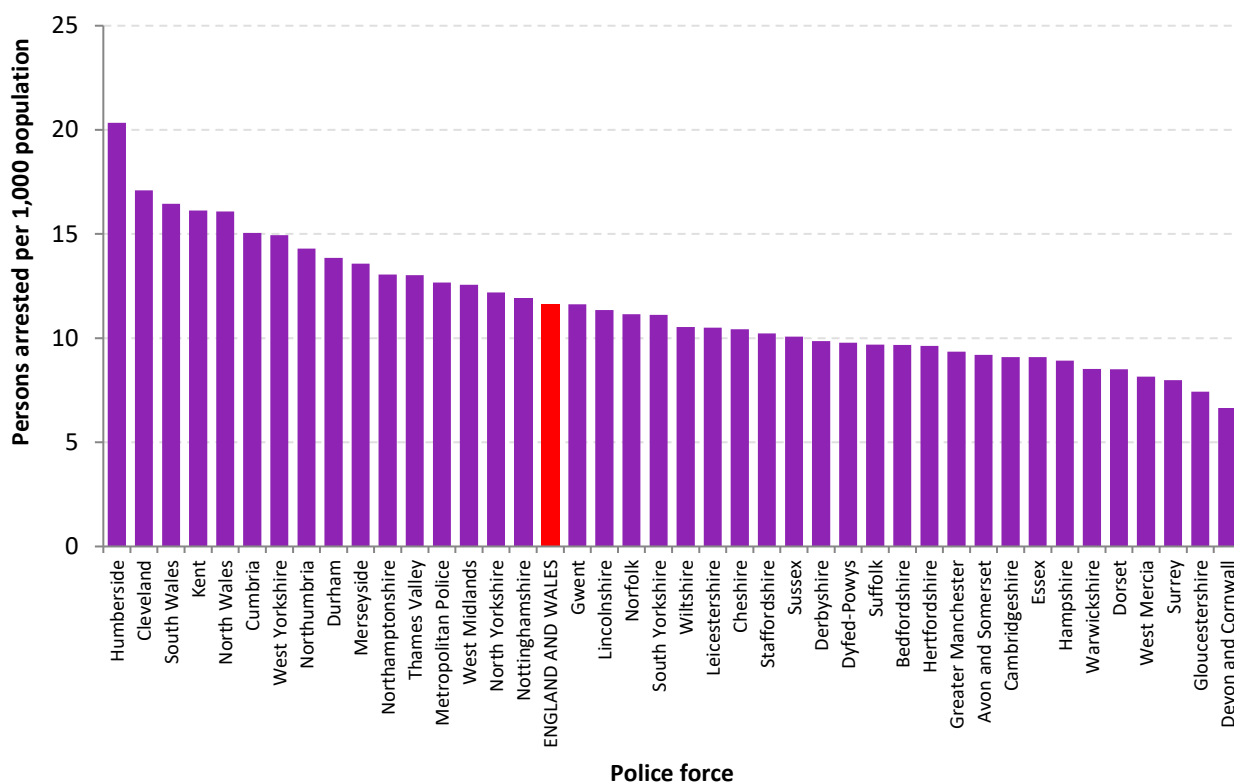
The number of arrests expressed per 1,000 members of the population in England and Wales was 12 in the year ending March 2019. This varied by Police Force Area<sup>7</sup> with the highest rate in Humberside (20 per 1,000). The lowest arrest rate, at 7 arrests per 1,000 members of the population, was found in the Devon and Cornwall and Gloucestershire Police Force Areas.

Differences in the proportion of BAME 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 BAME ranges from under 3% (in Durham, Cumbria and North Wales areas) to 54% (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).

Of the 42 forces in England and Wales who provided data, 21 showed an increase in the number of arrests, while 21 forces showed a decrease, in the latest year compared with the previous.

<sup>7</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.

**Figure 4.7** Number of persons arrested per 1,000 population<sup>1</sup>, by Police Force Area, England and Wales<sup>2</sup>, year ending March 2019<sup>3</sup>



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

**Notes:**

1. Calculated using the [mid-2018 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.

**4.8 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 2016/17, 2017/18 and 2018/19, Lancashire Constabulary were unable to supply complete arrests data. Figures for this force were therefore estimated in the open data tables for 2016/17, but have been omitted for 2017/18 and 2018/19.

Devon and Cornwall Police, Kent Police and North Wales Police are unable to separately identify the primary arrest in a series of reasons for arrests. Due to this, these forces' data includes all arrests for notifiable offences and are not directly comparable with other forces. These forces have minimal effect on national totals and have therefore been included in the England and Wales total.

## 4.9 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 2019 and includes arrests data for the financial year ending March 2018. The next release is scheduled for January 2020 and will cover the period up to the financial year ending March 2019.

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.

## 5 Other PACE powers

### Key results

In the year ending March 2019:

- There were a total of **4,235 persons detained** by police in England and Wales under part IV of PACE for more than 24 hours and subsequently released. This represented **an increase of 23% compared with the previous year** (based on data from 30 forces that were able to provide complete data for both years).
- Of those detained and subsequently released, **89% (3,780) were held for between 24 and 36 hours**, a further **347 persons** were **held for more than 36 hours** before being released without charge, and **107** people were **detained under warrant for further detention**.
- Based on the 40 forces who could supply data, there were **73 intimate searches** carried out by police. Excluding forces who could not supply data for both years, this was **a decrease of 32 searches on the previous year**.

### 5.1 INTRODUCTION

The police have several 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.

### 5.2 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 2019, there were a total of 4,235 persons detained by police in England and Wales under part IV of PACE for more than 24 hours and subsequently

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

released. This represented an increase of 23% compared with the previous year (based on data from 30 forces that were able to provide complete data for both years).

Of those detained and subsequently released, 89% (3,780) were held for between 24 and 36 hours, a further 347 persons were held for more than 36 hours before being released without charge and 107 were detained under warrant for further detention (before being released without charge).

In the year ending March 2019, police in England and Wales applied to magistrates for 429 warrants of further detention. Of these applications 9 were refused, meaning warrants were granted in 98% of cases. When a warrant of further detention was granted, this led to a charge in 60% of cases (251 cases).

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

### 5.3 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](#).

As is the case with detentions over 24 hours, some forces were unable to provide these data. Based on the 40 forces who could supply data, there were 73 intimate searches carried out by police in the year ending March 2019. Excluding forces who could not supply data for both years, this was a decrease of 32 searches on the previous year.

Of the 73 intimate searches, 71 (97%) were carried out by a medical practitioner or in the presence of a suitably qualified person and 2 (3%) were carried out by a police officer. There were no searches carried out by designated civilian detention officers.

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 18% of cases, up 5 percentage points from 13% in the previous year. Additionally, harmful articles were found in 3 of the 7 searches conducted to find harmful articles.

Of the 40 police forces in England and Wales who could supply data to the Home Office, 19 had carried out intimate searches in the year ending March 2019. Norfolk Constabulary conducted the most intimate searches (11), followed by Merseyside Police (9), and Suffolk Constabulary (8).

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

## 5.4 DATA QUALITY

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

Cheshire, Durham, Dorset, Gloucestershire, Hertfordshire, Kent, Lincolnshire, North Wales, Thames Valley, and North Wales police forces were unable to provide complete detentions data for the year ending March 2019. These forces, along with those who could not provide complete data for the year ending March 2018, have been excluded from 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 2019. 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.

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

### Key results

In the year ending December 2018:

- There were **2.5 million motoring offences** recorded in 2018 (excluding **354,705 cancelled cases**), which resulted in a Fixed Penalty Notice or another outcome, an **increase of 3.8%** compared with the previous year.
- **Over four-fifths (85%)** of recorded motoring offences were **for speed limit offences** (2,105,409), **up 1 percentage point on the previous year** (2,013,830). The number of **speed limit offences** has increased gradually year-on-year since 2011, and now **stand at the highest level recorded**.
- **45%** of driving offences **resulted in driver retraining, a fine was paid in a further 40% of cases** and **15% of cases involved court action** (excluding those subsequently cancelled), similar proportions to the previous year

### 6.1 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

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

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](#).

## 6.2 TRENDS IN FPNS AND OTHER OUTCOMES OF MOTORING OFFENCES

Excluding cancelled cases<sup>10</sup> (354,705 cases), the PentiP system recorded 2.5 million motoring offences in 2018, which resulted in an FPN or another outcome, an increase of 3.8% compared with the previous year. Specifically, in 2018:

- 882,660 cases resulted in the driver receiving an endorsable FPN (36%);
- 116,816 cases resulted in a non-endorsable FPN (5%);
- A driver attended a drive retraining course in 1,112,399 cases (45%); and,
- 371,081 cases resulted in court action (15%).

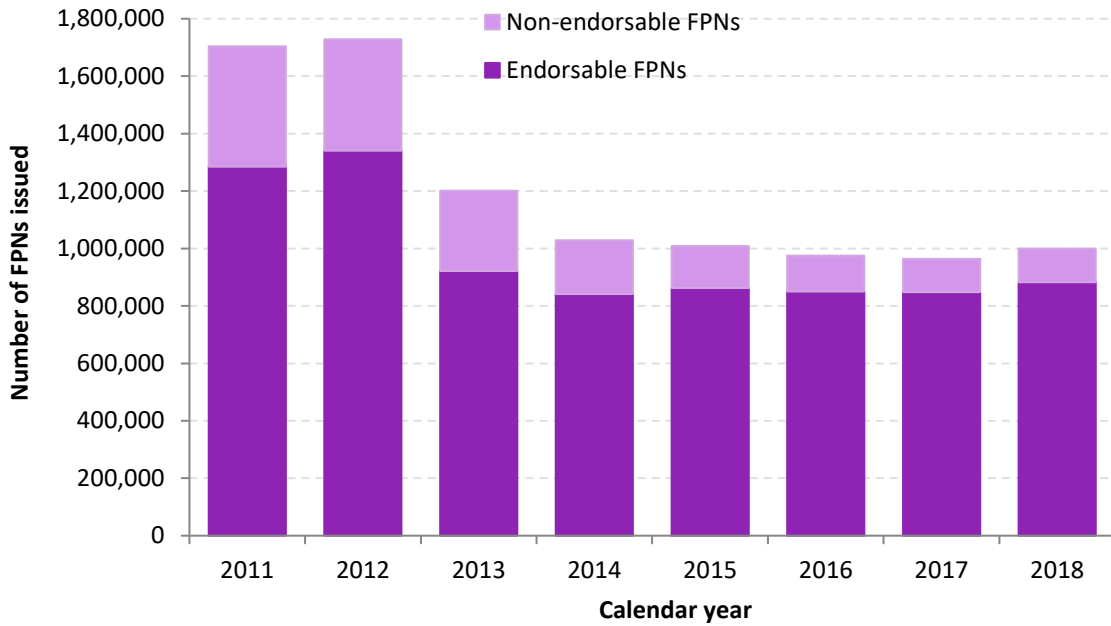
The number of endorsable FPNs issued has remained fairly stable in recent years (around 880,000 in 2018). The number of non-endorsable FPNs had fallen year-on-year from 2011 to 2017, however, there was a small increase in the latest year from approximately 115,600 in 2017 to 116,800 in 2018 (Figure 6.1).

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<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.



**Figure 6.1** Number of motoring offences resulting in an endorsable or non-endorsable FPN<sup>1,2</sup>, England and Wales<sup>3</sup>, 2011 to 2018



Source: [FPN\\_01](#), Home Office

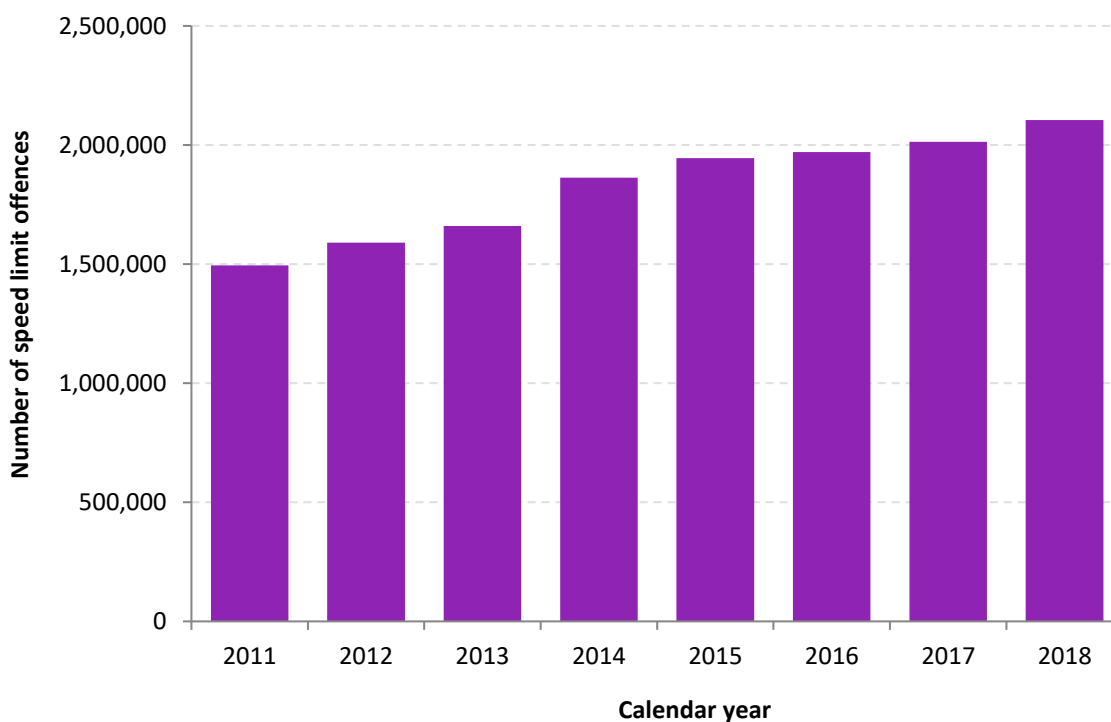
**Notes:**

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.

### 6.3 FPNS AND OTHER OUTCOMES BY OFFENCE TYPE

Over four-fifths (85%) of the motoring offences recorded on PentiP were for speed limit offences (2,105,409), up 1 percentage point on the previous year (2,013,830). The number of speed limit offences has increased gradually year-on-year since 2011, and now stand at the highest level recorded (Figure 6.2).

**Figure 6.2** Number of speed limit offences recorded on the PentiP system, England and Wales, 2011 to 2018<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.

Careless driving offences (excluding the use of handheld mobile phone while driving) saw the largest increase (in percentage terms) of 20% in 2018 compared with the previous year (from 15,334 to 18,467). Seat belt offences saw a 17% increase from 18,467 to 21,626. Use of a handheld mobile phone fell by 27% from 52,993 offences to 38,601. This may reflect changing police priorities and activities.

## 6.4 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 enforcement cameras. The proportion of ‘neglect of traffic directions’ offences that were detected by a camera in 2018 was 74%, a small decrease compared with 2017 (77%). The majority (97%) of ‘speed limit offences’ were camera-detected in 2018, up one percentage point on the previous year.

**Table 6.1** Number ‘speed limit offences’ and ‘neglect of traffic directions’ offences and proportion that were camera-detected, England and Wales<sup>2</sup>, 2017 and 2018

<i>Numbers and</i>	<i>England and Wales</i>	
	<i>Calendar year</i>	
<b>Offence type</b>	<b>2017</b>	<b>2018</b>
<b>Neglect of traffic</b>	<b>87,479</b>	<b>93,903</b>
<i>of which</i>		
Camera-detected (%)	77	74
<b>Speed limit offences</b>	<b>2,013,830</b>	<b>2,105,409</b>
<i>of which</i>		
Camera-detected (%)	96	97

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.

## 6.5 OUTCOMES FOLLOWING MOTORING OFFENCES

In the “year ending March 2017” 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:

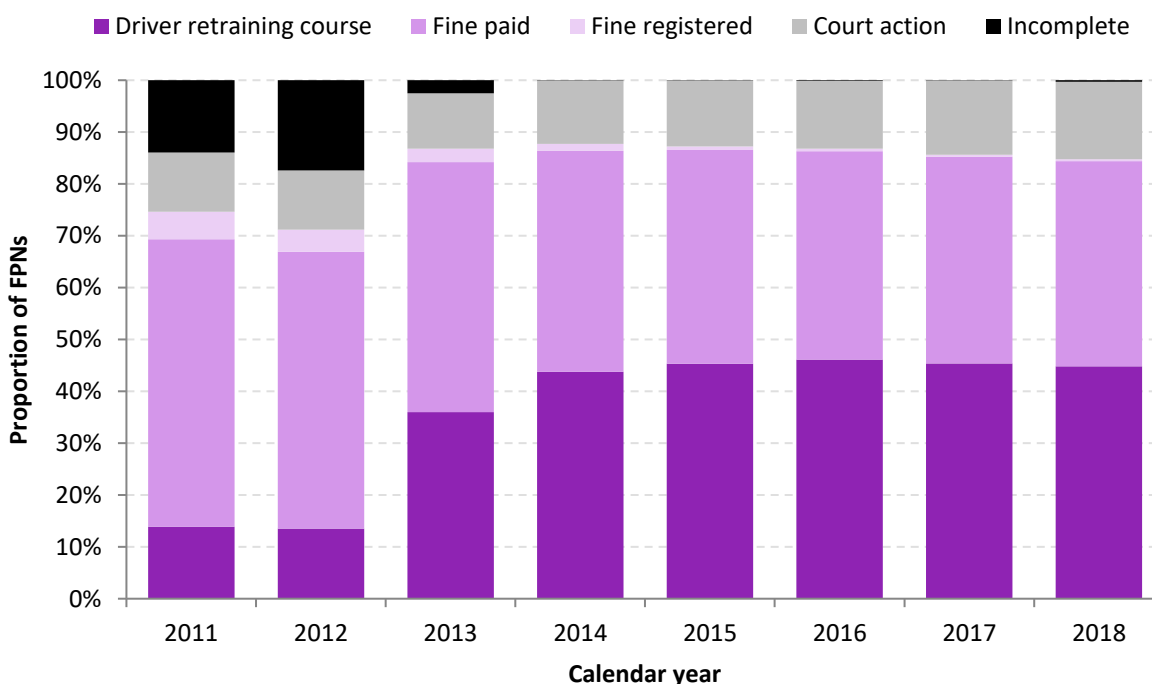
- receive an FPN and pay a fine
- attend a driver retraining course
- court action which may lead to prosecution.

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 between 44% and 46% of individuals attended a driver retraining course in each of the five years from 2014 to 2018.

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 2018, a fine was paid in a further 40% of cases (excluding those subsequently cancelled) and 15% 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 6.3 Outcomes following motoring offences, England and Wales, 2011 to 2018<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.

## 6.6 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>11</sup>. A full-time series back to 2011 was published.

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

## 6.7 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>11</sup> Ministry of Justice publishes data in its [Criminal Justice Statistics Quarterly](#) publication on prosecutions and convictions for motoring offences

## 7 Breath tests

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### Key results

In the year ending December 2018:

- There were **320,988 breath tests** carried out by police, **a 2% fall compared with the previous year** (when comparing data for 39 forces who were able to provide full data in both years). This fall continues the **downward trend** seen **since the peak of 670,023 breath tests in 2009**.
- **15%** of breath tests were **positive or refused** the highest proportion since 2007.
- As in previous years, more breath tests were undertaken in **December** than any other month, followed by June, coinciding with police drink and drug driving campaigns.

### 7.1 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 2018. 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](#).

### 7.2 TRENDS IN BREATH TESTS

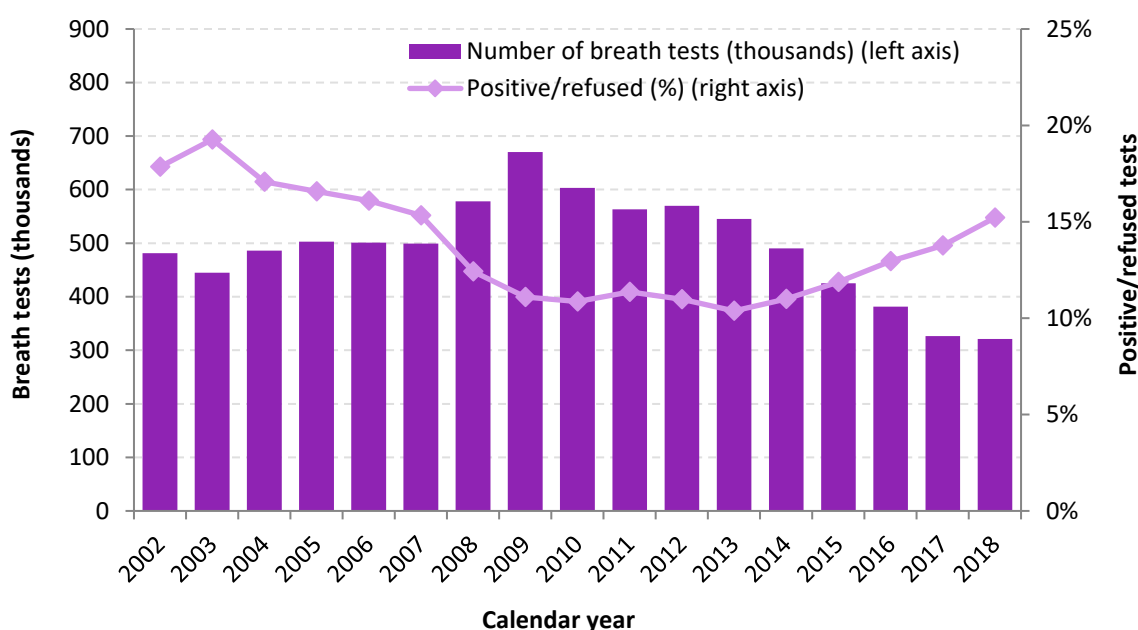
Excluding the four forces who were unable to provide complete data, there were 320,988 breath tests undertaken in 2018, representing a fall of 2% when compared with 326,221 breath tests carried out in 2017 (excluding 4 forces who could not supply full breath test data for 2017<sup>12</sup>). This fall 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).

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<sup>12</sup> Norfolk, Suffolk and the Metropolitan police were unable to provide complete data in 2018. In 2017, four police forces were unable to provide this data (Metropolitan police, Norfolk, Suffolk and Sussex).

Excluding Norfolk, Suffolk, and the Metropolitan police (who were unable to provide complete data<sup>13</sup>), there were 49,045 breath tests which were positive or refused in 2018. Excluding 4 forces who could not supply data for 2017 or 2018, there was a 9% increase in the number of positive or refused breath tests in 2018 (from 44,913 to 48,818). The number of positive or refused breath tests in 2018 represents 15% 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 10% in 2013 and remained stable until 2014. From 2014 to 2018 there has been a gradual increase in the proportion of breath tests that were positive or refused, from 11% to 15%.

**Figure 7.1** Number of breath tests, and the proportion of positive/refused tests carried out by police in England and Wales, 2002 to 2018<sup>1</sup>



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

**Notes:**

1. Excludes Sussex police, who could not supply complete data in 2017 and Metropolitan, Norfolk and Suffolk police, who could not supply complete data in 2017 or 2018.

### 7.3 SEASONAL VARIATION

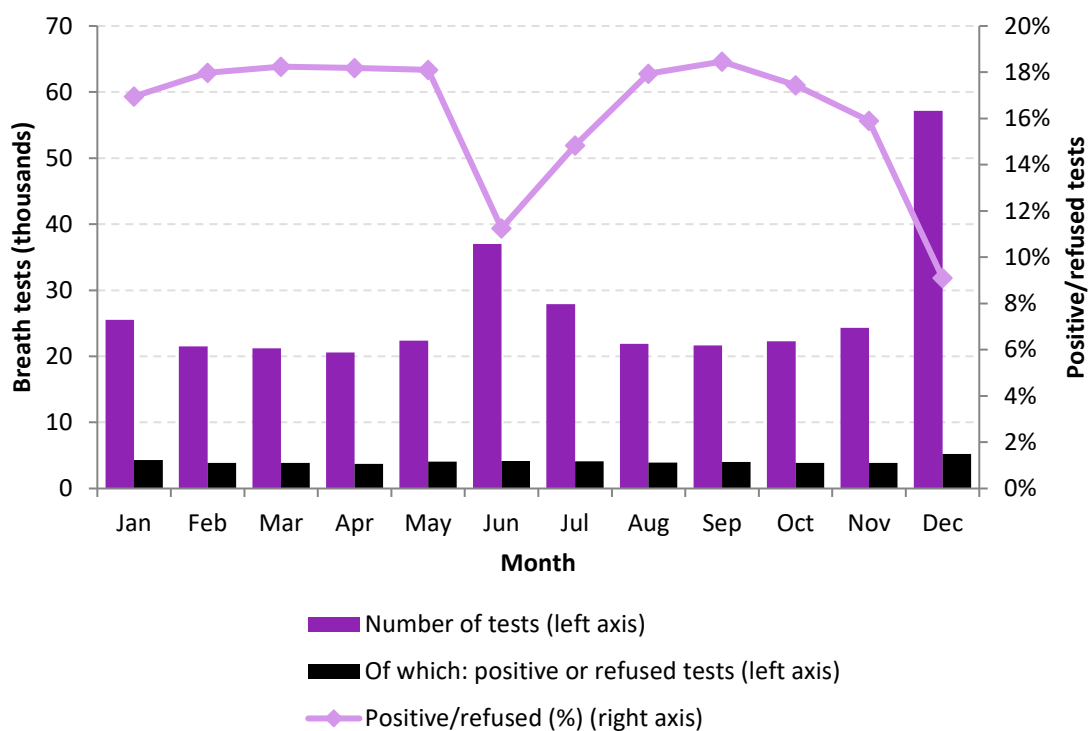
In 2018, excluding Metropolitan police, Norfolk and Suffolk, most breath tests were carried out in December (57,185). This comprised 18% of all breath tests in 2018 and coincides with the annual national Christmas drink and drug driving campaign. The second highest number of breath tests occurred in June, with 37,025. This accounted for a further 11% of all breath tests in 2018 and is likely to be due to police campaigns against drink and drug driving during the early summer period.

<sup>13</sup> The Metropolitan Police were unable to provide data on the total number of breath tests conducted in 2018, however, they were able to supply information on the number of positive tests.

Excluding the two peaks in June and December, the number of breath tests in each month averaged 22,921. The number of tests carried out in June (37,025) was over one and a half times this average, and in December (57,185) was two and a half 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 (11%) and December (9%) than it was throughout the rest of the year (between 15% and 18% in the other months).

**Figure 7.2** Number of breath tests, and proportion of positive/refused tests carried out by police in England and Wales, by month, 2018<sup>1</sup>



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

**Notes:**

1. Excludes the Metropolitan Police, Norfolk, and Suffolk who could not supply complete data in 2018.

**7.4 GEOGRAPHICAL PATTERNS**

In 2018, 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 (12 per 1,000 population) was greater than that for England (6 per 1,000 population). This was, in part, due to the relatively large rates of breath tests carried out by North Wales Police (17 per 1,000 population) and Dyfed-Powys Police (16 per 1,000 population).

In England, Durham Police had the highest rate with 17 tests per 1,000 population and Sussex Police had lowest rate with 1 test per 1,000 population. The proportion of breath



tests that were positive or refused ranged from 7% in Humberside to 39% in West Yorkshire Police Force Area.

## 7.5 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.

## 7.6 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](#).

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

### Key results

In the year ending March 2019:

- There were **33,238 detentions** under section 136 of the Mental Health Act 1983. This is a **12% increase** compared with the previous year, in which there were 29,662 detentions.
- Where the details were known, **55%** were detentions of **males**, **96%** of cases were **adults aged 18 or over** and **85%** were **White**.
- Where the details were known, the person being detained was taken to a **health-based place of safety in 81% of cases**. **17%** were taken to **Accident and Emergency** as a place of safety, and **136 people (0.5%)** were taken to a **police station**, down from **471** people in the previous year.

### 8.1 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](#).

## 8.2 DETENTIONS UNDER SECTION 136 OF THE MENTAL HEALTH ACT 1983

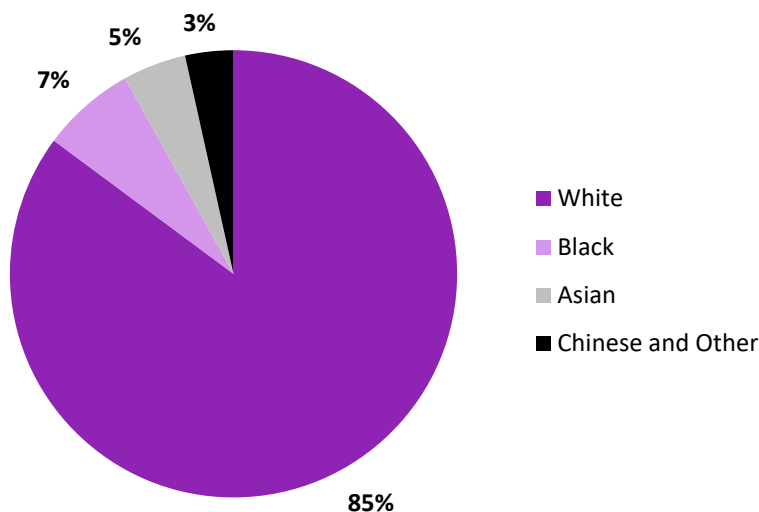
In the year ending March 2019 there were 33,238 detentions under section 136 of the Mental Health Act 1983. Three forces<sup>14</sup> reported changes in the recording of section 136 detentions compared with the previous year, making meaningful year on year comparisons difficult. However, excluding those forces, there was a 12% increase compared with the previous year.

- Of the cases where the gender of the person being detained was recorded, 55% were detentions of males.
- 96% 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):
  - 85% of detentions were of White people
  - 7% were of Black people
  - 5% were Asian
  - The remaining 3% of people detained were Chinese/Japanese/South East Asian, or of another ethnicity

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<sup>14</sup> Forces who reported inconsistencies in reporting between 2017/18 and 2018/19 were: Lancashire, Warwickshire and West Mercia.

**Figure 8.1 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:**

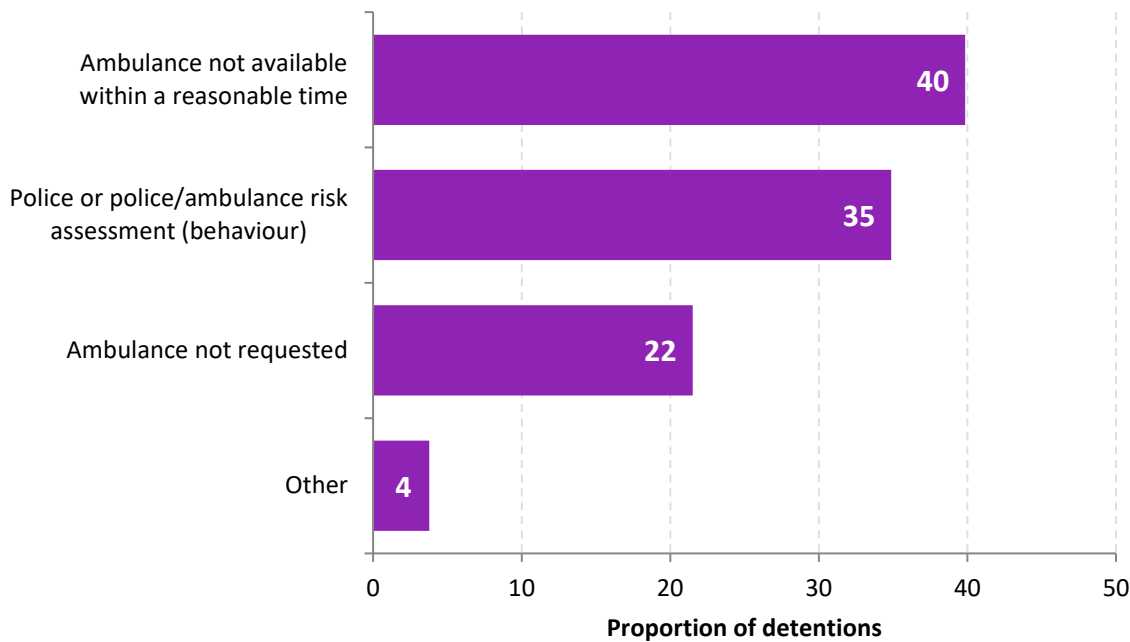
1. Excludes those cases where the ethnicity was not known.

**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 approximately one in seven (14%) cases being recorded as “not known”. Of those cases where the method of transport was recorded, a police vehicle was used in 15,122 (53%) of cases, a similar proportion to last year. An ambulance was used in a further 12,298 (43%) of cases, the same 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 the 15,122 cases where a police vehicle was used, the reason why was “not known” in 2,315 cases (15%). Of those cases where the reason for using a police vehicle was recorded, 5,103 were because an ambulance was not available in a reasonable amount of time (40%), 4,465 were because a risk assessment concluded the person being detained should be transported in a police vehicle due to their behaviour (35%) and 2,755 were because an ambulance had not been requested (22%).

**Figure 8.2 Reasons for using a police vehicle to transport a detainee to a place of safety<sup>1,2</sup>, England and Wales<sup>2</sup>, year ending March 2019**



Source: [MHA\\_04b](#), Home Office

**Notes:**

1. Excludes those cases where the reason for using a police vehicle was not known.
2. Other includes cases where an ambulance was re-tasked to a higher priority call and when an ambulance crew refused to convey.

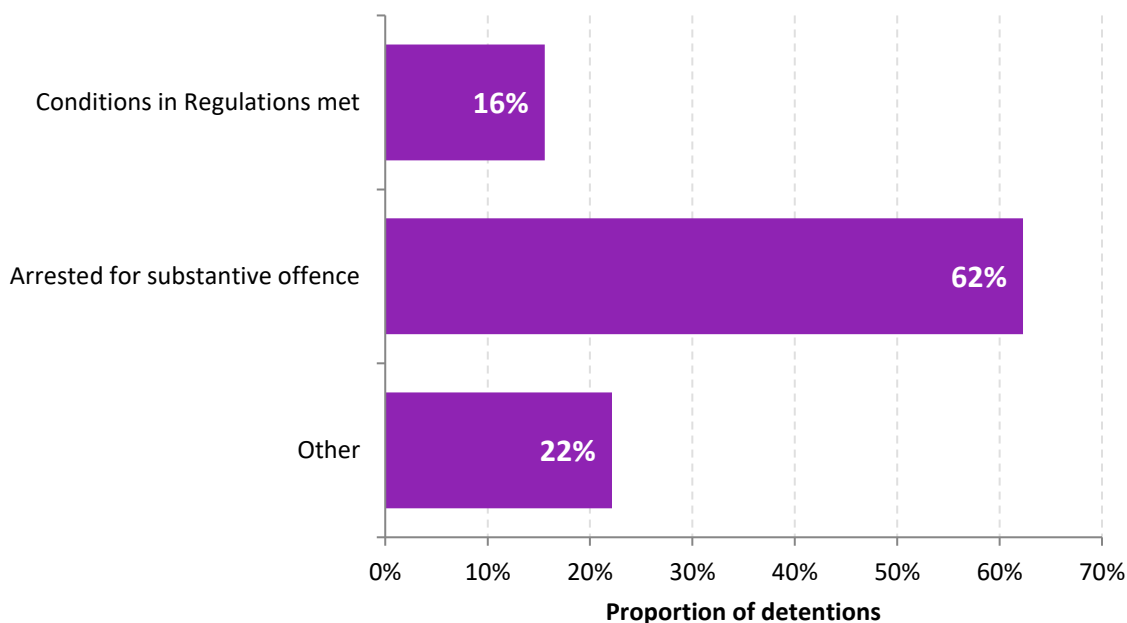
### Place of safety

Following a detention under section 136 of the Mental Health Act, a place of safety was recorded in 89% 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 81% of cases, a 4 percentage point fall compared with the year ending March 2018. Around one in six people (17%) were taken to Accident and Emergency as a place of safety, and 136 people (0.5%) were taken to a police station, down from 471 people (2%) in 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):

- 62% were arrested for a substantive offence
- 16% were because conditions in Regulations were met
- 22% were for another reason

**Figure 8.3 Reasons for the detainee being taken to a police station<sup>1</sup>, England and Wales<sup>2</sup>, year ending March 2019**



**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.

Of the 1,438 detentions of those aged under 18 years old, a police station was used as a place of safety 4 times (0.3%). This compares with 0.4% of detainees aged 18 years or over who were held in a police station (of 31,608 detentions of over 18s, 131 were taken to a police station).

### 8.3 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 premise 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 premise, 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 40 police forces for 2018/19. 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 2019, and based on a subset of 40 police forces, there were around 2,640 detentions under section 135 of the Mental Health Act.

- Of the cases where the gender of the person being detained was recorded, 60% 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):
  - 64% of detentions were of White people
  - 23% were of Black people
  - 9% were Asian
  - 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 2019<sup>1</sup>**

Police Force Area	Gender			Total
	Male	Female	Not known	
Avon and Somerset	8	2	-	<b>10</b>
Bedfordshire	5	4	-	<b>9</b>
Cambridgeshire	..	..	..	..
Cheshire	3	4	-	<b>7</b>
Cleveland	1	-	-	<b>1</b>
Cumbria	39	36	-	<b>75</b>
Derbyshire	5	2	-	<b>7</b>
Devon and Cornwall	..	..	..	..
Dorset	2	1	-	<b>3</b>
Durham	15	8	-	<b>23</b>
Dyfed-Powys	5	3	-	<b>8</b>
Essex	58	52	-	<b>110</b>
Gloucestershire	-	1	-	<b>1</b>
Greater Manchester	10	6	1	<b>17</b>
Gwent	13	4	-	<b>17</b>
Hampshire	..	..	..	..
Hertfordshire	-	-	127	<b>127</b>
Humberside	4	-	-	<b>4</b>
Kent	16	10	-	<b>26</b>
Lancashire	43	30	1	<b>74</b>
Leicestershire	59	41	-	<b>100</b>
Lincolnshire	11	-	-	<b>11</b>
London, City of	-	-	-	-
Merseyside	12	17	-	<b>29</b>
Metropolitan Police	616	426	3	<b>1,045</b>
Norfolk	49	21	-	<b>70</b>
North Wales	-	-	14	<b>14</b>
North Yorkshire	-	-	-	-
Northamptonshire	23	22	-	<b>45</b>
Northumbria	29	14	-	<b>43</b>
Nottinghamshire	66	26	1	<b>93</b>
South Wales	21	15	-	<b>36</b>
South Yorkshire	43	21	58	<b>122</b>
Staffordshire	5	3	-	<b>8</b>
Suffolk	17	2	-	<b>19</b>
Surrey	61	39	-	<b>100</b>
Sussex	75	55	-	<b>130</b>
Thames Valley	84	65	-	<b>149</b>
Warwickshire	4	4	1	<b>9</b>
West Mercia	8	4	-	<b>12</b>
West Midlands	36	20	-	<b>56</b>
West Yorkshire	8	4	-	<b>12</b>
Wiltshire	16	5	-	<b>21</b>
<b>ENGLAND AND WALES</b>	<b>1,470</b>	<b>967</b>	<b>206</b>	<b>2,643</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
- 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
- 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 41 police forces for the 2018/19 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 2019, based on a subset of 41 police forces in England and Wales, there were around 86,600 individuals released on pre-charge bail. Of these cases:

- 57% were released on bail for 28 days or less
- 78% were released on bail for 3 months or less
- 22% were released on bail for more than 3 months

**Table B.1 Pre-charge bail durations, year ending March 2019<sup>1,2</sup>**

Bail duration	Bails
0 to 7 days	6,088
8 to 14 days	4,480
15 to 21 days	10,389
22 to 28 days	28,057
29 days to 3 months	18,893
3 to 6 months	9,403
6 to 12 months	6,962
More than 12 months	2,356
<b>Total</b>	<b>86,628</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 41 police forces in England and Wales.

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