

STOPS AND STOP SEARCH: ANNUAL REPORT 2011

BACKGROUND

- 1 'Stop & Account' and 'Stop & Search' data is reviewed on a quarterly basis by the Diversity Monitoring Review Group. The Group is chaired by an Assistant Chief Constable and includes representatives from the Police Authority and the Independent Advisory Group along with managerial staff from Areas and departments. All data presented is broken down into each of the '18+1' ethnicity categories, in addition to resident and non-resident subgroups (when appropriate). This enables the Group to scrutinise the information presented to them and identify any potential disproportionality which may exist across each of the ethnicity categories. Engagement Committee also monitors data on a quarterly basis.
- 2 The information presented in Appendix 1, represents a quarter-by-quarter and annual breakdown of the data for the Constabulary and for the three Areas. A resident / non-resident breakdown has been provided in Appendix 2.

STOPS

- 3 During 2010/11 a total of 37,111 encounters generally known as 'Stop and Account' were conducted. This equates to 4,379 fewer such encounters (-10.5%) when compared to the 41,490 conducted in 2009/10. The fall in the number of stops is primarily due to changes in the legislative requirements to record 'Stop and Account' and 'Stop and Search' brought about by the Crime and Security Act 2010 together with amendments to the Police and Criminal Evidence Act Code of Practice A (relating to 'Stop and Search' and the recording of public encounters). The national mandatory recording requirement for 'Stop and Account' was removed from 7 March 2011 leaving individual forces to determine whether local concerns justify continuing to record these encounters. The decision was taken at the Police Authority Meeting on 14 December 2010 (Minute 83) to cease recording in Cheshire as soon as the required legislation was enacted. Therefore, the 2010/11 figures only comprise just over 11 months of actual stops data.
- 4 Of the total number of stops conducted in 2010/11, 34,808 (94%) of people stopped chose to self-define their ethnicity as White, 1,570 (4%) defined themselves within a Black and Minority Ethnic category whilst 733 (2%) were recorded as Not Stated. This is a similar breakdown to the previous year with a slight decrease in the number of people from Black and Minority Ethnic groups being stopped.
- 5 These figures equate to a total of 35.9 stops per 1,000 White population and 46.1 stops per 1,000 Black and Minority Ethnic population. The number of Stops per 1,000 population for both White and Black and Minority Ethnic

population has fallen from 2009/10 (40.1 and 56.5 respectively). The population data used for this report is the same as for 2009/10 and can be seen at Appendix 4.

- 6 The gap between the White and Black and Minority Ethnic stops figures has narrowed considerably in terms of any apparent disproportionality during 2010/11. Proportionality of stops and all associated data continues to be monitored at the Diversity Monitoring Review Group to identify and address any significant trends.
- 7 The highest total number of Stops conducted during 2010/11 was recorded by the Northern Area (16,517) followed by Western (11,330) and Eastern (9,264). These figures equate to the following per 1,000 population figures: -
 - Northern; 51.2 stops per 1,000 White population and 52.4 per 1,000 Black and Minority Ethnic population
 - Eastern; 23.9 stops per 1,000 White population and 55.4 per 1,000 Black and Minority Ethnic population
 - Western; 34.2 stops per 1,000 White population and 29.5 per 1,000 Black and Minority Ethnic population

STOP SEARCHES

- 8 During 2010/11 a total of 11,877 Stop Searches were conducted within the force. This equates to an increase of 3,407 Stop Searches (+40.2%) when compared to the 8,470 Stop Searches conducted in 2009/10.
- 9 Of the total number of Stop Searches conducted, 11,282 (95%) of people chose to self-define their ethnicity as White, 465 (4%) defined themselves within a Black and Minority Ethnic category and 130 (1%) were recorded as Not Stated. These figures equate to a total of 11.6 Stop Searches per 1,000 White population and 13.7 Stop Searches per 1,000 Black and Minority Ethnic population. These figures both show a corresponding rise in line with the 40% extra number of such encounters recorded this year compared to last.
- 10 The highest volume of Stop Searches conducted during 2010/11, was recorded by the Western Area (5,739), followed by Northern (4,232) and Eastern (1,906).
- 11 The number of arrests from Stop Searches rose this year (Appendix 3) 11.8% of all people stopped and searched were subsequently arrested. The proportion of arrests made as a result of a Stop Search is higher for White (11.8%) than Black and Minority Ethnic (10.5%) groups.

TERRORISM ACT 2000 SEARCHES

- 12 Section 44 of the Terrorism Act 2000 allowed any constable in uniform to search persons and vehicles in order to prevent acts of terrorism within a specified area authorised by the Secretary of State. Cheshire Constabulary officers have not used this power during 2010/11 after the last such authority granted expired in March 2010. The Coalition Government issued new guidelines on 8 July 2010 whereby officers are required to use powers under

Section 43 of the Act (as opposed to Section 44) if they deem their use necessary. The Section 43 power requires officers to reasonably suspect the person in question to be a terrorist. No such searches were carried out in 2010/11.

- 13 A new power under Section 47A Terrorism Act 2000 has been placed on statute from 18 March 2011. Whilst some similarities with Section 44 remain, this is a totally new power and one that operates to a higher legal threshold. Authorisations may only be made if a senior police officer (of at least Assistant Chief Constable rank) reasonably suspects that an act of terrorism **will** take place and that he or she considers the use of the power **necessary** to prevent such an act. This is an intentionally high threshold as legal advice has been absolutely clear that any lower threshold is likely to be non-European Court of Human Rights compliant. This power has never been used in Cheshire to date.

CONCLUSION

- 14 The Diversity Monitoring Review Group has continued to review Stop and Stop Search data on a quarterly basis throughout 2010/11 and has not identified any concerns over the proportionality of Stops and Stop Searches.
- 15 The changes as outlined at paragraph 4 above mean that there will be no 'Stop and Account' data to scrutinise from 2011/12 onwards. Stop and Search and a range of other data remain in situ and the Diversity Monitoring Review Group will continue its work on a quarterly basis.

APPENDIX 1

Stops (Volume)

STOPS		Apr - Jun 10	Jul - Sep 10	Oct - Dec 10	Jan - Mar 11	TOTAL
Northern	White	5031	4388	3897	2275	15591
	Black and Minority Ethnic	155	153	134	82	524
	Not Stated	141	121	80	60	402
	TOTAL	5321	4662	4111	2417	16517
Eastern	White	2297	2620	1774	1643	8334
	Black and Minority Ethnic	200	238	154	128	720
	Not Stated	47	71	71	21	210
	TOTAL	2544	2929	1999	1792	9264
Western	White	3476	2637	2489	2281	10883
	Black and Minority Ethnic	101	89	73	63	326
	Not Stated	34	32	27	28	121
	TOTAL	3611	2758	2589	2372	11330
Total of Above	White	10804	9645	8160	6199	34808
	Black and Minority Ethnic	456	480	361	273	1570
	Not Stated	222	224	178	109	733
	TOTAL	11482	10349	8699	6581	37111

Stops (per 1,000 population)

STOPS		Apr - Jun 10	Jul - Sep 10	Oct - Dec 10	Jan - Mar 11	TOTAL
Northern	White: per 1,000 white pop.	16.5	14.4	12.8	7.5	51.2
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	15.5	15.3	13.4	8.2	52.4
	Total Stops: per 1,000 Northern pop.	16.9	14.8	13.0	7.7	52.4
Eastern	White: per 1,000 white pop.	6.6	7.5	5.1	4.7	23.9
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	15.4	18.3	11.8	9.8	55.4
	Total Stops: per 1,000 Eastern pop.	7.0	8.1	5.5	5.0	25.6
Western	White: per 1,000 white pop.	10.9	8.3	7.8	7.2	34.2
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	9.2	8.0	6.6	5.7	29.5
	Total Stops: per 1,000 Western pop.	11.0	8.4	7.9	7.2	34.5
Total of Above	White: per 1,000 white pop.	11.1	9.9	8.4	6.4	35.9
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	13.4	14.1	10.6	8.0	46.1
	Total Stops: per 1,000 Force pop.	11.4	10.3	8.7	6.6	37.0

Stop Searches (Volume)

STOP SEARCHES		Apr - Jun 10	Jul - Sep 10	Oct - Dec 10	Jan - Mar 11	TOTAL
Northern	White	884	1141	1160	847	4032
	Black and Minority Ethnic	32	48	41	33	154
	Not Stated	13	13	12	8	46
	TOTAL	929	1202	1213	888	4232
Eastern	White	502	483	387	326	1698
	Black and Minority Ethnic	37	59	35	31	162
	Not Stated	9	14	19	4	46
	TOTAL	548	556	441	361	1906
Western	White	1210	1336	1525	1481	5552
	Black and Minority Ethnic	30	40	38	41	149
	Not Stated	5	7	12	14	38
	TOTAL	1245	1383	1575	1536	5739
Total of Above	White	2596	2960	3072	2654	11282
	Black and Minority Ethnic	99	147	114	105	465
	Not Stated	27	34	43	26	130
	TOTAL	2722	3141	3229	2785	11877

Stop Searches (per 1,000 population)

STOP SEARCHES		Apr - Jun 10	Jul - Sep 10	Oct - Dec 10	Jan - Mar 11	TOTAL
Northern	White: per 1,000 white pop.	2.9	3.7	3.8	2.8	13.2
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	3.2	4.8	4.1	3.3	15.4
	Total Stop Searches: per 1,000 Northern pop.	3.0	3.8	3.8	2.8	13.4
Eastern	White: per 1,000 white pop.	1.4	1.4	1.1	1.0	4.9
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	2.8	4.5	2.7	2.4	12.4
	Total Stop Searches: per 1,000 Eastern pop.	1.5	1.5	1.2	1.0	5.2
Western	White: per 1,000 white pop.	3.8	4.2	4.8	4.7	17.5
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	2.7	3.6	3.5	3.7	13.5
	Total Stop Searches: per 1,000 Western pop.	3.8	4.2	4.8	4.7	17.5
Total of Above	White: per 1,000 white pop.	2.7	3.0	3.2	2.7	11.6
	Black and Minority Ethnic: per 1,000 black and minority ethnic pop.	2.9	4.3	3.4	3.1	13.7
	Total Stop Searches: per 1,000 Force pop.	2.7	3.1	3.2	2.8	11.8

Total Number of Stops and Stop Searches by Residency / Non-Residency

		Stops	% Residency / Non residency	Stop Searches	% Residency / Non residency
White	Resident	24413	70.1%	9090	80.5%
	Non Resident	5754	16.5%	1939	17.2%
	Unknown	4641	13.4%	253	2.3%
	Total of Above	34808	100.0%	11282	100.0%

		Stops	% Residency / Non residency	Stop Searches	% Residency / Non residency
Black and Minority Ethnic	Resident	667	42.5%	248	53.3%
	Non Resident	722	46.0%	210	45.2%
	Unknown	181	11.5%	7	1.5%
	Total of Above	1570	100.0%	465	100.0%

NB: These figures do not include 733 Stops and 130 Stop Searches where the ethnic group was recorded as 'Not Stated'

Persons Arrested Following a Stop Search

2010 - 2011

	No of Stop Searches	No of Stop Search Arrests	% of those Stop Searched that were Subsequently Arrested
White	11282	1335	11.8%
Black and Minority Ethnic	465	49	10.5%
Total of Above	11747	1384	11.8%

NB: These figures do not include 130 Stop searches where the ethnic group was recorded as 'Not Stated'

2009 – 2010

	No of Stop Searches	No of Stop Search Arrests	% of those Stop Searched that were Subsequently Arrested
White	8042	1027	12.8%
Black and Minority Ethnic	310	56	18.1%
Total of Above	8352	1083	13.0%

NB: These figures do not include 118 Stop searches where the ethnic group was recorded as 'Not Stated'

Appendix 4

Population Figures Data used for this report

Based on the 2007 estimate figures produced by the Office of National Statistics (ONS)

		Pop	%	Pop/1,000
Northern	White pop.	305200	96.92	305
	Black and Minority Ethnic pop.	9700	3.08	10
	Total Northern pop.	314900	100.00	315
Eastern	White pop.	347500	96.37	348
	Black and Minority Ethnic pop.	13100	3.63	13
	Total Eastern pop.	360600	100.00	361
Western	White pop.	317300	96.74	317
	Black and Minority Ethnic pop.	10700	3.26	11
	Total Western pop.	328000	100.00	328
Total of Above	White pop.	970000	96.66	970
	Black and Minority Ethnic pop.	33500	3.34	34
	Total Force pop.	1003500	100.00	1004