



STOP AND SEARCH DISPROPORTIONALITY 2018/19

1. INTRODUCTION

The police have a range of statutory powers of stop and search available to them, depending on the circumstances. Most, but not all, of these powers require an officer to have reasonable grounds for suspicion that an unlawful item is being carried. The one thing the powers all have in common is that they allow officers to detain a person who is not under arrest in order to search them or their vehicle for an unlawful item.

The primary purpose of stop and search powers is to enable officers to allay or confirm suspicions about individuals without exercising their power of arrest. Stop and search can play an important role in the detection and prevention of crime and using the powers fairly makes them more effective.

Officers must use these powers lawfully, appropriately and legitimately as this helps to build trust and confidence within communities across the force area. The Best Use of Stop and Search scheme recommends that forces regularly monitor their use of stop and search particularly on young people and those from Black and Minority Ethnic groups (BAME).

South Wales Police currently scrutinises stop and search through its Confidence and Legitimacy Group, which has been noted by the HMICFRS in their PEEL reports. The Police and Crime Commissioner's team also scrutinises how the Force uses stop and search powers through the Police Accountability and Legitimacy Group. In addition each BCU has a Community Cohesion Group, which consists of members from the local communities who will also look at use of stop and search in their communities.

BAME people make up 7% of the population of South Wales. This varies widely across the force area, with around 16% from a BAME background in Cardiff compared to roughly 2% in Merthyr Tydfil.

In 2018/19, a total of 10,555 stop searches were undertaken. While the vast majority of these – more than 17 out of every 20 – were carried out on white people, we are conscious of our responsibilities not to discriminate, and are aware of the vital importance of ensuring we do not discriminate against any individuals or any groups, so that we can respond to any concerns raised by minority groups or others.

A review was undertaken in August 2019 which examined 156 stop searches undertaken with members of BAME communities to ensure that all stop searches are undertaken in a fair, ethical and proportionate manner. In order to do this the review examined the wards with the highest disproportionality, wards with the highest BAME population, wards with the highest volume of BAME searches and the officers who conducted the most BAME searches.

2. REVIEW FINDINGS

The review found that stop searches are being significantly impacted by County Lines issues across the Force area. County Lines is a term used to describe a methodology where drugs gangs from big cities expand their operations to smaller towns, often using violence to drive out local drug dealers and

exploiting children and vulnerable people to sell drugs. In most instances, the users or customers will live in a different area to where the dealers and networks are based, so drug runners are needed to transport the drugs and collect payment.

BAME stop searches in South Wales are predominantly conducted on people between the ages of 18-34 with drugs accounting for 67% of all BAME searches, disproportionately higher than the 55% for white searches. The number of BAME individuals searched who reside outside of the Force area comprise 9% of recorded BAME searches. The impact of County Lines has also resulted in some individuals being subject to repeated stop searches. Despite this the Force did not find any evidence of repeat stop searches being disproportionate or unjustified, with Body Worn Video being used to record the BAME stop searches in 74% of cases.

Whilst County Lines intelligence has allowed the Force to put its resources in areas to tackle this activity, local policing issues centred around drugs particularly cannabis are also evident. Officers are proactively searching for drugs as well as reacting to calls from the community who have witnessed suspicious or criminal behaviour. This has led to a positive outcome rate of 28% against BAME individuals compared with 26% on white people, where some form of action is taken. This rate suggests that although the number of searches disproportionately affect the BAME community, officers are achieving more positive outcomes following these searches. If officers did not undertake searches in these circumstances this would not support the prevention and detection of crime and would undermine public confidence in the Force.

Overall, there is disproportionality for BAME stop searches compared with white stop searches, which is most pronounced for black and mixed race people. The method of calculating the disproportionality rate can sometimes be misleading, particularly in areas where there are small BAME populations, as an assumption is made that persons stopped and searched are local. The natural movements of people between wards as well as into the Force area from elsewhere has an impact on the disproportionality rate and there is evidence that County Lines activity is having an impact in this regard.

Drugs related issues that are not necessarily linked to County Lines are also affecting disproportionality. Many searches result from public calls or local issues and predominantly take place in Cardiff. Officers are clearly targeting these issues by responding to public calls or proactive responses from neighbourhood policing teams. The teams with the highest number of BAME searches are from Cardiff working in wards where there are significant drugs-related issues. However the review has not identified evidence that individual officers are being disproportionately biased against any ethnic group but the collective response to the drugs issue as a whole is causing a disproportionality towards young black males.

3. CONCLUSION

The impact of County Lines criminality is having an impact on disproportionality of stop searches and whilst figures show that those from a BAME community are more likely to be stopped and searched than a white person, South Wales Police cannot find evidence that officers are disproportionality targeting any ethnic group.

However, it is important that the force gain an independent assessment of its approach to stop and search and will be working with the Police and Crime Commissioner's team to commission academic research into disproportionality.