

Dated: 5/7/2024

POLICY TITLE: Stop and Search

OWNING DIRECTORATE: Local Policing

AUTHOR: Chief Superintendent Area Commander Sunderland

CONTACT DETAILS: 101

EQUALITY IMPACT ASSESSMENT: Complete

AUTHORISED PROFESSIONAL PRACTICE (NATIONAL GUIDANCE): Available

AIM OF POLICY: The primary purpose of 'stop and search' is to enable officers to allay or confirm suspicions of people who they reasonably suspect are in possession of stolen property, illegal drugs or items without exercising the power of arrest. Northumbria Police will ensure 'Stop and Search' powers are used fairly, responsibly, legitimately and with respect for individuals being stopped and searched and without discrimination.

BENEFIT OF POLICY: To assist officers in their duty to prevent and detect crime by being proactive in their efforts in deterring offenders from committing crime for fear of discovery and gathering intelligence.

REASON FOR POLICY: Northumbria Police recognises that when police officers exercise their powers to stop and search, they will inevitably infringe on people's rights and freedoms. It recognises its positive duty under Articles 5, 8 and 10 of the Human Rights Act 1998 and that to justify using powers that infringe these rights, actions must be lawful, necessary and proportionate.

Northumbria Police is committed to 'Keeping people safe and fighting crime'.

Our vision is to deliver an outstanding police service; working with communities to prevent crime and disorder and protect the most vulnerable people from harm.

Our Force objectives are:

- To deliver an outstanding service
- To be there when the public needs us
- To focus on prevention

The effective and legitimate use of stop and search has a role to play in the Force meeting each one of these objectives and in line with the Code of Ethics.

[2024 Code of Ethics Guidance for ethical and professional behaviour](#)

'Stop and Search' is when an officer stops and detains a member of the public and/or their vehicle, and subsequently physically searches them and/or their vehicle. This also applies to unattended vehicles. Officers can only carry out a search if they have a legal power to do so.

Northumbria Police will undertake and record all police 'Stop and Search', in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code A.

A police 'Stop' (also known as an Encounter) takes place when an officer requests a person in a public place to account for themselves i.e. their actions, behaviour, presence and possession of anything.

There is no national requirement to record 'stops' or issue a receipt to a person subject of the stop.

The primary purpose of Stop and Search is to enable officers to allay or confirm suspicions about individuals without exercising their power of arrest.

Stop and Search powers assist police officers in their duty to prevent and detect crime by:

- reassuring the law-abiding public that the police are being proactive in their efforts to prevent and detect crime;
- deterring offenders from committing crime for fear of discovery and challenge by a patrolling police officer;
- allowing the gathering of criminal and community intelligence in order to effectively direct subsequent police activity; and
- recovering items and implements used by offenders in incidents of serious violence thus either assisting with the detection or prevention of violent offences.

Northumbria Police recognises its positive duty under the following articles of the Human Rights Act 1998: Article 5, the right to liberty and security; Article 8, the right to respect for private and family life; and Article 10, the freedom of expression. In accordance with this policy, Northumbria Police will ensure Stop and Search powers are used fairly, responsibly, with courtesy and respect for people being stopped or stopped and searched, and without unlawful discrimination.

To ensure Northumbria Police is fully accountable for its actions, a community complaint will be triggered if there is a significant increase in public concern about the use of Stop and Search. This could include, but not be limited to:

- A rise in the number of Stop and Search related complaints against Northumbria Police. Please note: Northumbria Police Professional Standards Department has a continuous working relationship with the Stop and Search Scrutiny Team. Complaints regarding stop and search are assessed and should they benefit from additional scrutiny, they will be assessed in the Office of the Police and Crime Commissioner (OPCC) scrutiny panel.

- A significant change in proportionality of those that are subject of Stop and Search.
- A single event or incident related to Stop and Search activity that is giving significant cause for concern amongst our communities regarding police use of this tactic.
- Any other issue upon consultation with the Northumbria Police Lead for Stop and Search.

It will be the responsibility of the Stop and Search Scrutiny Team to identify any patterns that may constitute a community trigger. Following a community trigger, and subsequent scrutiny, all complaints will be allocated to the relevant Neighbourhood Chief Inspector and Neighbourhood Inspector for public reassurance via the established and bespoke community contacts and forums if appropriate.

In order to promote public confidence in the use of these powers, Northumbria Police, in consultation with the OPCC, has made arrangements for Stop and Search performance information to be scrutinised by the PCC on behalf of the community, and to explain the use of the powers at a local level.

Each of the six Area Commands has an experienced Single Point of Contact (SPoC) who scrutinise and quality assure searches conducted. This identifies any issues and allows them to be immediately addressed with the searching officer and their supervision. These SPoCs will undertake reviews of stop and searches taken by officers in Operations and other non-area command departments in their retrospective geographical areas. Any feedback or development opportunities will be fed back to the officer's relevant supervisor.

Sergeants and Inspectors are responsible for monitoring the practice of officers in stopping, searching and recording to ensure that it is fully in accordance with the Police and Criminal Evidence Act 1984 Codes of Practice, which set out the statutory requirement for officers in relation to Stop and Search. Supervision review of Stop and Search is included in the quarterly Performance Management Framework. Issues and learning from internal review processes are discussed at the eight-weekly force internal scrutiny panel for wider learning and development.

It is the responsibility of Sergeants and Inspectors to review every stop and search their officers conduct. In addition, Body Worn Video reviews should also be undertaken. Supervisors should review these stop and searches within the same tour of duty if practical to do so. Where this is not achieved, they should be reviewed within a timely manner in order to increase the effectiveness of developmental learning.

Supervision and monitoring will be supported by the compilation of comprehensive statistical records of stop and searches at Force, area and local level. Any apparent disproportionate use of the powers by particular officers or groups of officers, or in relation to specific sections of the community, will be identified and investigated. This scrutiny also identifies members of the public who have been repeatedly stopped and searched, each of these records is further examined to ensure that there is no targeting of a particular individual or group and that all searches are fully compliant and meet the required standard.

Independent scrutiny is conducted in different forums including the OPCC led panel This group consists of an annually reviewed membership representing a wide range of diverse communities.

The group are regularly trained to aid them to carry out their duties in the most effective way. This group play an important role in assisting us with reviewing the strategic aims and wider issues of stop and search. Further independent scrutiny is replicated via our well-established scrutiny group made up of senior leaders from all area commands and relevant departments.

This will ensure that duties are undertaken effectively and fairly, with commitment to providing a quality service and upholding the Principles of Professional Policing.

In addition, the Force is required to communicate with local communities before, during and afterwards, explaining the necessity for the use of S.60 Criminal Justice and Public Order Act 1994 powers and update on the success of any operation.

When officers of the rank of Inspector or higher authorise a S.60 they are responsible for considering the community impact of this. This may be in the form of a written consideration document or they may feel the authorisation necessitates a community tension assessment. In either circumstance the local Community Engagement Team should be made aware and the S.60 should be brought to the attention of Silver and area command Daily Management Meetings as per stop and search procedure.

SOURCE DOCUMENT: N/a

GROUPS AFFECTED: All staff

ACCESS AND DISCLOSURE RESTRICTIONS: None
