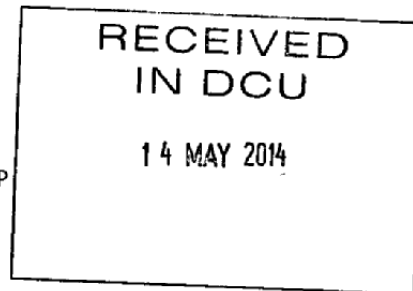


## Annex B – Responses to Home Secretary correspondence

Our ref: LO/SO/RH

Your ref: ~~AM/KK~~

The Rt Hon Theresa May MP  
Home Secretary  
2 Marsham Street  
London  
SW1P 4DF



Lynne Owens QPM MA  
Chief Constable

8<sup>th</sup> May 2014

*Dear Home Secretary,*

### Stop and Search

I write in reply to your letter received on the 30<sup>th</sup> April 2014 regarding your announcement on the use of stop and search powers. We absolutely recognise the importance of legitimacy in the use of police powers which impact upon public confidence hence our commitment to community scrutiny panels. We are grateful that was acknowledged in your correspondence.

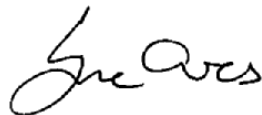
Your letter has been subject of discussion within our joint Surrey and Sussex Police Chief Officer Meeting on Tuesday 6<sup>th</sup> May 2014. We do not currently have stop/search targets, a position that will continue as I agree it is inappropriate. Being wholly supportive of greater transparency, effective use of police powers and resources and increasing public confidence in the police service, I welcome and accept your invitation to be part of the 'Best Use of Stop and Search Scheme'.

In accepting the offer I would be grateful for the opportunity of working with the College of Policing, national business area leads and your officials on the precise detail of the scheme. I am keen to understand the resourcing, training and financial implications of the proposed voluntary changes including the implications of, for example, the current proposal in respect of Section 60. If Parliament is currently minded that this power is too widely constructed it is of course right that it is reformed.

However, there are operational and public safety consequences of such decisions referenced within my national responsibilities for the uniformed operations business area, specifically in respect of public order policing and responding to gang activity in some instances. It is only appropriate that these are fully explored and understood as we all share the ambition to both keep people safe and improve public confidence.

Thank you again for writing to me. I look forward to being engaged in the next steps.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Owens', written in a cursive style.

Lynne Owens  
Chief Constable

cc.

Kevin Hurley, Surrey Police and Crime Commissioner.

Alex Marshall, College of Policing.

Sir Hugh Orde, President, ACPO.

T/CC Giles York, Sussex Police.

Deputy Commissioner Craig Mackey, National Policing Lead for Stop and Search.



METROPOLITAN  
POLICE

TOTAL POLICING

16 May 2014

Rt. Hon. Theresa May, MP  
Home Secretary  
2 Marsham Street  
London  
SW1P 4DP

Sir Bernard Hogan-Howe QPM,  
MBA, MA (Oxon)  
Commissioner of Police of the  
Metropolis  
New Scotland Yard  
Broadway  
London SW1H 0BG

Tel: 020 7230 0755

www.met.police.uk

*Dear Home Secretary*

Thank you for your letter dated 30th April 2014 in which you outline new stop and search proposals following the Home Office consultation that took place in 2013. We welcome the new package of measures and, as acknowledged in your letter, have agreed to sign up to the 'Best Use of Stop and Search' scheme.

Following my appointment as Commissioner in 2011 I instigated a review of how the Metropolitan Police Service uses stop and search powers. I shared some of the concerns that you refer to in your letter, particularly in relation to the possibility of excessive use and the consequences of these encounters. I considered that far more could be done to demonstrate that we were using the powers fairly and targeting the right people. In January 2012 I launched a major and renewed focus on stop and search to make it more intelligence-led, directed towards those crimes that concern the public the most and insisted that it be more effective. Since then we have seen consistent and significant reductions in the volumes of searches carried out, increased arrest rates and reduced complaints.

Dealing specifically with the points raised in your letter, in relation to public scrutiny the MPS has had independent monitoring in place since 2006 with each London borough benefiting from community oversight and supported by the release of comprehensive local stop and search data. We already provide opportunities for community observers to accompany officers and more recently have provided the groups with redacted stop and search records for them to scrutinise and comment on. At a strategic level we invite examination of our use of the powers by organisations such as the Equality & Human Rights Commission and the Independent Police Complaints Commission.



METROPOLITAN  
POLICE

TOTAL POLICING

Secondly, I have given clear instruction in relation to the setting of individual stop and search targets for officers; quite simply this is unacceptable. Stop and search is a discretionary power that a constable may consider to exercise as part of their duties, not a tactic to be employed as a preventative measure. We will continue to ensure that this position is recognised at all levels of the MPS.

The MPS has however set out a very clear direction in terms of how we will judge whether stop and search is considered effective. One expectation is that 20% of all searches should result in an arrest and for the month of April 2014 the arrest rate was 18.1%. This excludes other outcomes such as a cannabis warning or issue of other penalty notice. This adds emphasis to our ambition that we must stop the right people, those likely to be in possession of weapons or stolen property.

To add focus to crimes that cause Londoners the most concern such as burglary, theft, robbery and violent assaults, the MPS expects that 20% of all stops and searches should be where there is a suspicion that weapons are being carried and 40% should target neighbourhood level crimes. This approach once again ensures effort is directed towards matters of great public concern and reduces those cases where possession of drugs is cited grounds for searching someone.

I agree that the College of Policing has a key role to play in the delivery of some of the Home Office proposals and we have added our views to their emerging plans. It would help influence our plans in London if we could have early indication of the principles and timeline for the review of national training.

I recognise there is much more to do to improve confidence, across all communities, in the use of the powers, but I hope I have been able to give you some reassurance of the MPS' commitment to deliver your proposals and build on the significant changes we have already made in a relatively short time.

*Sir Bernard Hogan-Howe*

Sir Bernard Hogan-Howe  
Commissioner

Cc: Alex Marshall - College of Policing  
Deputy Assistant Commissioner Helen Ball



**Giles York**  
**T/Chief Constable**

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Our Ref: CC/GY/VLF

22<sup>nd</sup> May 2014

Home Secretary  
The Home Office  
2 Marsham Street  
London  
SW1P 4DF

Dear Home Secretary,

### **Stop and Search**

I write in response to your letter, received on 30th April 2014, regarding the use of stop and search powers. We absolutely recognise the importance of legitimacy in the use of police powers which impact on public confidence. We recognise the importance of adherence to the Police and Criminal Evidence Act 1984 Code of Practice A which requires police forces to ensure that there are arrangements in place for their stop and search records to be scrutinised by the communities they serve; our Force level delivery plan specifically addresses this. We do not currently have stop and search targets for officers because we recognise this is inappropriate.

Your letter has been subject of discussion within our joint Surrey and Sussex Police Chief Officer meeting on Tuesday 6th May 2014. We are wholly supportive of greater transparency, effective use of police powers and resources and increasing public confidence in the police service and I welcome and accept your invitation to be part of the 'Best Use of Stop and Search Scheme'. It is our intention to work closely with our Surrey colleagues on the implementation of the scheme and I look forward to being engaged in the next steps.

Yours sincerely,

**Giles York**  
**T/Chief Constable**



**Leicestershire  
Police**  
Protecting our communities

Police HQ, St. Johns,  
Enderby, Leicester,  
LE19 2BX

Tel: 101  
[www.leics.police.uk](http://www.leics.police.uk)

**Simon Cole, Chief Constable**, QPM, BA (Hons) (Dunelm), MA (Worcester), DipCrim (Cantab)  
T: 0116 248 2005 E: [simon.cole@leicestershire.pnn.police.uk](mailto:simon.cole@leicestershire.pnn.police.uk) @ccleicspolice

The Home Secretary,  
2, Marsham Street,  
London  
SW1P 4DF

RECEIVED  
IN DCU  
16 JUN 2014

10 June, 2014

Dear *Home Secretary*,

#### **STOP AND SEARCH**

Further to your letter to all Chief Constables concerning Stop and Search, I welcome the focus that you are bringing to this important power and would like to outline the current position in Leicestershire.

The use of the stop and search power has been the subject of great deal of scrutiny from both within the organisation and from partners and stakeholders in the community. Leicestershire Police has undertaken a range of actions, which can be summarised as follows:

- Ongoing engagement with the Equality and Human Rights Commission
- The establishment of an internal Gold group to oversee the programme of work on stop and search, chaired by an Assistant Chief Constable
- Revision of the stop and search policy and publication of all stop and search data for the past 3 years.
- The publication of an ongoing equality impact assessment
- Engagement with the College of Policing Next Steps Programme on stop and search
- Establishment of an external Stop Search Reference Group, chaired by a member of the community. This group acts as a critical friend to scrutinise our approach to stop and search and the processes surrounding its use
- Stop and search data is reviewed regularly by the the Force Strategic Independent Advisory Group.



Leicestershire  
**Police**  
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**Simon Cole, Chief Constable**, QPM, BA (Hons) (Dunelm), MA (Worcester), DipCrim (Cantab)  
T: 0116 248 2005 E: [simon.cole@leicestershire.pnn.police.uk](mailto:simon.cole@leicestershire.pnn.police.uk) @ccleicspolice

- Regular Chief Officer messages are posted to all staff on the importance of using the power ethically and within the law, ensuring that the grounds for the stop and search encounter are clearly established and recorded
- All frontline staff have received face to face training on stop and search

This has resulted in a significant reduction in the number of stop searches conducted by our officers, from around **28,000 to 4,000 a year**. At the same time, arrest rates have nearly doubled to 10%.

I would like to reassure you that stop and search remains subject to close scrutiny at Chief Officer level. We fully recognise the harmful effects that excessive and arbitrary use of the power can have upon individuals and communities, and the damage that it can do to police relationships with those communities. I remain convinced that when used intelligently and proportionately, stop and search provides officers with a valuable tool to identify and prosecute offenders and to reduce crime.

Further to your recommendations, Leicestershire Police has:

- Introduced a policy that, as of June 3<sup>rd</sup>, 2014, all pre-planned use of Sec. 60 will require authorisation by an officer of Chief Officer rank. Should an Inspector grant spontaneous authorisation under this section in response to pressing operational need, an officer of Chief Officer rank must be notified as soon as it is practicable to do so.
- Amended stop search records to ensure that strip searches are fully recorded.
- Developed plans to deliver further training to officers.

Finally, I would like to confirm that Leicestershire Police would welcome the opportunity to sign up to the "Best Use of Stop and Search" scheme proposed in your letter and welcome further information about this scheme when it is available.

Yours sincerely,

Simon Cole QPM  
Chief Constable  
Leicestershire Police



# WEST YORKSHIRE POLICE

**Headquarters**

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Laburnum Road  
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WF1 3QP

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29<sup>th</sup> May 2014

The Rt Hon Theresa May MP  
Home Secretary  
2 Marsham Street  
London  
SW1P 4DF



Dear Home Secretary

**Re: STOP AND SEARCH**

Thank you for your letter dated 30th April 2014 concerning the exercising of Stop and Search powers.

Firstly, I would wish to reassure you of West Yorkshire Police's absolute commitment to the appropriate and proportionate use of Stop and Search powers. In response to the two general points in your letter, I recognise the potential inefficiencies associated with the inappropriate use of the power; and more importantly, as Chief Constable I am very conscious of the damage that the misuse of the power can have on public confidence.

In respect of your more particular points, I think it would be helpful to set out the West Yorkshire Police approach.

- In terms of compliance with the Police and Criminal Evidence Act 1984 (PACE) Code of Practice (requiring arrangements to be in place for the community scrutiny of stop and search records), West Yorkshire Police currently holds a number of local Scrutiny Panels operating under a common minimum standard; this standard has been in place since 2007. These panels are typically held every six weeks and take place within the policing Districts of West Yorkshire. These Scrutiny Panels comprise a cross section of the local community. Their role is to dip sample and review Hate Incidents, Stop and Search records and any other issue of concern with Senior Officers. In addition, West Yorkshire Police provides a report to the Police and Crime Commissioner on a quarterly basis; this provides detail on the use of stop and search and, in particular, any potential or perceived disproportionality. A significant emphasis is now placed on the performance of West Yorkshire Police in this important area of business by the Police and Crime Commissioner.

Chief Constable Mark Gilmore QPM, MA

- In respect of officer targets for the use of stop and search, I can confirm that West Yorkshire Police does not have and has never had any such targets. The use of stop and search is an important police power but one which must be used responsibly and in accordance with domestic law and the Human Rights Act. The imposition of targets (or even the development of a target culture) would be wholly wrong.

In support of the above, West Yorkshire is committed to ensuring the legal, proportionate and appropriate use of stop and search powers and has an ongoing implementation plan in response to the HMIC report on Stop and Search (July 2013) and the Equality and Human Rights Commission report 'Stop and Think Again'. The plan aims to improve the effective use of stop and search powers as well as improving the accuracy, quality and integrity of these records. In implementing this action plan, West Yorkshire Police is determined to provide a system that stands the rigour of both internal and external scrutiny whilst providing confidence in the appropriateness of the activity and reducing bureaucracy.

I welcome the package of measures you are proposing and feel West Yorkshire Police is well placed to adopt this scheme. By way of example and in response to the issues you raise.

#### **Data Integrity**

West Yorkshire Police has commissioned a bespoke software package to improve the quality and data integrity in the recording of stop search whilst reducing bureaucracy. Stop and search will be recorded by control room staff at the time the power is exercised; the data to be captured will be more than the law requires and can be tailored to meet the requirement of the scheme.

#### **Lay Observations**

A number of West Yorkshire Police Neighbourhood Policing Teams already operate 'Police and Community Together' (PaCT) patrols whereby local residents are provided with the option to patrol with their local officers. We see the continuation and extension of this as a positive step in engaging and developing the trust of our communities.

#### **Community Trigger**

A Community Trigger scheme associated with anti-social behaviour has previously been trialled in the Leeds District, a scheme that is now being adopted across the country. Whilst the existing Community Trigger scheme is centred on Anti-Social Behaviour we feel that it can be readily adapted in an appropriate way to accommodate stop and search.

#### **Knowledge**

I recognise the importance of officer training and West Yorkshire Police has developed a 'Street Craft' training package including the use of Stop and Search. This package is currently being delivered to all front line officers, and further support from the College of Policing is therefore welcomed.

#### **Culture and Attitudes**

West Yorkshire Police's ambition is to keep our communities safe and feeling safer by



providing a world class policing service. This requires cultural and attitudinal change which has commenced under our Programme of Change. We have been major contributors to the College of Policing debate on the Code of Ethics and have worked with the entire organisation to develop our Purpose and Values. (see Appendix A)

I look forward to the development of the scheme, the future HMIC Inspection of stop and search and to working with you and the Police and Crime Commissioner for West Yorkshire in delivering continuous improvement in this key area of local activity.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Gilmore', written in a cursive style.

**Mark Gilmore, QPM**  
**Chief Constable**  
**West Yorkshire Police**

(Appendix A)



## **Purpose and Values**

**Making our communities safe and feel safer**

***I will:***

- Put our communities first, responding to their needs and concerns.
- Act with compassion, humility and respect, showing that I care.
- Work as part of a team, to solve problems.
- Take personal ownership, do what I say and keep people informed.
- Be decisive and take appropriate action in a timely way.
- Work hard, acting with honesty, integrity and professionalism.
- Be responsible and accountable for my conduct, performance and appearance.
- Learn from mistakes and continually improve.
- Be positive, creative, ambitious, innovative and have the courage to challenge.
- Be proud of and enjoy my contribution to make communities safe and feel safer.

**'In the Public Service'**

