

# Report on the Criminal Justice Alliance's super-complaint

**Section 60 of the Criminal Justice and Public Order Act 1994 and independent community scrutiny of stop and search**



A joint investigation by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, the College of Policing and the Independent Office for Police Conduct



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# Summary

## Background and context

### Super-complaint by the Criminal Justice Alliance

In May 2021, the [Criminal Justice Alliance \(CJA\)](#) submitted a super-complaint.

[Section 29A of the Police Reform Act 2002](#) defines a super-complaint as a complaint where “a feature, or combination of features, of policing in England and Wales by one or more than one police force is, or appears to be, significantly harming the interests of the public”.

The super-complaint system is designed to examine problems of local, regional or national significance that may not be addressed by existing complaints systems. The process for making and considering super-complaints is set out in the [Police Super-complaints \(Designation and Procedure\) Regulations 2018](#).

More information on police super-complaints is available on the Government's [police super-complaint webpage](#).

The super-complaint, entitled [More harm than good](#), raises the CJA's concerns about “harms caused by ‘suspicion-less’ stop and searches and inadequate scrutiny of stop and search powers”.

The ‘suspicion-less’ stop and searches to which the CJA refers are those the police carry out using their powers under [section 60 of the Criminal Justice and Public Order Act 1994](#) (which we subsequently refer to in this report as ‘section 60’). A section 60 authorisation gives the police powers to stop and search people and vehicles, without suspicion, for “offensive weapons or dangerous instruments”. These powers only apply to a designated locality in a police force area for a set period.

An officer of the rank of inspector or above may authorise its use if they reasonably believe one (or more) of the following:

- that incidents involving serious violence may take place in the police area; or
- that persons are carrying dangerous instruments or offensive weapons without good reason in the police area; or
- that an incident involving serious violence has taken place in the police area and a dangerous instrument or offensive weapon used in the incident is being carried by a person in the locality and an authorisation would help in finding that item.

The CJA considers the very low arrest rates and seizures of weapons after section 60 stop and searches show that section 60 is ineffective in dealing with violent crime. In addition,

the CJA maintains that people and communities are harmed by use of the power. It is concerned that it is a “discriminatory and traumatising power”, and that “the impact of stop and search can be long-lasting and traumatising, especially when used on children and young adults”. The CJA argues that “co-operation, trust and confidence is being undermined by unfair and disproportionate stop and search practices”. In this report, we use the word ‘disproportionate’ to mean police action affecting a particular group in a way that is not equal to their numbers in society.

The CJA's concern about “inadequate scrutiny” relates to scrutiny of the police's use of section 60. It also relates to the police's use of their other powers of stop and search. These powers are mainly those under [section 1 of the Police and Criminal Evidence Act 1984](#) (PACE) and section 23 of the [Misuse of Drugs Act 1971](#). The CJA says the “police are not effectively being held to account for their use of these powers”.

The CJA argues these are features of policing that are causing harm to the public interest and that section 60 should be repealed. The CJA also proposes additional safeguards if the legislation isn't repealed.

### **Terminology used in this report**

In this report, we refer to people using their titles and roles at the time of our investigation. These may have changed since that time.

### **Methodology**

This super-complaint was investigated jointly by [His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(HMICFRS\)](#), the [College of Policing](#) and the [Independent Office for Police Conduct \(IOPC\)](#). Throughout this report, references to ‘we’, ‘us’ and ‘our’ relate to the three bodies described.

Our investigation included:

- reviews of section 60 policy and community scrutiny policy throughout 11 forces;
- interviews with over 150 police officers and staff throughout 14 forces;
- reviews of 51 [body-worn video](#) recordings of section 60 searches from 4 forces;
- reviews of 27 section 60 authorisations from 4 forces;
- an assessment of individual force and police service-wide (England and Wales) data on section 60 stop and search encounters;
- a survey sent to all 43 police forces in England and Wales about their local practices and procedures on section 60 and community scrutiny;
- interviews with 35 stakeholders, including academics, about their knowledge and experience of section 60;

- a roundtable online conference with representatives from a range of community, charity and grassroots organisations;
- interviews with community scrutiny panel chairs and/or members from 12 forces;
- attending four community scrutiny panel meetings;
- a review of academic literature on the impact of stop and search powers on crime and public confidence; and
- a review of nine IOPC cases relating to section 60.

## Legal requirements and guidance on section 60 stop and search powers

When section 60 stop and search powers are authorised, officers can:

- stop any pedestrian and search them or anything carried by them for offensive weapons or dangerous instruments; and
- stop any vehicle and search the vehicle, its driver and any passenger for offensive weapons or dangerous instruments.

Officers have this search power whether or not they have any grounds for suspecting that the person or vehicle is carrying weapons or articles of that kind.

There are several guidance documents that help the police meet their legal obligations when authorising and conducting section 60 searches.

[PACE Code A](#) provides officers with statutory guidance on their stop and search powers. Under section 67 PACE, officers must have regard to the code when carrying out their duties.

PACE Code A includes:

- specific information on authorising section 60;
- general information on conducting searches and monitoring the use of search powers which apply to both section 60 and the other search powers covered by the code; and
- rules for recording information about all searches, including section 60.

Attached to PACE Code A are notes for guidance. The notes provide discretionary guidance and specific guidance for police officers who authorise section 60 stop and search powers.

The College of Policing publishes authorised professional practice (APP) on a range of policing activities. This sets out expected police practice in these specific activities. It is designed to be a central source of existing knowledge products and guidance. Compliance with APP isn't mandatory. But forces would need to explain why they hadn't followed national guidelines if their policies were reviewed by HMICFRS, IOPC or any other inquiry, such as an inquest.



The dedicated [stop and search APP](#) provides information on how to use stop and search fairly, legally, professionally and transparently. The stop and search APP is relevant to all stop and search powers and incorporates specific guidance on section 60.

The [operations APP](#) provides information on effective operational planning, briefing and debriefing, and post-operation review. It is designed to help senior officers commanding operations and incidents. It can be applied to a variety of policing operations, including those where section 60 authorisation may be appropriate.

The police also have a legal responsibility to apply their powers fairly, and are required under the [public sector equality duty](#) to have due regard to the need to eliminate discrimination, advance equality and foster good relations with and between different protected groups. Forces should have due regard to the public sector equality duty in their authorisation and use of all stop and search powers, including section 60.

### **Legal requirements and guidance on the scrutiny of stop and search powers**

PACE Code A requires police forces, in consultation with their local policing body, to make arrangements for stop and search records to be scrutinised by representatives of the community. Most forces meet this requirement by inviting volunteers to join panels regularly reviewing a sample of their stop and search records. These panels are often known as community scrutiny panels, although sometimes they have another name.

Stop and search APP content on [community scrutiny](#) provides information on the effective operation of community scrutiny panels.

### **Overview of the police use of section 60**

Forces carried out a total of 530,365 stop and search encounters in 2021/22. But fewer than 1 percent (4,341) of these were carried out using section 60 powers. Most forces in England and Wales rarely use section 60. Among the 43 Home Office police forces in England and Wales, only 17 recorded that they conducted at least one section 60 search in 2021/22. Of those, 8 forces accounted for almost 95 percent (4,111) of all section 60 searches.

Our investigation found that most authorisations were spontaneous, made by forces either in response to incidents of serious violence or to prevent such an incident occurring. It was rare for a force to authorise section 60 for a pre-planned event. According to [Home Office research into the section 60 \(s60\) stop and search pilot introduced in 2019](#):

“the main distinction identified was between those s60s that were planned around major public events, and those that were reactive, either on the back of intelligence about local tensions, or in response to individual or multiple serious crimes. ... Reactive s60s were the most common.”



The Metropolitan Police Service uses the power more than any other police force in England and Wales. For the 12-month period to the end of March 2022, it carried out 1,760 searches under section 60. This represents 41 percent of all section 60 searches carried out in England and Wales.

Looking at data on homicides gives an indication of the context of serious violence in England and Wales. Data contained in the Home Office Homicide Index shows that in 2021/22:

- 696 homicides were recorded (130 more homicides, representing a 23 percent increase since the year ending 31 March 2022 when Government COVID-19 restrictions meant there was less social contact);
- 139 of these (20 percent of the total homicides, or almost half of knife/sharp instrument homicides) were the result of knife crime in a public place;
- 498 (72 percent) of homicide victims were men;
- the homicide rate was approximately four times higher for Black people (39.7 per million population) than for White people (8.9 per million population) over three years ending 31 March 2022;
- over a third of Black victims (34 out of 91 victims, 37 percent) were in the 16 to 24 years age group; a much lower proportion of White victims were in this age group (64 out of 496 victims, 13 percent); and
- 69 homicide victims were in the 13 to 19 years age group; 51 of these victims were killed by a knife or sharp instrument.

All knife crime in a public place, which might be disrupted by stop and search, particularly affects teenage children and young adults. Forty-six people in England and Wales were found to be carrying an offensive weapon during a section 60 search in 2021/22.

The [Home Office Annual Data Requirement](#) requires forces to gather data on stop and search encounters. It doesn't require forces to gather data on the number of section 60 authorisations made by forces.

In April 2014, the (then) Home Secretary, the Rt Hon Theresa May MP, asked forces to reduce their use of section 60 stop and searches. To support this, the Home Office introduced the [Best Use of Stop and Search Scheme \(BUSSS\)](#).

In May 2022, the subsequent Home Secretary, the Rt Hon Priti Patel MP, [provided support for the police to increase their use of stop and search](#). This policy relaxed all aspects of the BUSSS relating to section 60.

## Findings and conclusions

The question at the heart of the CJA's super-complaint is whether section 60 stop and search "does more harm than good". The CJA recommends the Government should repeal section 60.

The super-complaint system responds to concerns that features of policing may be harming the interests of the public. It doesn't determine whether legislation passed by Parliament should be repealed. The issue of repeal was therefore outside the scope of our investigation. But our investigation did examine available evidence regarding the effectiveness or ineffectiveness of section 60, and harms caused by the use of the power.

Section 60 can support the police response to serious violence and knife crime. Officers conducting searches under section 60 can make sure knives and other weapons are removed from the streets. We heard from some police leaders in forces that use section 60 that it is an important power to tackle serious violence and knife crime, if used properly.

But section 60 has always been a controversial power. There are long-standing concerns about its disproportionate use on Black people in particular. It is still one of the most contentious police powers.

Previous reports and recommendations made by the IOPC and HMICFRS recognise this. The College of Policing's [knife crime problem-solving guide](#) says stop and search needs to be used with caution in response to knife crime as the impact on community relations can be high.

Concerns about stop and search have been the focus of previous reports. For example, in March 2023, Baroness Casey reported on its use as part of her [review into standards of behaviour and internal culture of the Metropolitan Police Service](#). She recommended that "the use of stop and search in London by the Met needs a fundamental reset".

Section 60 gives the police additional stop and search powers to prevent and respond to serious violence, and to deter people from carrying knives. Two studies, [Does stop and search deter crime? Evidence from ten years of London-wide data](#) (Tiratelli and colleagues, 2018) and [Do initiatives involving substantial increases in stop and search reduce crime? Assessing the impact of Operation BLUNT 2](#) (McCandless and colleagues, 2016), examined the outcomes of a Metropolitan Police Service knife crime operation, called Operation BLUNT 2. The studies indicated that authorising the use of section 60 stop and search powers more often doesn't necessarily reduce knife crime at a borough or force area level. It is less clear how successful the power is at helping to reduce knife crime more locally.

We found that forces take different approaches when deciding whether to use section 60, taking into account the impact on the community and on their crime-fighting efforts. There is a lack of clarity about what constitutes success after a section 60 authorisation. They also have different approaches to evaluating its use. All these factors mean that forces don't always know if their use of section 60 has caused more harm than good. This means that we don't have enough information to assess whether forces' current use of section 60 causes more harm than good.

To address this, we are recommending the [National Police Chiefs' Council \(NPCC\)](#) prepares a framework to help forces take a consistent approach to decision-making, minimise harm and evaluate their use of the power. This should help police leaders understand when and how best to use section 60 operationally. The results of using this framework could inform any future review of the legislation the Home Office considers appropriate.

We know that stop and search can have negative effects on public trust and confidence in the police. That is why it is important stop and search powers are used legitimately, proportionately, when necessary and in a way that is procedurally fair. Doing so maximises the likelihood that stop and search will support the police response to serious violence and knife crime and minimise the negative unintended consequences associated with the powers.

People from ethnic minority backgrounds are more likely to be stopped and searched under section 60 than White people. Young Black men are more likely to be stopped and searched than other demographic groups. This disparity is greater for section 60 searches than powers that require officers to have reasonable grounds to search for offensive weapons.

None of the forces we spoke with could fully explain why the police's use of section 60 results in disproportionality.

Forces may recognise the effects of disproportionality on people and communities. But they don't take this matter seriously enough. We have concerns that self-defined ethnicity data is still missing from large numbers of police stop and search records, including section 60 records. Without this data, forces cannot fully understand the reason for or evaluate the disproportionate effect of using stop and search powers, including section 60.

There are various statutory safeguards and protections that the police must follow when they use all stop and search powers, including section 60. This includes PACE Code A. There is also a great deal of guidance to help the police use stop and search powers, and specifically, to minimise the possible negative effects of section 60 searches. For example, the College of Policing stop and search APP and the [NPCC body-worn video guidance](#). We found several examples where some police forces were not consistently applying

these existing standards, guidance and safeguards. More must be done to make sure police follow existing law and guidance that is in place to minimise harms when the power is used. For example, we found evidence that:

- stop and search training in many forces appears not to comply with standards in the stop and search national policing curriculum;
- briefings to officers assigned to carrying out section 60 searches weren't in line with expectations in operations APP content on briefings – detailed briefings are critically important as they support officers in using section 60 lawfully;
- some police officers aren't meeting their PACE Code A obligations to communicate the purpose of the search and to explain the entitlement to a search record to people searched using section 60 powers;
- some police officers applied handcuffs during section 60 searches when we didn't think this was proportionate and necessary;
- some police officers didn't record the full section 60 stop and search encounter on body-worn video;
- some police forces' policies and risk assessment processes aren't robust enough to make sure children searched under section 60 are [safeguarded](#) when necessary;
- some police forces aren't thoroughly assessing or evaluating the use of section 60; very few forces monitor the effect of section 60 on local violent crime levels;
- in some forces, section 60 search records aren't checked often or thoroughly enough to make sure officers have applied the power legitimately and proportionately; forces could be doing more to show they comply with stop and search APP content on [supervision and monitoring](#);
- [community impact assessments](#) weren't always being considered in line with expectations set out in operations APP content on strategic planning, when forces authorised section 60; and
- many forces could also do more to assess the equality impact of their section 60 use – this would help them to show more clearly they are considering their public sector equality duty.

Concerningly, the evidence from our investigation led us to conclude that forces aren't paying enough regard to the detailed legal requirements, or to the NPCCC's guidance, or to the College of Policing's APP. It shouldn't be necessary for us to remind the police to comply with their long-standing statutory responsibilities and to follow the guidance, especially for something as controversial as section 60.

Forces should be providing training on section 60 that meets the national police curriculum requirements. We are concerned that too many officers who authorise the power, and those who conduct the searches, aren't receiving the training they need. But we accept

that forces must be able to adapt their section 60 training requirements to reflect how often they use the power.

We found that policing is aware of the challenges that section 60 poses in terms of how its use affects trust and confidence in some communities, particularly Black communities. We found some evidence of the police working hard to improve community involvement. But forces need to better communicate with those people and communities most affected by section 60 and explain its use.

Our investigation found policing needs to do more to apply existing safeguards to minimise any harm when section 60 is used, especially when children are stopped and searched. We want to see the police take a more active approach to building trust and confidence in their use of the power by setting clear objectives, evaluating whether their objectives are met and communicating this information to the public.

The CJA expressed a range of concerns about the “inadequate scrutiny of stop and search powers”. We reviewed these concerns as a significant part of our investigation.

Community scrutiny panels help forces to review their use of stop and search powers and hold them to account for their actions. The panels can also help the police gain and retain community trust and confidence in their use of these powers. The police need to improve how they work with community scrutiny panels. They should pay particular attention to including those affected by stop and search powers, especially young people. Forces should make sure panel members have the necessary training and support. In addition, forces should improve how well they respond to feedback from community scrutiny panels on all stop and search powers, including section 60.

In August 2023, the Home Office announced its consultation on a [Draft Community Scrutiny Framework: National Guidance for Community Scrutiny Panels](#). The draft framework recommends there should be:

“national guidance standards for the effective community scrutiny of local public-police interactions, by Community Scrutiny Panels (CSPs), so that communities and the police are better engaged in understanding each other”.

Over the course of our investigation, HMICFRS, the College of Policing and the IOPC have been part of Home Office workshops and consultation processes on the community scrutiny framework. We have provided advice on the requirements of such a framework, with specific reference to our investigative evidence on the independent scrutiny of the police use of stop and search powers. We welcome the report outlining a new framework for the community scrutiny of some police powers.

We also make recommendations for the police, [police and crime commissioners](#) (or equivalents) and the Home Office about the independent community scrutiny of the police use of all stop and search powers.

## Findings and recommendations

We found forces were using section 60 authorisations to address serious violence and that senior leaders generally understood the need to use it legitimately, proportionately and where necessary.

Additionally, we found a strong commitment to independent scrutiny of stop and search through community scrutiny panels.

We also found a range of shortcomings, often mirroring the CJA's concerns. These have resulted in ten recommendations for chief constables, police and crime commissioners (or equivalents), the Home Office and the NPCC. We have also identified an action the College of Policing intends to take on recording and assessing authorisations. We haven't repeated existing recommendations on the broader police use of stop and search made elsewhere.

### 1. The experience of people searched under section 60 powers

The CJA expressed concern in its super-complaint about a "long-lasting and traumatising" impact that stop and search can have, particularly section 60, especially when used on children and young people.

We wanted to hear directly from people who have been stopped and searched under a section 60 authorisation. We tried several approaches but were unable to find anyone who had been stopped under this specific power to speak with us.

We interviewed 35 stakeholders, including academics and representatives from charities and community groups supporting individuals and communities who have experienced stop and search, including under section 60. We also held an online conference in which similarly qualified stakeholders gave their views and experiences. We reviewed complaints about section 60 that had been dealt with by the IOPC, as well as body-worn video of stop and search encounters.

Stakeholders had different opinions about whether using section 60 could ever be justified. Some stakeholders felt that the risk of possible negative effects on people and communities meant that section 60 should never be used. Others felt that it could be used in specific circumstances. Some stakeholders suggested the risk of harmful outcomes is greater when children or young people are searched under section 60. Others expressed concern about its disproportionate use across ethnic minority groups, especially young Black men. We also heard about how trust and confidence in the police can be affected when use of force during stop and search is felt to be unjustified by those subject to it. These same themes appeared in the complaint cases that we reviewed.

We heard concerns from stakeholders about how police use of all stop and search powers negatively affects some communities. This emphasises how important it is for policing to show that their use of stop and search powers is fair, reasonable and proportionate.



## 2. Training officers on section 60

We share the CJA's concerns about stop and search training, including for section 60. We accept that forces must be able to adapt their section 60 training requirements to reflect how much they use the power. But we are concerned that too many officers who authorise the power, and those who conduct the searches, aren't receiving the training they need.

We found differences between forces in the content and quality of training provided. Police officers should receive training on stop and search, including section 60, through the national policing curriculum.

The national policing curriculum includes specific content on section 60 and the impact of search powers. It was developed in 2016 and is informed by the Best Use of Stop and Search Scheme. This training should make sure officers understand how to apply their stop and search powers lawfully and proportionately and with procedural justice. But the curriculum hasn't been updated since 2016. The curriculum needs to be maintained to make sure it reflects the most up-to-date information about stop and search. It should include recent changes to guidance and further evidence on the harms associated with the poor use of stop and search.

We found many forces may not be providing stop and search training in line with the national policing curriculum. Some forces weren't providing any classroom training on stop and search, as required under the curriculum. Many of the forces that do provide classroom-based training acknowledged it wasn't fully consistent with the stop and search national policing curriculum.

We found a similar lack of training for senior officers who may be called on to authorise the use of section 60. We were particularly concerned that where such training is provided, it isn't always made available to newly promoted inspectors or those holding the rank in an acting or temporary capacity.

### Recommendation 1. Chief constables

By 14 June 2024, chief constables should make sure their forces review the content of training on [section 60 of the Criminal Justice and Public Order Act 1994](#) and how they provide it. The review should consider current national police curriculum requirements and the adequacy of force training for:

- officers who may be required to authorise section 60s; and
- officers who may be required to conduct section 60 stop and searches.

The review and any associated actions should be proportionate to each force's use of section 60.



## Action 1. The College of Policing

The [College of Policing](#) will update the stop and search national policing curriculum. This update will give the College of Policing an opportunity to make sure the curriculum is accessible and deliverable for forces.

The update will make sure learning outcomes related to the authorisation and application of suspicion-less stop and search powers, including [section 60](#), are appropriate.

The College of Policing will also consider the need for including learning outcomes related to child [safeguarding](#) and the expectations regarding refresher training for officers who have met the curriculum's learning requirements.

The College of Policing expects the updated curriculum will support the police in providing regular stop and search training for officers who may use the powers. Refresher training will be focused on priority areas, such as searching children and using suspicion-less search powers.

The College of Policing will provide further details of this work in its next business plan, including a date by which the updated curriculum will be available to forces.

### 3. Authorising, recording and evaluating the effectiveness of section 60

The evidence we reviewed suggests that section 60 authorisations are reserved for tackling serious violent crime that presents significant threat, harm and risk. But the lack of a standard format for authorisations means we weren't able to assess whether all officers considered using alternative powers.

We reviewed 27 authorisation decisions from 4 forces that used the power regularly in 2021/22. We found that all of the authorisations referenced available information and intelligence about serious violence and considered individual rights and wider community safety.

The geographical areas of section 60 authorisations that we reviewed were appropriately defined. We found no evidence of authorisations unnecessarily covering large areas or lengthy timespans.

Forces should be able to assess how effective each section 60 authorisation has been. They should be able and prepared to clearly explain and justify its use every time. Authorisations should clearly explain why the power has been used, including the legal basis for the authorisation and the considerations made when authorising. As set out in guidance on [strategic planning](#) in the operations APP, senior officers should consider their duties, human rights obligations and the risk and impact when considering their tactical options. Evaluations of section 60 authorisations should be carried out within a clear and consistent framework of measures and outcomes. Some forces review data

related to the success of section 60 operations as part of regular reviews of their use of the power. But we found differences across forces in the recording and format of section 60 authorisations. They set and record objectives very differently. They also use different ways to assess whether the objectives of an authorisation are successfully met.

Forces tend to analyse arrests and positive outcomes when reviewing a section 60 authorisation. Preventing and reducing threat, risk and harm are also considered important factors. But the impact on crime at a local level isn't sufficiently known or understood because very few forces consider the overall effect of section 60 on their crime levels. This is disappointing given that stop and search APP content on supervision and monitoring says forces "should closely analyse the impact of different stop and search powers on a range of crime types to identify how practice could be improved".

There are no specific requirements on forces to evaluate police activities where a section 60 has been authorised. This must be addressed if forces are to assess the legitimacy and effectiveness of section 60 authorisations objectively and consistently.

## Recommendation 2. National Police Chiefs' Council

The [National Police Chiefs' Council](#) should work with the [College of Policing](#) to agree minimum requirements for:

- logging police decision-making in response to, or anticipation of, serious violence involving knives and offensive weapons, including which alternative powers are considered;
- recording [section 60](#) authorisations, extensions and decisions not to authorise section 60;
- briefing relevant officers following a section 60 authorisation; and
- reviewing policing operations involving the authorisation of section 60.

The minimum requirements should provide tactical support to authorising officers informed by authorised professional practice on [stop and search](#), [operations](#) and the [national decision model](#). They should promote a consistent problem-solving and community-focused approach to the authorisation and review of section 60 across England and Wales.

The National Police Chiefs' Council should promote the minimum requirements through its network of force stop and search leads and the knowledge hub for UK policing.

#### **4. Conducting section 60 searches**

We examined how well forces understood and complied with their legal obligations under the Criminal Justice Public Order Act 1994, and the provisions in PACE Code A relating to section 60.

Forces can reduce any unintended or negative consequences resulting from the use of section 60 by improving their compliance with existing legislation and guidance. Our investigation concluded forces aren't paying sufficient regard to these.

As set out in guidance on briefing in the operations APP, officers should be "thoroughly briefed on the purpose of an operation prior to participating in it". The information and intelligence on which a section 60 authorisation is based needs to be explained to officers operating under it. All those involved in using stop and search powers, including supervisors, need to understand how vital it is that the power is used in accordance with legislation and guidance.

We found that the quality of police briefings for officers expected to use section 60 powers varied across forces and sometimes lacked detail, both on use of the power and on local community issues. There were also many different and somewhat inconsistent approaches to how section 60 briefings were recorded and given to officers assigned to carrying out these stop and searches. We are recommending that section 60 briefings should be conducted and recorded on audiovisual devices such as body-worn video or approved handheld communication devices. They are a critically important part of the policing operation and, as potential evidence, should be subject to scrutiny.

When we combine this with our findings on officer training, we can't be confident that all officers have the necessary knowledge and skills to effectively perform their duties under a section 60 authorisation or conduct searches under the power.

We reviewed a sample of officers' body-worn video footage of section 60 stop and search encounters. Most of the footage we reviewed related to searches in response to recent and spontaneous incidents involving serious violence. All fieldwork forces used body-worn video to record section 60 stop and search encounters. But officers didn't always record the full stop and search encounter.

People who are stopped and searched are entitled to be treated fairly and with respect. We saw officers typically acted courteously and professionally. But it is clear from our review of body-worn video footage and complaints about section 60 that this isn't always the case.

We saw most officers in our sample searched an individual almost immediately after stopping them. While all officers identified themselves by name and stated why the section 60 had been authorised, few took time to explain the reasons why the person was being stopped and searched under the power. It is an important step in making sure those subject to the search are aware of the purpose behind it. This is highlighted by PACE Code A note for guidance 1.

Police officers can use reasonable force (including using handcuffs) to carry out a stop and search if necessary. The College of Policing updated its stop and search APP content on [using handcuffs during stop and search](#) in September 2022. This guidance applies to section 60 searches and any other search power.

The new APP content makes it clear that it is unlawful for officers to apply handcuffs during stop and search encounters as a matter of routine. It says officers should only apply handcuffs during a search encounter when they have an objective basis to do so once they have assessed the immediate threat and risks.

Our review of body-worn video footage and our review of complaints about section 60 found examples of searches involving use of handcuffs that appeared unjustified. There were also variations in supervisory oversight and independent review, which are vital to ensuring fair and legitimate practice. The updated APP content on using handcuffs during stop and search says:

“Forces should also have systems in place so that officers are able to record uses of force during stop and search. Where feasible, these systems should make it possible for stop and search and the use of force to be monitored and scrutinised in tandem.”

At the time of our all-force survey, just over half of forces (25 out of 42) said they had a mandatory requirement to record use of force on a search record.

We found inconsistent police safeguarding and risk management approaches for children who are stopped and searched. We found similar inconsistencies in how forces review searches of children and how they make referrals to other specialist support agencies.

[APP stop and search content on searching children](#) says consideration should be given to the safety and welfare of any child stopped, in accordance with police safeguarding duties. The APP sets out relevant factors that may identify a cause for concern for a child.

While some forces had introduced initiatives to address this important issue, we found little evidence of service-wide prioritisation. So we share the CJA's concerns that forces don't treat this matter with appropriate priority and importance. Too many officers do not give enough importance to the safeguarding needs of children who are searched. This should not continue.

### Recommendation 3. Chief constables

By 14 June 2024, chief constables should make sure briefing and debriefing arrangements for their force's activities under [section 60 of the Criminal Justice and Public Order Act 1994](#) are thorough and in line with [Police and Criminal Evidence Act 1984 Code A](#) and [authorised professional practice](#) content and guidance. Chief constables must make sure section 60 authorisation briefings are recorded. This may be as a written briefing. But formal verbal section 60 authorisation briefings should be given on audiovisual devices such as [body-worn video](#) or approved handheld communication devices. They should be capable of being recorded as part of the policing operation and be subject to scrutiny.

Section 60 briefings to officers who are required to use their stop and search powers should include information on:

- the relevant law and guidance;
- the particular grounds for authorising the use of section 60 stop and search powers;
- all relevant and current information and intelligence;
- the geographical area covered and time limitations authorised;
- all relevant community information (including policing history) and any [community impact assessment](#);
- how any debriefing and force learning will be conducted; and
- the importance of recording all section 60 stop and search encounters on body-worn video in their entirety.

### Recommendation 4. Chief constables

By 14 June 2024, chief constables should make sure all officers who may exercise stop and search powers understand, and comply with, their responsibility to [safeguard](#) children who are stopped and searched.

In doing so, chief constables should make sure that:

- in line with the national policing curriculum, officers undertaking searches are appropriately trained to take the necessary steps to minimise any emotional harm that may be caused through these encounters;
- their force has processes in place to assist appropriate safeguarding referrals when children are stopped and searched; and
- there is robust checking and assessment of all such searches that takes account of the safety and welfare needs of the child.

## 5. Communicating information about section 60 authorisations and managing their impact

Stop and search APP guidance on [community engagement](#) says forces should be proactive in publicising details about where and when section 60 authorisations have been made. It also says forces should engage with communities after and, when possible, before an authorisation to “mitigate any community concerns” and help operational planning and debriefs.

We found inconsistencies in how section 60 is communicated to the public. We also found limited evaluation of the effectiveness of communication methods. We agree with the CJA's concern that police messaging and communications about the police use of section 60 rarely reach people and communities most likely to be affected by use of the power. Effective engagement and communication with children and young people seems particularly difficult for forces to achieve. This is important. One of the legal purposes of section 60 is to prevent serious violence incidents. For section 60 to be effective as a deterrent, communities and those it is aimed at (such as people carrying or intending to carry knives) need to be aware that it is in place. They also need to be aware of the timespan and geographical extent of the authorisation.

All public bodies, including police forces, must have due regard to the public sector equality duty. The duty requires public bodies to have due regard to the need to achieve the objectives under the [Equality Act 2010](#) to eliminate discrimination, advance equality of opportunity and foster good relations between people who share relevant protected characteristics and those who don't. Completing an [equality impact assessment](#) is one way for forces to show they consider the public sector equality duty. Other activities, including community impact assessments, may also help to show this.

We found little evidence that forces fully understood the impact section 60 activity may have on local people and communities. Forces have the option to complete an equality impact assessment for section 60 to make sure they are properly addressing any equality issues that local policy and use of the power may cause. But, at the time of our survey, only 14 forces in England and Wales told us they are carrying out some form of equality impact assessment as part of their review on how they use section 60.

There were also different approaches across forces to using community impact assessments as part of section 60 authorisation processes. Community impact assessments can form part of the strategic plan for policing operations. As set out in the [operations APP content on strategic planning](#), they are “used to identify how an issue or incident impacts on a community or group within a community” and can form part of risk assessment and decisions about policing style. Our investigation found that some forces required the completion of a community impact assessment for all section 60 authorisations. In others, it was optional. So we can't be sure all forces are effectively

assessing what effect their decisions may have on local people and communities. This is an important gap, and one that should be resolved.

We share the CJA's concerns. We expect forces to take full account of their obligations under the public sector equality duty. The absence of equality impact assessments or community impact assessments for section 60 authorisations in some forces might mean that important information and intelligence is being missed. This may affect their ability to manage or reduce any negative equality impacts.

We expect community impact to be included in the minimum requirements for recording, briefing and reviewing section 60 authorisations that we have called on the NPCC to develop with the College of Policing in recommendation 2. Authorising officers should consider community impact before giving section 60 authorisation and this consideration should be clearly recorded. Community feedback should be considered as part of operational reviews of section 60 authorisations.

### Recommendation 5. Chief constables

By 14 June 2024, chief constables should make sure forces effectively communicate with communities and interested parties on the police use of [section 60](#) stop and search powers. This should include:

- making sure communications reach the communities most likely to be affected by the section 60 authorisation and checking their communication strategies were effective;
- publicising details to inform the public, give reassurance and maximise any deterrent effect; and
- reporting back to communities and interested parties on operational outcomes.

### 6. Data and analysing the use of section 60

We agree with the CJA regarding the lack of publicly available data and information on section 60 authorisations. Forces aren't currently required to report data on section 60 authorisations as part of the Home Office Annual Data Requirement. The Home Office doesn't collect and report data on the number of section 60 authorisations made, the geographical area covered or the timespan for each authorisation. This means that such data isn't readily available to those who may wish to review and assess it.

We learned of numerous detailed research and analytical projects across forces aimed at better understanding and managing disproportionality. We also found several examples of forces taking steps to understand the issue and make improvements. But, despite this effort, no force can fully explain the reasons why the police use of stop and search, including section 60, results in disproportionality.



While forces may recognise the effects of disproportionality on people and communities, they don't take the matter seriously enough. Self-defined ethnicity data is still missing from large numbers of police stop and search records, including section 60 records. Without this data, forces can't fully understand any disproportionality or evaluate the legitimacy of their section 60 authorisations. HMICFRS has commented on this issue in previous inspection reports. The evidence from our investigation shows this is still an issue.

Our recommendations are designed to improve the provision and availability of important data on section 60. And they are designed to improve service-wide understanding of approaches that help the police maximise the impact of stop and search on crime, minimise its possible harms and reduce racial disparities between who gets searched.

### Recommendation 6. Home Office

At the earliest opportunity, the Home Office should change the [Annual Data Requirement](#) to require all police forces to record and return annual data on [section 60](#) that includes:

- the number, locations, area and durations of section 60 authorisations granted;
- the number of authorisations refused;
- the number of searches made under each authorisation; and
- the outcome of each search.

The Home Office should publish this information in a way that allows the public to compare the data, including comparing geographical locations and size of area covered by section 60 authorisations.

### Action 2. The College of Policing

The [College of Policing](#) will submit a bid to the Police Science, Technology and Research (STAR) fund, run by the Office of the Police Chief Scientific Adviser. The bid will seek funding for evaluating initiatives that support officers to use stop and search powers, including section 60, in well-targeted and procedurally just ways.

The College of Policing expects this evaluation work will help police to understand how to maximise the crime-reduction effect and minimise the harms associated with the use of stop and search powers.

The College of Policing will submit the bid in the next financial year (2024/25). It will work with the [National Police Chiefs' Council](#) and forces to develop initiatives for evaluation. If the bid is successful, the College of Policing will share details of the initiatives selected for evaluation.

## 7. Independent scrutiny of all stop and search powers

Independent scrutiny of stop and search activity, including section 60, is important in supporting fairness and legitimacy in use of the powers. When a community scrutiny panel is independent, diverse, committed and effective, it can offer valuable independent advice and challenge, which helps a force improve the local service it provides. For the panels to be effective, forces must show that they use learning from the panels to improve practice. This may encourage people to join the panels.

An effective community scrutiny panel can help the police to understand local concerns and take steps to improve policies, processes and behaviours. The panel can also help to inform the public about police powers and how they are used, which helps to increase trust and confidence in the police.

All forces operate and support a community scrutiny panel for stop and search. The panels receive support from forces and local policing bodies.

Stop and search APP content on [community oversight](#) says scrutiny panels should be “chaired by someone independent of the force unless there is a good reason why this is not possible”. The APP also says panels should be “representative of the community they serve”. It says forces should be “proactive in ensuring sufficient representation from socially marginalised groups and those most affected by stop and search”.

Most community scrutiny panels are independently chaired. Fieldwork forces generally had some level of diversity of ethnicity and gender in their membership. But many panel representatives told us they struggled to keep young people involved and engaged, especially those who have been stopped and searched by the police. We were also told that vetting requirements can be a barrier to recruiting panel members in some forces.

Community scrutiny panels work in different ways. Policies and procedures vary across forces. The range of records shared and how they are selected differs from force to force. This leads to different approaches and outcomes. While recognising that community scrutiny panels must operate in line with local needs and priorities, we found little evidence that forces share what works well. This means that opportunities to learn and improve may be being missed.

We didn't find good evidence that forces make full use of community scrutiny panel feedback. We conclude that forces could do more to better understand the views of panels, and make sure they lead to officer and organisational learning and development.

Stop and search APP content on community oversight says that panel members should be supported so “they have the capacity, capability and confidence to fulfil their stated aims”. It says forces may consider it necessary to “provide additional support to chairs and panel members (for example, training on the law, how to interpret data and the complaints process, and administrative support) for panels to function properly”.

Many community scrutiny panel members receive no training, which means they may not have the right knowledge to make effective judgments, particularly on more complex stop and search issues. Improvements need to be made in this area.

We found that when a panel reviewed stop and search encounters and an experienced police officer supported the panel, the officer provided legal understanding, operational insight and local knowledge. But how much support police officers give community scrutiny panel meetings varies across forces. There may also be others who can support panels in this way, who have a knowledge of police procedures, such as police and crime commissioner representatives or those who provide training on stop and search.

We found that very few community scrutiny panels are consulted before or at the time the police decide to authorise a section 60. Some forces ask panels to retrospectively review or scrutinise section 60 authorisations, which can lead to valuable feedback. But we consider forces could do more to seek community scrutiny panel advice before an authorisation is made. If consulting panels before the authorisation is given isn't possible, forces should do so as soon as they can afterwards.

There was little evidence that community scrutiny panels review individual stop and search encounters authorised under a section 60 deployment. The same applied to panel attention to the age and ethnicity of those searched under section 60 powers. This should be an important area of community scrutiny panel activity. There should be increased focus on these areas.

[Stop and search APP](#) content on transparent search says that reviewing body-worn video footage is the "only realistic option for scrutiny panels to review how stop and search is carried out by officers". It also notes "special care is required by forces when sharing this footage because of the risks to individuals whose data is being disclosed".

Nearly all community scrutiny panels review body-worn video footage of stop and search encounters. But there are concerns regarding the quality of some recordings, particularly footage that doesn't cover the whole encounter. This means that panels aren't always able to review all the circumstances surrounding a stop and search. This is an important gap and forces should do more to improve the quality of recordings.

Many community scrutiny panels review stop and search in isolation and don't consider other key areas such as use of force. Opportunities to gain greater understanding and insight are being missed.

There is no national co-ordination body or library of established positive practice for community scrutiny panels to learn from. There is also no service-wide oversight of individual force practice.

In 2021, the Commission on Race and Ethnic Disparities published its [report into racial and ethnic disparities in the UK](#). In March 2022, the Government published its response, [Inclusive Britain: government response to the Commission on Race and Ethnic Disparities](#) (Inclusive Britain).

Inclusive Britain proposed measures that translated the findings from the Commission on Race and Ethnic Disparities report into action. This included requiring the Home Office to develop a “new national framework for the use of police powers – including stop and search and use of force – which are scrutinised at a local level”.

In August 2023, the Home Office announced its consultation on a *Draft Community Scrutiny Framework: National Guidance for Community Scrutiny Panels*. The draft framework proposes that:

“Whilst local forces and PCCs [police and crime commissioners] working with panels will have discretion as to what powers and tactics will be scrutinised, it is recommended that the types of cases to be made available for panel scrutiny should include:

- Stop and search powers, including both the authorisation of section 60 Criminal Justice and Public Order Act 1994 powers and the interactions between the police and the public for all searches
- Incidents involving use of force
- Intrusive powers such as strip searches
- The use of BWV [body-worn video].”

We welcome the report outlining a new framework for the community scrutiny of certain police powers. And the opportunity for police and crime commissioners, forces and community scrutiny panels to continue to make improvement suggestions and responses through the ongoing consultation process.

Independent community scrutiny is an important measure in making sure stop and search powers are used fairly and legitimately. We dedicate a chapter later in this report to the [independent community scrutiny of the police use of all stop and search powers](#). We also make three recommendations (below) designed to improve the support of community scrutiny panel activity and outcomes.

## Recommendation 7. Chief constables

By 14 June 2024, chief constables should satisfy themselves that their force gives community scrutiny panels (or their equivalents) all relevant information to help them scrutinise police stop and searches and other police actions arising from [section 60](#) authorisations. This should include:

- the grounds and underlying reasons for the authorisations;
- any recordings of briefings;
- written records of searches;
- information about the outcomes of searches; and
- [body-worn video](#) footage of entire encounters.

In addition, chief constables should satisfy themselves that their force incorporates feedback from community scrutiny panels (or their equivalents) when evaluating and improving the force's use of section 60.

### Recommendation 8. Chief constables and police and crime commissioners (or equivalents)

By 14 June 2024, chief constables and where applicable police and crime commissioners (or equivalents) should make sure their forces work in partnership with community scrutiny panels (or their equivalents) to:

- review panel membership and vetting arrangements to remove any unnecessary barriers to recruiting panel members;
- promote the recruitment of culturally diverse members, with a particular focus on representing, involving and retaining those from under-represented communities and young people;
- promote the representation, involvement and retention of those who have been stopped and searched;
- make sure the force gives community scrutiny panels information on the police use of force, including handcuffing, relevant to the police use of stop and search powers;
- make sure they support and help community scrutiny panels to review [section 60](#) authorisations, searches, community impact assessments and associated complaints;
- give members appropriate training and support to help them effectively carry out their role scrutinising all stop and searches, taking account of the effect the role could have on them; and
- provide the right level of police representation at panel meetings to support and advise as required, and to make sure the panel's feedback helps to improve both individual officer and organisational learning.

### Recommendation 9. Home Office

The Home Office, in finalising the national minimum standards [framework for community scrutiny panels](#), working with the [National Police Chiefs' Council](#) and other interested parties, should include provisions to:

- make sure the terms of reference, practices and scrutiny processes are consistent for all community scrutiny panels;
- include children and/or young people in the scrutiny process, including those who have been stopped and searched;
- make sure community scrutiny panels review the police use of force during stop and searches, including when handcuffs are used;
- make sure community scrutiny panels review the police grounds for authorisation and use of [section 60](#) stop and search powers;
- train and develop community scrutiny panel members to carry out their scrutiny roles; and
- secure effective oversight arrangements.

## 8. Response to recommendations

### Recommendation 10. National Police Chiefs' Council, Association of Police and Crime Commissioners, Home Office and chief constables

Within 56 days of the publication date of this report, the [National Police Chiefs' Council](#), the [Association of Police and Crime Commissioners](#) and the Home Office should inform [His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#), the [Independent Office for Police Conduct](#) and the [College of Policing](#) how they intend to respond to the recommendations.

Within 56 days of the publication date of this report, forces should publish on their websites an explanation of how they have responded or will respond to the recommendations. Forces should send the National Police Chiefs' Council links to where this information can be found.

### Action 3. His Majesty's Inspectorate of Constabulary and Fire & Rescue Services

Subject to funding, [His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#) will inspect how these recommendations have been addressed.



## **Acknowledgements**

We thank the CJA, police officers, police staff, academics, community groups, community scrutiny panel members and all other stakeholders who contributed to our investigation.

## Background and context

### The super-complaint that prompted our investigation

In May 2021, the [Criminal Justice Alliance \(CJA\)](#) made a super-complaint.

The super-complaint, entitled [More harm than good](#), raises the CJA’s concerns about “harms caused by ‘suspicion-less’ stop and searches and inadequate scrutiny of stop and search powers”.

The ‘suspicion-less’ stop and searches to which the CJA refers are those the police carry out using their powers under [section 60 of the Criminal Justice and Public Order Act 1994](#) (which we subsequently refer to in this report as ‘section 60’). Section 60 authorisation gives the police powers to stop and search people and vehicles, without suspicion, for “offensive weapons or dangerous instruments”. These powers are only to be authorised in a designated locality in a police force area for a specified period.

The ‘inadequate scrutiny’ to which the CJA refers relates to scrutiny of the police’s use of section 60. It also relates to the police’s use of their other powers of stop and search, mainly those under [section 1 of the Police and Criminal Evidence Act 1984](#) (PACE) and [section 23 of the Misuse of Drugs Act 1971](#). The CJA states that “police are not effectively being held to account for their use of these powers”.

The CJA considers the very low arrest rates and seizures of weapons show that section 60 is ineffective in dealing with violent crime. In addition, the CJA maintains that people and communities are harmed by use of the power. It is also concerned that use of the power results in significant racial disproportionality and has a particularly negative effect on children and young people. It argues that use of section 60 could undermine public trust and confidence in policing.

The CJA argues these are features of policing that are causing harm to the public interest particularly for certain groups, and that section 60 should be repealed. The CJA also proposes additional safeguards if the legislation isn’t repealed.

### Legal framework and policing context

#### What does section 60 allow the police to do?

A police officer of or above the rank of inspector can authorise a section 60, if they reasonably believe:

- that incidents involving serious violence may take place in any locality in the police area, and that it is necessary to give an authorisation under this section to prevent their occurrence;

- that an incident involving serious violence has taken place, a dangerous instrument or offensive weapon used in the incident is being carried in the local area and an authorisation is necessary to find the instrument or weapon; or
- people are carrying dangerous instruments or offensive weapons in the area without good reason.

They may give an authorisation that the section 60 powers can be used at any place within that locality for a specified period no longer than 24 hours.

If it appears necessary to an officer of or above the rank of superintendent, they may direct that the authorisation continues for a further 24 hours. They should take into consideration the offences that have been, or are reasonably suspected to have been, committed in connection with any activity falling within the authorisation.

When a section 60 has been authorised, officers can:

- stop any pedestrian and search them or anything carried by them for offensive weapons or dangerous instruments; and
- stop any vehicle and search the vehicle, its driver and any passenger for offensive weapons or dangerous instruments.

Officers have this search power whether or not they have any grounds for suspecting that the person or vehicle is carrying weapons or articles of that kind. This is why section 60 is referred to as a 'suspicion-less' stop and search power.

### **Why was section 60 introduced by the Criminal Justice and Public Order Act 1994?**

Different political parties agreed the police needed a new no-suspicion stop and search power for specific circumstances to tackle violence on the streets and drugs and drug-related crime. Section 60 was added to the 1994 Criminal Justice and Public Order Bill as a Government amendment during the Commons report stage.

When it was introduced, some people were concerned that the power was open to misuse and that it could cause serious damage to community relations. The Minister for the Home Office recognised the need for appropriate safeguards and monitoring and committed to addressing this within the PACE guidance.

There have been two major changes to section 60 since its enactment:

- The [Knives Act 1997](#) was introduced to place stricter controls on marketing knives and extended the section 60 provisions so they could be used more effectively to combat knife violence. Provisions in the Act lowered the authorisation rank to inspector and expanded the power so it could be authorised when the police had a reasonable belief people were carrying dangerous instruments or offensive weapons in a locality.

- Provisions in the [Serious Crime Act 2007](#) expanded the power so it could be authorised after a serious violence incident to find dangerous instruments or offensive weapons. Amendments in the Act also allowed inspectors to make authorisations orally as long as a written record was made as soon as possible.

### **Section 60: the 'suspicion-less' search power**

Most police stop and search powers require officers to have reasonable grounds to search a person. For example, section 1 PACE allows officers to search people who they have reasonable grounds to suspect are carrying items such as offensive weapons or stolen property. Section 23 of the Misuse of Drugs Act 1971 allows officers to search people they have reasonable grounds to suspect are in possession of controlled drugs. The reasonable grounds for suspicion in these search powers requires officers to honestly suspect they might find the item they are searching for. This suspicion must be objectively reasonable. The officer must be able to justify the grounds for the search.

[PACE Code A](#) sets out how the police should use their powers. The code applies to all stop and search powers, including section 60. Paragraph 1.4 of the code states: "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."

PACE Code A note for guidance 10 states that the overall purpose of section 60 is "to prevent serious violence and the widespread carrying of weapons ... in circumstances where other powers would not be sufficient".

Officers don't need reasonable grounds to suspect that a person is in possession of an item to search under section 60. But paragraph 2.14A of the code states:

"The selection of persons and vehicles under section 60 to be stopped and, if appropriate, searched should reflect an objective assessment of the nature of the incident or weapon in question and the individuals and vehicles thought likely to be associated with that incident or those weapons (see Notes 10 and 11). The powers must not be used to stop and search persons and vehicles for reasons unconnected with the purpose of the authorisation. When selecting persons and vehicles to be stopped in response to a specific threat or incident, officers must take care not to discriminate unlawfully against anyone on the grounds of any of the protected characteristics set out in the Equality Act 2010. (See paragraph 1.1.)"

### **Legal requirements and guidance on stop and search powers**

There is considerable direction and guidance on how the police should approach the use of stop and search, and how forces should support independent community scrutiny models. For example, PACE Code A explains how officers must record searches and provide people they search with a search record.

Detailed information is available to the police in the [College of Policing](#)'s authorised professional practice (APP) on [stop and search](#) and [operations](#), which cover stop and search, community engagement and operational and strategic planning.

The police also have a legal responsibility to apply their powers fairly, and are required under the [public sector equality duty](#) to have due regard to the need to eliminate discrimination, advance equality and foster good relations with and between different protected groups. Forces should have due regard to the public sector equality duty in their authorisation and use of all stop and search powers, including section 60.

### **Home Office policy decisions on the Best Use of Stop and Search Scheme**

In April 2014, the (then) Home Secretary, the Rt Hon Theresa May MP, announced the [Best Use of Stop and Search Scheme \(BUSSS\)](#) in a statement to Parliament. The main aims set out in the summary of the scheme were:

“to achieve greater transparency, community involvement in the use of stop and search powers and to support a more intelligence-led approach, leading to better outcomes, for example, an increase in the stop and search to positive outcome ratio”.

The BUSSS also explicitly encouraged forces to reduce their use of section 60.

The features of the scheme were:

- “Data Recording – forces will record the broader range of stop and search outcomes e.g. arrests, cautions, penalty notices for disorder and all other disposal types. Forces will also show the link, or lack of one, between the object of the search and its outcome;
- Lay observation policies – providing the opportunity for members of the local community to accompany police officers on patrol using stop and search;
- Stop and search complaints ‘community trigger’ – a local complaint policy requiring the police to explain to local community scrutiny groups how the powers are being used where there is a large number of complaints; and
- Reducing the number of section 60 ‘no-suspicion’ stop and searches by –
  - raising the level of authorisation to senior officer (above the rank of chief superintendent);
  - ensuring that section 60 stop and search is only used where it is deemed necessary – and making this clear to the public;
  - in anticipation of serious violence, the authorising officer must reasonably believe that an incident involving serious violence will take place rather than may;

- limiting the duration of initial authorisations to no more than 15 hours (down from 24); and
- communicating to local communities when there is a section 60 authorisation in advance (where practicable) and afterwards, so that the public is kept informed of the purpose and success of the operation.”

The scheme also stated that “forces will use stop and search strategically, which will improve public confidence and trust”.

Police participation in the BUSSS was voluntary. In 2015, Her Majesty's Inspectorate of Constabulary (HMIC, as it was named then) assessed all 43 police forces in England and Wales to see if they complied with the features of the scheme. In February 2016, [HMIC published this report as part of the 2015 PEEL inspection process](#). The inspection identified only 11 forces were complying with all five features. Nineteen forces weren't complying with one or two features of the scheme, and 13 forces weren't complying with three or more features. HMIC committed to revisiting, within six months of publishing the report, the 13 forces that weren't complying with three or more of the features.

In February 2016, the (then) Home Secretary, the Rt Hon Theresa May MP, removed from the BUSSS the 13 forces that weren't complying with three or more of its features.

The Home Secretary asked HMIC to carry out an inspection on those 13 forces. On 22 September 2016, [HMIC published its inspection report](#), which confirmed all 13 forces were fully complying with all features of the BUSSS. As a result of the findings of that report, the (then) Home Secretary, the Rt Hon Amber Rudd MP, announced [the 13 forces were to be readmitted to the scheme](#).

On 31 March 2019, the (then) Home Secretary, the Rt Hon Sajid Javid MP, announced a new pilot to amend certain provisions of the original BUSSS that would provide [greater powers for police to use stop and search to tackle violent crime](#). He stated: “The changes apply to seven police forces who collectively account for over 60 percent of total national knife crime and will result in at least 3,000 more officers being able to authorise section 60. The changes will run for up to a year, including a review after six months.” The forces were Greater Manchester Police, Merseyside Police, the Metropolitan Police Service, South Wales Police, South Yorkshire Police, West Midlands Police and West Yorkshire Police.

The announcement stated:

“The Home Secretary has lifted two conditions in the voluntary Best Use of Stop and Search Scheme by:

- reducing the level of authorisation required for a section 60 from senior officer to inspector

- lowering the degree of certainty required by the authorising officer so they must reasonably believe an incident involving serious violence 'may', rather than 'will', occur."

On 11 August 2019, the (then) Home Secretary, [the Rt Hon Priti Patel MP](#), stated:

"We are experiencing a knife crime epidemic and I am determined to put a stop to it. Police chiefs are clear – stop and search is a vital tool in combatting the scourge of serious violence and keeping people safe. Today I am giving them my full support and more police authority to approve stop and search to halt this terrible crime in its tracks."

This decision meant that the section 60 pilot was extended to all 43 police forces and the British Transport Police. All conditions placed by BUSSS on stop and search powers were relaxed, meaning that, in addition to the two amendments announced by the Rt Hon Sajid Javid MP:

- an inspector could authorise a section 60 for up to 24 hours (instead of 15 hours);
- superintendents could extend a section 60 authorisation beyond 24 hours to 48 hours (BUSSS required this to be done at chief officer level, and allowed limited extensions to a total of 39 hours); and
- section 60s didn't need to be communicated publicly in advance.

The pilot police forces could decide how these changes were put into practice.

On 16 May 2022, the (then) Home Secretary, the Rt Hon Priti Patel MP, [announced in a letter to police forces](#) that all aspects of the BUSSS guidance relating to section 60 would be permanently relaxed. This had the effect of removing previous restrictions placed on the police use of section 60 by:

- reducing the threshold that must be met before a section 60 authorisation could be given from reasonably believing serious violence "will" occur to "may" occur;
- lowering the rank of officer able to give an initial section 60 authorisation from senior officer to an officer of, or above, the rank of an inspector;
- increasing the maximum period in which a section 60 authorisation could stay in place (without extension) from 15 hours to 24 hours;
- lowering the rank of officer required to extend a section 60 authorisation from senior officer to superintendent, or above, and increasing the maximum period to which an authorisation could be extended (beyond the initial 24 hours) from 39 hours to 48 hours; and
- removing the requirement for section 60 authorisations to be publicly communicated to communities in advance.



On 31 May 2022, the Home Office published its [equality impact assessment for the Government’s decision to permanently relax the previous section 60 BUSSS guidance and restrictions](#).

On 19 June 2022, the Home Office published its [findings from its research into the section 60 stop and search pilot introduced in 2019](#). The research on section 60 was published in two reports. The first report reviewed the findings from 62 interviews with police officers and stop and search community scrutiny leads. The second report included statistical analysis and a review of a selection of 60 authorisations made by the police. Generally, the research found that relaxing the BUSSS provisions had “perceived operational benefits for tackling serious violence”. But most interviewees believed any impact of section 60 on crime levels would be short term. The evaluation explicitly stated that it didn’t consider the impact of the pilot on levels of serious violence.

## How often and where is section 60 used?

The [Home Office Annual Data Requirement](#) details the categories of data forces must make available for publication on the Government’s website, GOV.UK. It requires all forces in England and Wales to record and publish annual data on stop and search outcomes.

At the time of our investigation, we used and referenced the information contained in the Home Office statistical report [Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2022](#). This report summarises the police service-wide stop and search data, including section 60 stop and searches.

We note that, on 26 September 2023, the Home Office published a new statistical report [Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2023](#). As this new data was unavailable to us at the time of the investigation, we haven’t used or commented on this information within our report.

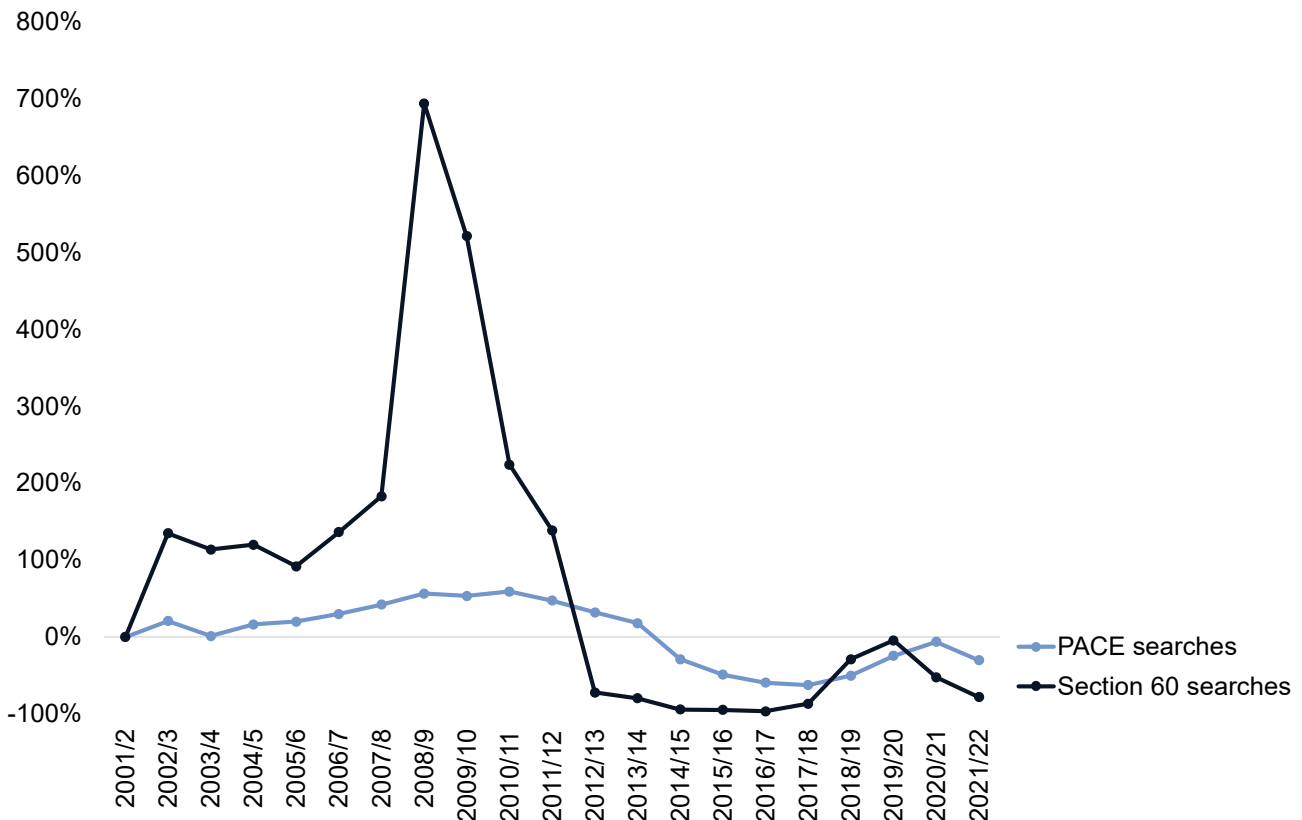
Forces in England and Wales carried out a total of 530,365 stop and search encounters in 2021/22. Less than 1 percent of the total were carried out using section 60 powers.

For the 12-month period to the end of March 2022, the number of section 60 searches fell from 9,002 to 4,341 (52 percent) when compared to the same period for the previous year. This is the second consecutive decrease in the number of searches under section 60, after three years of increases between the year ending 31 March 2018 and the year ending 31 March 2020.

The number of section 60 searches carried out was at a five-year high in 2019/20 (at 18,043) but was still significantly below the number carried out in the late 2000s. Overall, there has been a dramatic drop in police use of section 60 over the last 12 years. In 2009/10 (the earliest comparable data), there were 117,510 section 60 searches. In 2021/22, this had reduced to 4,341. A small number of forces account for most of the

section 60 stop and searches recorded in England and Wales. In 2021/22, 8 forces accounted for almost 95 percent (4,111) of all section 60 searches.

**Figure 1: Change in section 60 and PACE stop and searches for England and Wales between 2001/2 and 2021/22, relative to levels in 2001/2**



**Source: [Police powers and procedures: stop and search and arrests, England and Wales, year ending 31 March 2022](#) from the Home Office**

The spike in 2008/9, shown in Figure 1, was due to increased use of section 60 stop and searches by the Metropolitan Police Service (see following explanation). Home Office statistics show that the Metropolitan Police Service recorded more section 60 stop and searches than any other force in that year and comparatively, over time.

This peak can be directly attributed to the Metropolitan Police Service’s use of the power as part of Operation BLUNT 2. This operation was an initiative aimed at reducing knife crime and began in spring 2008. In the year before this operation, the force recorded 34,154 section 60 searches. In the first year of the Operation BLUNT 2, the number of searches went up to 123,335.

Between the year ending 31 March 2007 and the year ending 31 March 2022, the Metropolitan Police Service conducted more section 60 searches than all other forces combined. In the 12-month period to the year ending 31 March 2022, the force carried out 1,760 searches under section 60. This accounted for 41 percent of all section 60 searches carried out in England and Wales. In the same period, 16 other forces reported they had

made at least one section 60 search. Of these 17 forces, the 8 forces that conducted the most section 60 stop and searches were the Metropolitan Police Service, Kent Police, West Midlands Police, West Yorkshire Police, Thames Valley Police, Merseyside Police, Greater Manchester Police and Essex Police. Most other forces rarely used the power.

On 27 October 2022, the Home Office published *Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2022*. This statistical report evaluated aspects of the Metropolitan Police Service's and other forces' use of stop and search aligned to named geographical boroughs and by social deprivation indicators. The analysis showed there were certain small areas of London, such as parts of Westminster, Croydon and Newham, with high levels of stop and search activity. It also showed there were large areas, mainly on the outskirts of London, with comparatively low levels of stop and search activity.

Home Office analysis at the level of Lower Super Output Area ([LSOA, a geographical area used in census statistics](#)) shows that:

“approximately 25% of stop and search within London takes place in just 2.4% of LSOAs, and 50% of stop and searches ... in just 10.2% of LSOAs”.

The report compared the Metropolitan Police Service with other forces. It presented similar findings about localised use of police stop and search in urban areas with higher populations and/or transient footfall. The analysis also compared data on the Metropolitan Police Service's and other forces' use of stop and search with social deprivation data and indicators. The report concluded there was:

“a linear relationship between the level of deprivation and the level of stop and search in the MPS [Metropolitan Police Service] ... stop and search tends to increase as deprivation increases. For example, the 10% of LSOAs with the highest level of deprivation account for 16.3% of stop and searches, whereas the 10% of LSOAs with the lowest level of deprivation account for only 2.7% of stop and searches.”

The report didn't analyse the relationship between the Metropolitan Police Service's use of stop and search (including section 60) and violent crime levels, weapons seizures or ethnicity-based disproportionality.

It should be noted that the Home Office didn't repeat this type of analysis in its latest statistical report, for the year ending 31 March 2023.

## Finding knives and weapons

The Home Office statistical report *Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2022* describes stop and search outcomes (section 2.7). The report states that forces report on a wide range of outcomes relevant to stop and search, including arrests, seizure of property and warnings. This also includes information on weapons seized during a search. In 2021/22, approximately 11 percent of people subject to reasonable grounds searches for weapons were recorded to be carrying a weapon as the outcome of the search. Approximately 3 percent of people searched under section 60 were found to be carrying a weapon.

## Other responses to serious violence

In addition to section 60, the police have other methods of addressing serious violence. This investigation hasn't considered these or compared their use with section 60.

Some of these other methods involve working with partners. In March 2023, [His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#) published [An inspection of how well the police tackle serious youth violence](#). It states:

“To reduce serious youth violence, police need strong partnerships with organisations involved in education, health, social services, housing, youth services and victim services. The [Serious Violence Strategy](#) makes this clear: ‘Our overarching message is that tackling serious violence is not a law enforcement issue alone. It requires a multiple-strand approach involving a range of partners across different sectors.’”

# Investigation methodology

## Terms of reference

[His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(HMICFRS\)](#), the [College of Policing](#) and the [Independent Office for Police Conduct \(IOPC\)](#) investigated this super-complaint jointly. Throughout this report, references to 'we', 'us' and 'our' relate to the three bodies described.

We grouped the [Criminal Justice Alliance's \(CJA's\) super-complaint concerns](#) into seven investigative themes:

1. the experience of people searched under [section 60](#) powers;
2. training officers on section 60;
3. authorising, recording and evaluating the effectiveness of section 60;
4. conducting section 60 searches;
5. communicating information about section 60 authorisations and managing their impact;
6. data and analysing the use of section 60; and
7. independent scrutiny of all stop and search powers.

We didn't consider as part of this investigation whether section 60 should be repealed. This is a decision for legislators and Parliament to make. We informed the CJA that this issue fell outside the scope of our super-complaint investigation.

Our investigation set out to establish if the concerns raised by the CJA are features of policing that are causing significant harm to the interests of the public.

Our investigation included:

- reviews of section 60 policy and community scrutiny policy across 11 forces;
- interviews with over 150 police officers and staff across 14 forces;
- reviews of 51 [body-worn video](#) recordings of section 60 searches from 4 forces;
- reviews of 27 section 60 authorisations from 4 forces;
- an assessment of individual force and police service-wide (England and Wales) data on section 60 stop and search encounters;
- a survey sent to all 43 police forces in England and Wales about their local practices and procedures on section 60 and community scrutiny;

- interviews with 35 stakeholders, including academics, about their knowledge and experience of section 60;
- a roundtable online conference with representatives from a range of community, charity and grassroots organisations;
- interviews with community scrutiny panel chairs and/or members from 12 forces;
- observing four community scrutiny panel meetings;
- a review of academic literature on the impact of stop and search powers on crime and public confidence; and
- a review of nine IOPC cases relating to section 60.

### **All-force survey**

A survey was sent to the chief constables of all 43 English and Welsh police forces and the British Transport Police. The survey concerned force policies on section 60, the scrutiny of stop and search powers and the stop and search training provided locally to officers.

The survey took place between 13 April 2022 and 18 May 2022. A total of 42 responses were collected and analysed. The number of responses doesn't total 44 (43 forces plus the British Transport Police) because two forces submitted a joint response and one force failed to respond to the survey. Those filling out the survey could skip questions. This means sometimes fewer than 42 responses were received for an individual question.

We asked chief constables to instruct their stop and search tactical leads to complete the survey. Force stop and search tactical leads were encouraged to consult relevant colleagues when necessary to make sure their responses accurately reflected force policy.

The survey was about force policy, not force practice. It is possible that some force policies don't reflect the predominant practice in force. For example, first-line supervisors may be routinely checking for things in their officer's search records that they aren't mandated to do by policy.

### **Fieldwork in forces**

We considered a wide range of information and evidence when selecting fieldwork forces, including:

- material and data submitted by the CJA in support of its super-complaint;
- Home Office national police stop and search data;
- fieldwork force data and assessments about stop and search disproportionality;
- HMICFRS findings from police effectiveness, efficiency and legitimacy (PEEL) inspections; and

- published police and academic research.

At the start of the investigation, we selected a total of 11 fieldwork forces. Of these, we selected four forces (which we refer to as 'phase 1' forces) for extensive investigative fieldwork. These forces were Essex Police, Merseyside Police, the Metropolitan Police Service and West Midlands Police. All were high users of section 60 in recent years. The four phase 1 forces, for the year ending 31 March 2022, accounted for 2,677 section 60 searches out of a total of 4,341 (62 percent of all section 60 searches conducted in that year).

We selected the other seven forces (which we refer to as 'phase 2' forces) based on their section 60 practices, and independent stop and search scrutiny processes. These forces were:

- Avon and Somerset Police
- Bedfordshire Police
- Dorset Police
- Durham Constabulary
- Northamptonshire Police
- Suffolk Constabulary
- West Yorkshire Police.

As the investigation progressed, we sought specific information from three other forces because we determined it would add to the evidence base. These forces were the British Transport Police, Hertfordshire Constabulary and Northumbria Police.

### **Review of section 60 authorisation records**

We reviewed 27 section 60 authorisation records made between 2019 and 2022. The records were provided by the four phase 1 forces. We also discussed some of these authorisation records and police actions in interviews with police officers.

We reviewed the records with a focus on the authorising officers' considerations on:

- legality, necessity and proportionality;
- grounds and objectives;
- information and intelligence;
- communications to the public;
- [community impact assessments](#); and
- results, outcomes and evaluations.



## **Review of body-worn video footage of section 60 searches**

In February 2022, we asked the four phase 1 forces to provide us with randomly selected body-worn video recordings of section 60 stop and search encounters from the previous two years. We reviewed footage from 51 cases. Most people searched in this sample were male. Their age and ethnic background varied. In our review we considered whether:

- the officer explained section 60 powers and the reason for the stop and search;
- the officer showed a professional communication style;
- the officer gathered information to assess if the use of section 60 was necessary;
- the search was conducted fairly and proportionately;
- any use of force, including handcuffing, was appropriate; and
- the body-worn video footage fully recorded the entire event.

## **Stakeholders with knowledge and insight of the police use of stop and search**

In addition to the fieldwork interviews, we carried out 26 stakeholder interviews involving 35 people. Some interviews were with members of campaign groups or charities. These included people who supported or represented children and young people and their families who had experienced being stopped and searched by the police. We also interviewed experienced academics, researchers and policy advisers.

We also held an online roundtable conference with a wide range of stakeholders, many nominated by the CJA.

In [Annex A](#), we include a full list of stakeholders.

## **IOPC review of complaint cases related to section 60**

The IOPC reviewed nine complaint cases related to section 60 that had been investigated or reviewed by the IOPC before, or by its predecessor the Independent Police Complaints Commission (IPCC). In four of the nine cases, the IOPC/IPCC made recommendations for individual learning or found a case to answer for misconduct for one or more officers.

The IOPC only sees the most serious and sensitive cases; it doesn't review all police complaints. Steps were taken to identify further complaint cases relating to section 60 that were dealt with by the police forces involved in HMICFRS fieldwork. But forces found it difficult to identify complaints about section 60 because there is no national case marker that would allow police forces to separate section 60 complaints from other stop and search complaints. As a result, the review of section 60 complaints was limited to the nine cases investigated or reviewed by the IOPC/IPCC.

## Home Office evaluation of its pilot of changes to the Best Use of Stop and Search Scheme

In 2019/20, the Home Office reviewed its pilot and the impact of the [Best Use of Stop and Search Scheme \(BUSSS\)](#) relaxations relating to section 60. It provided our investigation with its evaluation materials to review. The evaluation contained quantitative analysis of section 60 authorisations, searches and other related data from the BUSSS pilot forces. It also provided qualitative analysis from a range of interviews with police officers and other stakeholders. We also considered the [Stop and search section 60 relaxation: equality impact assessment](#) that accompanied the relaxation of the BUSSS requirements.

On 19 June 2022, the Home Office published its [findings from its research into the section 60 stop and search pilot introduced in 2019](#).

### Review of social research evidence

We reviewed social research evidence on the impact stop and search powers have had on crime and public confidence. We focused on studies relevant to the context of policing in England and Wales. We identified research using organisational knowledge, recommendations from academics and some targeted searches of social research databases. We considered this was the most effective and proportionate approach to identifying relevant studies.

We identified a small number of studies that focused on section 60 searches. But most were on the police use of search powers where officers were required to have reasonable grounds for suspicion.

# The experience of people searched under section 60 powers

## What the Criminal Justice Alliance says

Underpinning the [super-complaint made by the Criminal Justice Alliance](#) (CJA) is concern about the harm that stop and search, particularly [section 60](#) stop and search, can cause to people and communities.

The CJA is concerned that the impact of stop and search “can be long-lasting and traumatising, especially when used on children and young adults, permanently altering their perceptions of the police”.

## Summary of our findings

Stop and search, including under section 60, can be an embarrassing, intrusive and frightening experience for the person involved. While not all section 60 stop and searches are negative experiences for the person involved, some are, and each one carries the risk of harm.

Listening to people who have directly experienced the use of section 60 stop and search powers is important for understanding its impact. But gathering evidence specific to experiences of section 60, rather than stop and search generally, has been a challenge for this investigation. When possible, we have drawn on evidence of impact relating to section 60 specifically. We have considered this in the context of evidence about how stop and search is experienced more broadly, regardless of the power used. But the views of people searched under general stop and search powers will not necessarily be the same as the views of people searched under section 60.

We spoke with community and voluntary sector stakeholders, who gave anecdotal accounts of stop and search from the people they work with. We heard concerns about the damaging impact stop and search can have on children and young people. We also heard concerns about people who have been repeatedly stopped, and how that makes them feel. Concerns were also raised about unnecessary use of force, and searches that were unjustified or disrespectful in tone. In our review of complaints specifically about the use of section 60 powers, we found similar themes.

The wider risk of loss of trust and confidence in the police is greater for those disproportionately affected by stop and search. For some families and communities, particularly Black communities, stop and search has been a source of tension with police over many generations. The evidence of the impact of stop and search, the

long-term tensions it has caused and its effect on confidence in policing is well established. It has been recognised in the [College of Policing's authorised professional practice \(APP\) on stop and search](#) and the [National Police Chiefs' Council \(NPCC\)](#) and College of Policing's [Police Race Action Plan](#).

Further research, specifically examining the experiences of people stopped and searched under section 60, would help forces assess the impact of this power. But forces should also draw on the evidence already available to them. This includes scrutinising complaints and engaging with people and communities directly affected by their use of section 60 powers.

## Views from policing

Policing leaders have recognised that stop and search, including under section 60, can cause harm and some people are more likely to be negatively affected by its use.

The *Police Race Action Plan* states, for all stop and search powers, "Black people are seven times more likely to be stopped and searched than White people and five times more likely to be subjected to use of force. Testimonies tell us that Black people find these encounters – particularly stop and search – confrontational, stigmatising and humiliating."

Chief Constable Amanda Pearson, NPCC Lead for Stop and Search, told us how important it is to consider the potentially harmful impact of stop and search when making decisions about the use of section 60 powers. She said:

"The NPCC recognises the potential negative impact that stop and search can have on individuals and the community. The use of section 60 powers can come under greater scrutiny due to the fact that searches can be conducted without suspicion."

She also told us:

"The NPCC is working with colleagues to ensure that leaders fully consider the impact on communities where they authorise the use of section 60 powers, and that officers are fully briefed and aware of the scope of the powers. This work focuses on the quality of the encounter, the interaction between officers and those people searched, and our internal and external scrutiny, as we seek to improve procedural justice, transparency, and trust and confidence across stop and search."

"Strategic leaders and officers exercising the powers need to appreciate that there must be a balance between the benefit of the use of the power and the harm it can cause if not used appropriately."

## Listening to those affected by the use of section 60

Listening to those who have been subject to stop and search under section 60 powers was an important line of enquiry for our investigation. We tried a range of approaches to arrange interviews with people who have direct experience of being searched under section 60. We contacted external research companies, as well as community, academic and policing stakeholders. None of these approaches were successful. Feedback we received suggests there may be a range of barriers to obtaining personal accounts of being searched under section 60, including:

- difficulty finding people who have been searched under section 60 and who know they have been searched under this specific power;
- people thinking that their contributions would have a low impact and wouldn't bring about meaningful change; and
- people not wanting to revisit an experience that may have affected them negatively.

But we have taken account of other available evidence about how people experience stop and search under section 60, including:

- complaints investigated or reviewed by the [Independent Office for Police Conduct \(IOPC\)](#) or its predecessor the Independent Police Complaints Commission (IPCC) relating to the use of section 60 powers; and
- a review of [body-worn video](#) footage of section 60 encounters.

We also examined evidence relating to experiences of stop and search more generally. This evidence isn't specific to the use of section 60 powers. It includes:

- anecdotal accounts about stop and search, which we heard through our work with community and voluntary sector stakeholders; and
- recent research into the experiences of people subject to stop and search.

## Insight from social research

Our investigation found little research on the impact of stop and search specific to the use of section 60 powers. But the study '[Indirect effects of police searches on community attitudes to the police: resentment or reassurance?](#)' (Miller and D'Souza, 2015) considered the effect that reasonable grounds searches and section 60 searches had on public perceptions of the police in London boroughs. This found that increased numbers of section 60 searches had a short-term negative effect on the public thinking the local police were fair, and a longer-term positive effect on people perceiving the police to be effective.

There is also very little research that offers specific insight into the experiences of those who have been searched under section 60. But there is research about how people experience stop and search generally. We have reviewed this more general evidence, bearing in mind it may not specifically reflect the experiences of those stopped under section 60.

Research by Crest Advisory, [\*Crime, policing and stop and search: Black perspectives in context\*](#) and [\*Forgotten voices: Policing, stop and search and the perspectives of Black children\*](#) (2022), explored public perceptions of stop and search with a focus on experiences of Black children and adults. The research found that most people (of all ethnicities) support police having the right to use stop and search as a police tactic. But there are significant concerns about disproportionality and how stop and search is used in practice. The research found that stop and search can have a “negative and traumatic impact on people, in particular on Black and Mixed-ethnicity adults” and even more so on children from these ethnic backgrounds.

An analysis of the Crime Survey for England and Wales in [\*Stop and Search and Police Legitimacy\*](#) (Bradford, 2017) showed similar patterns in people's experiences of stop and search. It showed people from Black ethnic backgrounds, young people and people living in deprivation were more likely than other people to:

- be stopped;
- say they weren't given a reason for being stopped;
- experience stops that were unsatisfactory; and
- be searched after having been stopped.

The analysis concluded that the frequency and nature of these stop and search experiences, which related to searches under all powers, made people from these three demographic backgrounds more dissatisfied with police treatment than other people.

A review of international research on stop and search, '[\*Police stops to reduce crime: a systemic review and meta-analysis\*](#)' (Petersen and colleagues, 2023), found “evidence to suggest that pedestrian stops can have deleterious effects on individuals' mental and physical health”. The review found that this is “particularly relevant for adolescents, as these populations may be increasingly vulnerable to stressful/traumatic experiences”.

The report cautions against the widespread use of proactive police searches, because of these harms and the associated risks to police legitimacy if those harms damage public trust. It should be noted that most of the research in this review was from the United States, where the relationship between an armed police service and the public is very different, and the stop and search legislation is also different.



## Our findings

There is a wide range of feelings about the experience of being stopped and searched. Not all section 60 stop and searches are upsetting or a negative experience for those searched.

Our review of body-worn video footage of section 60 searches offers some insight into the variety of experiences, even though we couldn't speak with the people involved in each search. In some encounters, officers appeared to use handcuffs without giving a reason for their use. The person involved may be likely to experience this as unfair, upsetting and embarrassing. But in many other instances, the officers' approach appeared to be conciliatory, polite and proportionate. In those cases, the encounter may have had a limited lasting negative effect on the person or may have resulted in a neutral or positive impression.

We also analysed complaints about section 60 stop and searches that the IOPC had investigated or reviewed. Complaints inevitably reflect negative experiences, and the IOPC only investigates or reviews the most serious allegations. Nevertheless, these cases offer insight into the types of encounters and policing behaviours that cause distress and dissatisfaction.

The complaints we reviewed included alleged police actions and behaviours such as using excessive force and being rude and disrespectful. Some people who made the complaints said they felt unfairly targeted or discriminated against. The IOPC found that officers generally conducted these stop and searches within the parameters of section 60. In four of the nine complaints reviewed, the IOPC/IPCC established a case to answer for misconduct or a need for learning. These cases related to officers' use of force, lack of respect or the tone they used with the person searched.

For example, in one complaint, after reviewing the body-worn video footage, the IOPC concluded that an officer had taken a confrontational approach with a Black man who tried to film police during a stop and search under section 60. The officer is recorded as saying "I don't know if you're a criminal or not, but when you start to set your phone up and call people over it sets a bit of a scene for me" and "this shows the type of person you are". The man explained in his complaint that the officer's comments contributed to his belief that he was racially profiled. The IOPC didn't find that there had been racial profiling. But it did conclude that the officer's handling of the situation was inflammatory and that there was learning for the officer. It found that the officer should have been mindful of the impact using stop and search powers can have, particularly on Black people and people from other ethnic minority backgrounds.



Several of the cases have informed the IOPC's [National stop and search learning report](#). The report acknowledges the harm that stop and search can cause, particularly when the powers are used without clear grounds or when the reason for the search isn't clearly explained.

As set out in our methodology, we carried out many interviews with people representing charities, campaign groups and community groups. These included people who support or represent children, young people and their families. We also held a conference-style focus group with representatives from a range of community, charity and grassroots organisations. Using these methods, we heard anecdotal evidence about experiences of stop and search.

We heard how the approach and communication style of the officer conducting the search can determine how a person feels about the encounter. Stakeholders discussed the negative effect of encounters in which the person felt the tone was confrontational or disrespectful. They also discussed how people were affected when officers used significant force that those searched felt was unjustified.

Some stakeholders spoke about the lasting detrimental effect a negative stop and search encounter can have on children, young people and communities disproportionately affected by stop and search. This effect can include decreased confidence in policing. For example, a youth worker told us a person's first interaction with the police might be a negative experience of stop and search. This could have a longer-term effect on how they felt about the police in general.

At our roundtable conference on stop and search, when discussing the relationship between the police and the community, a community monitoring group member said:

“one of the most poignant things is when people say to us that the police are there to protect and serve, but they actually see the police as the enemy, and under no circumstances, whether they're in trouble [or not], would they go to the police”.

Some stakeholders told us about people being repeatedly stopped and searched, leading to those people being concerned about unfair targeting and anxious about the risk of further stops. We heard an example of a young person giving up driving because of being repeatedly stopped. Other accounts included parents telling young people not to go to the shops with more than two other people or not to wear tracksuits, out of fear that they would be stopped by the police. We were unable to look at the details of these cases.

These discussions weren't specific to section 60 stop and search encounters. The community and voluntary sector stakeholders we spoke with talked about the impact of stop and search in general terms. They didn't attribute different experiences to different stop and search powers.

We heard that people are often unsure which power officers have used to stop and search them. In the complaints we reviewed, there were some examples of people believing they had been stopped under section 60 when in fact the police had used a different search power.

In its *National stop and search learning report*, the IOPC refers to a complaint it is currently investigating. In this case, the representatives of a Black child allege he was stopped and searched more than 60 times between the ages of 14 and 16 and that, in almost all the searches, nothing was found. The stop and searches complained about were carried out under a range of different powers, including section 60. The complaint doesn't differentiate between the experience of being stopped under a suspicion-based power or under section 60. It is based on the cumulative impact of so many stops on a child, which the boy's representative describes as having a "drastic impact on his wellbeing, life and perception of policing and the justice system". The IOPC hasn't yet concluded its investigation on this complaint.

In the same report, the IOPC recommended that the NPCC, College of Policing and Home Office "explore the feasibility of commissioning research into the trauma caused predominantly to people from a Black, Asian, or other minority ethnic background, including children and young people, by the use of stop and search".

The College of Policing hasn't received funding to carry out this research. But there is already a growing evidence base on the unintended harms associated with proactive use of stop and search powers. There has been less research considering what works at an operational level to make sure section 60, or any other search power, is effective at reducing crime while minimising any associated unintentional harms, including disproportionate application on certain communities. Our recommendation in this report for further research seeks to address this gap.

## Training officers on section 60

### What the Criminal Justice Alliance says

In [its super-complaint](#), the [Criminal Justice Alliance \(CJA\)](#) states it is concerned that:

- police training for [section 60](#) is insufficient and inconsistent; and
- police training isn't tailored or contextualised to the local communities they serve.

### Summary of our findings

We share the CJA's concerns.

- We are concerned that forces aren't always providing stop and search training that is consistent with the national policing curriculum on stop and search. In addition, many of the forces providing classroom-based training acknowledged it wasn't fully consistent with the stop and search national policing curriculum.
- A small number of forces are going beyond the expectations of the national curriculum by providing specific training on section 60 to officers likely to authorise or search using the power.
- We accept that forces may choose to adapt their training requirements to reflect how much they use section 60. But we are concerned that too many officers who authorise and use section 60 aren't receiving the training they need.
- Where forces do provide training, it isn't always available to newly promoted inspectors or those holding the rank in an acting or temporary role.
- Some forces are taking steps locally to improve their stop and search training. But this isn't a service-wide priority. (See [Annex B](#) for examples of innovative practice.)

### Stakeholders' views

We asked stakeholders to share their views about police training for officers on section 60. We were particularly interested to hear their opinions on the frequency, quality and style of training provided to officers. Responses covered the importance of career-long stop and search training and more targeted training for supervisors and authorising officers. Stakeholders also highlighted the need to improve police communication skills, and the importance of ongoing reviews of training policies, programmes and practices in forces.

Some examples of stakeholders' views are given below.

**Abimbola Johnson, Barrister at Doughty Street Chambers and Chair of the Independent Scrutiny and Oversight Board for the Police Race Action Plan:**

“The impact that police contact leaves is important. Stop and search training should take place throughout an officer’s career, not just at the start of their service.”

**Simon Holdaway PhD, AcSS, Professor Emeritus of Criminology and Sociology, University of Sheffield:**

“Forces must recognise that their main leaders are sergeants and inspectors, and they require greater and more consistent investment. Forces must raise their status, education, knowledge and skills. The mentoring of officers on the street around the use of stop and search is vital. First line supervision, tutoring and mentoring of officers by the best officers and supervisors is key.”

**Andrew George, President of the National Black Police Association:**

“The key for training is to improve the style and tone of the search interaction. To be aware that every contact leaves a trace. This is important with regard to trust and confidence.”

**A stakeholder at the roundtable conference:**

“A large number of officers have never been trained in stop and search, and in addition to that, a large number of officers have had no refreshers even if they had been trained in the last five years.”

## Views of National Police Chiefs' Council Leads

**Chief Constable Amanda Pearson, NPCC Lead for Stop and Search:**

“I hold regular one to one meetings with each force’s stop and search lead officer. We also have a process for supporting continuing professional development (CPD) through running regular CPD events over the last two years. We already have a training curriculum through the [College of Policing](#) so our CPD events work in support of that and so there is no need for me to develop any additional stop and search training programme.”

**Assistant Chief Constable (retired) Jaquie Sebire, NPCC Lead for Serious Youth Violence:**

“The organisation doesn’t train section 60 properly, so its implications are not fully understood.”

## Legal context and guidance: training officers who use stop and search powers, including section 60

Police officers should receive training on section 60 throughout their careers:

- Stop and search training for student officers through the police education qualifications framework (PEQF) focuses on stop and search powers that require officers to have reasonable grounds. Student officers learn about the importance of employing an ethical stop and search approach given the possible negative impact of stop and search on individuals and communities.
- Competence in section 60 forms part of the [national police promotion framework \(NPPF\)](#) for officers seeking promotion to sergeant or inspector. The NPPF includes written assessments on the law and guidance relevant to the rank, including section 60 searches. It also includes practical work-based assessments officers must complete while on temporary promotion.
- Content on section 60 is included across the stop and search national policing curriculum. Relevant content is also covered elsewhere in the national policing curriculum. For example, personal safety training licensed by the College of Policing includes content on conflict management and communication.

The stop and search national policing curriculum was introduced in 2016 as part of a package of stop and search reforms that included the [Best Use of Stop and Search Scheme \(BUSSS\)](#). It was developed by the College of Policing in partnership with the Equality and Human Rights Commission, the [National Police Chiefs' Council \(NPCC\)](#) and other stakeholders.

English and Welsh forces have free access to the stop and search national policing curriculum, learning outcomes and trainer guides as part of the consolidated licence issued by the College of Policing.

The stop and search national policing curriculum is designed to:

- improve the quality of police–citizen encounters in stop and search contexts;
- improve the quality of police technical practice in stop and search encounters;
- decrease levels of disproportionality in the use of stop and search powers;
- increase understanding of the impact of bias on decision-making; and
- increase knowledge and understanding of procedural justice, in order to maximise positive outcomes from public encounters including stop and search.

It includes a prerequisite e-learning module and specific classroom-based learning aimed at frontline officers and supervisors. The College of Policing recommends officers undertake the relevant learning every two years to make sure they maintain the required knowledge. Qualified police trainers should give this classroom training.

Stop and search national policing curriculum training isn’t mandatory. The College of Policing has no powers to require forces to give curriculum training locally and doesn’t routinely monitor whether forces do so. Ultimately, chief constables are responsible for making sure their officers are appropriately trained.

**Figure 2: Training modules included in the stop and search national policing curriculum**

Module	Target audience	Contact time	Assessment
E-learning	Frontline officers	90 minutes, online learning	Randomised multiple choice test consisting of 25 questions, 80% pass mark
Practitioner	Frontline officers	12 hours, classroom based	N/A
Supervisor	Supervisors	6 hours, classroom based	N/A

**Source:** [College of Policing](#)

Content on section 60 searches is included throughout the stop and search national policing curriculum.

E-learning includes content describing section 60 and sets out examples of good and bad use of the power.

The stop and search national policing curriculum includes content relevant to the experience of Black people and children and young people.

The practitioner module discusses how use of section 60 has changed over time and covers the importance of procedural justice when carrying out section 60 searches. The practitioner module should include learning on the possible impact on crime and the community of misusing stop and search powers. Guidance on the practitioner module says this part of the training should cover the trauma children may experience as a result of being searched and explain the stop and search experience and views of Black people. It says training should cover the impact disproportionate use of search powers can have on ethnic disparities throughout the criminal justice system.

The supervisor module includes content explaining the difference between authorising section 60 using legislation rules and BUSSS rules. It also provides information on monitoring stop and search records, including section 60 records. The supervisor module includes a learning outcome on the importance of maintaining police legitimacy for long-term crime reduction. Guidance on the supervisor module says this training should cover effective community engagement, including with young people.

## Findings: training officers who stop and search people

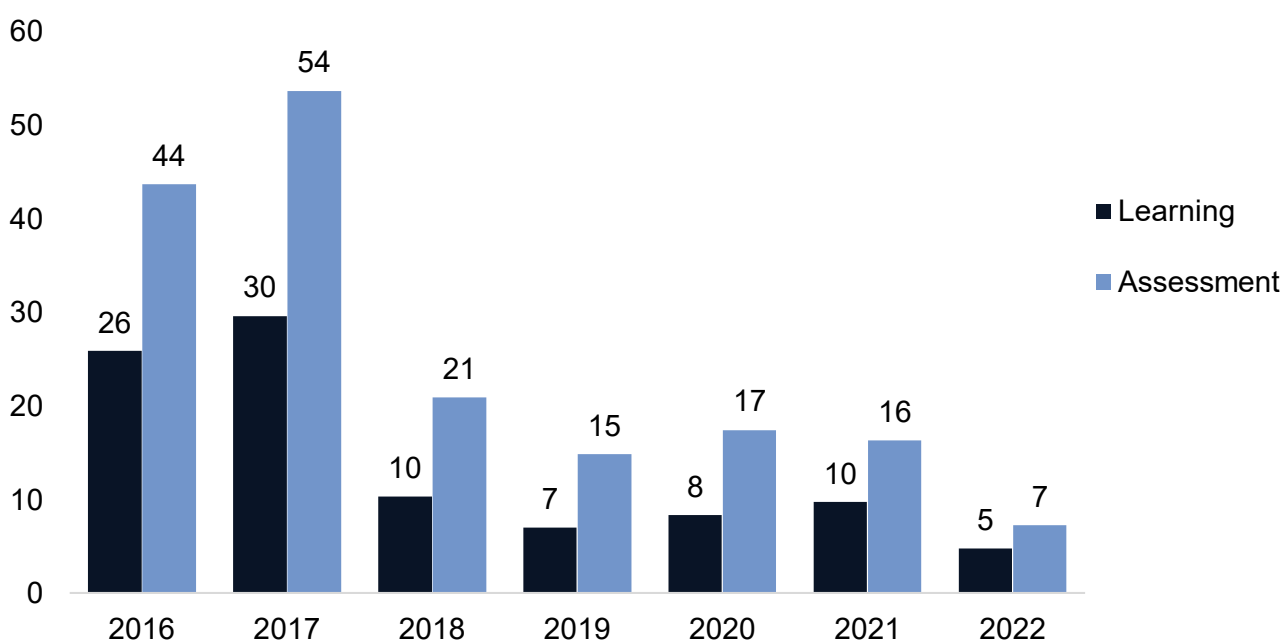
### All-force survey

The survey responses indicated that many forces aren’t providing training to frontline officers in line with the stop and search national policing curriculum.

Thirty-three forces said College of Policing stop and search e-learning was available to their frontline officers in the last five years. But only one of those forces confirmed their officers were required to complete it every two years in line with College of Policing expectations.

College of Policing data on access to stop and search e-learning content reflects this and is shown in Figure 3.

**Figure 3: Number of times individuals accessed e-learning content since its introduction in 2016 (in thousands)**



Source: [College of Policing](#)

**Note: For the period 2016–2020, before the learning was combined into a single module, the number is based on the lowest number recorded across the seven individual modules.**

There was also poor compliance with the national curriculum requirements for frontline officer classroom training. Six forces told us they weren’t providing classroom training on stop and search for frontline officers.

Only nine forces stated that they required frontline officers to attend classroom training every two years.



Many forces that said they were providing classroom training stated it wasn't fully consistent with the stop and search national policing curriculum. Of the 28 forces that told us they were providing classroom training to frontline officers, only 17 described this training as "very consistent" with the curriculum.

As most forces aren't providing stop and search training that is very consistent with the stop and search national policing curriculum, few provide training that covers topics relevant to the CJA's super-complaint. For example, only 14 of the 28 forces providing stop and search classroom training to frontline officers said this training covered section 60.

### **Force fieldwork**

Findings from our fieldwork reflected the all-force survey findings. Generally, we found that forces were providing very little section 60 stop and search training for officers.

In the forces that did provide training, they were typically providing it remotely through emails, e-learning and briefing materials. Such additional training wasn't part of the national police curriculum, so it wasn't mandatory.

Where forces provided classroom training on stop and search, it was often as an add-on to other training and tended to focus on legislation and process rather than on the possible effect on community trust and confidence. We found little evidence of forces providing specific stop and search training contextualised to local communities.

We did find some examples of innovative practice. In [Annex B](#), we give examples of forces that had introduced local training initiatives for stop and search.

## **Findings: training for officers who authorise section 60 searches**

### **All-force survey**

The survey indicated that few forces provided training to supervising officers on stop and search. Eleven forces said they were providing stop and search classroom training to supervisors. Six of these forces said it was "very consistent" with the stop and search national policing curriculum.

Six forces said they provide separate training on section 60 to officers likely to authorise the power, exceeding expectations in the stop and search national curriculum.

### **Force fieldwork**

Some of the officers we interviewed told us about guidance that was available for authorising officers, such as material on force intranets. But overall, we found a lack of section 60 training for authorising officers. Where forces did provide this training, it was often online and voluntary.

We also found authorising officer training wasn't always made available to newly promoted inspectors, or those holding the rank in an acting or temporary role.

## Future improvements

Some forces told us they have recognised the gap in section 60 training and are taking steps to address the issue, particularly in respect of authorising officers. But we didn't find this was a priority in all the forces we spoke with.

The College of Policing will update the stop and search national policing curriculum. The update is required to make sure the curriculum continues to reflect the most up-to-date information about stop and search and its impact, including:

- changes to the relevant law and guidance, including changes to the BUSSS;
- the latest evidence of harms associated with stop and search, including learning published by the [Independent Office for Police Conduct](#);
- the College of Policing's [knife crime problem-solving guide](#); and
- the College of Policing and NPCC's [Police Race Action Plan](#), which sets out a new national approach to improve outcomes for Black people who work or interact with policing.

Updating the curriculum gives the College of Policing an opportunity to work with forces to make sure the curriculum is accessible and deliverable. The College of Policing expects an updated curriculum to help forces make sure officers who are likely to use stop and search powers maintain the relevant knowledge and skills through focused refresher training.

The College of Policing is also committed to working with the NPCC and chief officers to improve training on communication skills and conflict de-escalation as part of public and personal safety training (PPST). A revised PPST curriculum was produced in April 2023. The College of Policing expects forces to adopt it by April 2024. The new PPST is focused on scenario-based learning, with an emphasis on communication and de-escalation.

# Authorising, recording and evaluating the effectiveness of section 60

## What the Criminal Justice Alliance says

In [its super-complaint](#), the [Criminal Justice Alliance \(CJA\)](#) states it is concerned that:

- [Section 60](#) is an ineffective power. The CJA refers to the low percentage of arrests and low arrest rate for possession of weapons found as a result of section 60 searches. It says that no published research is available on the deterrent effect of section 60 authorisations.
- Forces don't apply a sufficiently targeted and intelligence-led approach. The CJA is concerned about the quality of local intelligence forces use.
- The geographical area of some section 60 authorisations is unnecessarily wide. And how the police record and publish the geographical area of authorisations varies across forces.
- Forces record and report information relating to section 60 authorisations in different formats. This makes it difficult to monitor and analyse how the police use the power.
- The Home Office decision to remove requirements contained in the [Best Use of Stop and Search Scheme \(BUSSS\)](#) negatively affects the quality of police decision-making.

## Summary of our findings

- At the time of our investigation, forces had retained many of the safeguards and initiatives relating to section 60 that were in the original (2014) BUSSS. Most forces lowered the rank of officer able to give an initial section 60 authorisation from chief officer to an officer of or above the rank of inspector. But a few forces retained their authority level at chief officer. Those forces that had lowered the rank to inspector had structures in place to inform a more senior officer that an authorisation was in place.
- The authorising officers we spoke with understood that structured, intelligence-based decision-making is needed when they consider giving authorisation. These authorising officers were also mindful of the effect a section 60 authorisation can have on the public.

- All the authorisations we reviewed referred to enough information and intelligence about serious violence, and considered individual rights and wider community safety. The geographical areas they covered were appropriately defined. We didn't think they covered unnecessarily large areas or lengthy timespans.
- We found differences across forces in the recording and format of section 60 authorisations. Forces set and recorded objectives very differently. Most of the authorisations we reviewed contained intelligence assessments and used these to inform decision-making. All the authorisations we reviewed contained clear grounds and underlying reasons for the legality, necessity and proportionality of the authorisations. The fieldwork forces we looked at used different ways to assess whether they had met the objectives of authorisations.
- Forces are expected to monitor their officers' use of stop and search powers and the overall effectiveness of the force's use of stop and search. Forces aren't specifically required to review individual operations involving the authorisation of section 60. We found a lack of consensus about how the police should be evaluating these operations and what they should take into account. Most senior officers we interviewed told us they believe that section 60 is effective in deterring people from carrying weapons and reducing the threat of serious violence.
- Fieldwork forces told us that when they assess their use of section 60, they don't rely solely on arrests and the seizure of offensive weapons or dangerous instruments to determine the success of searches made under the authorisation. Preventing and reducing threat, risk and harm were also considered important factors, as was disruption of serious violence and criminality. But the impact on general crime and disorder at a local level isn't sufficiently known or understood because very few forces consider the overall effect of section 60 on their crime levels.

## Legal context and guidance: authorising and recording section 60

A section 60 authorisation gives the police powers to stop and search people and vehicles, without suspicion, for "dangerous instruments or offensive weapons". These powers are only applied to a locality in the police force area for a specified period. An officer of or above the rank of inspector may authorise its use if they have a reasonable belief that "serious violence may take place in a locality". They can also authorise its use when they "reasonably believe" that "an incident involving serious violence has taken place" and that a "dangerous instrument or offensive weapon" was used in the incident and that an authorisation would help in finding that item. Earlier, in the '[Background and context](#)' chapter of our report, we set out more detail on the legislative provisions.

[Police and Criminal Evidence Act 1984 \(PACE\) Code A](#) states that 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”. PACE Code A note for guidance 10 for authorising officers on section 60 states that the overall purpose of section 60 powers is:

“to prevent serious violence and the widespread carrying of weapons which might lead to persons being seriously injured by disarming potential offenders or finding weapons that have been used in circumstances where other powers would not be sufficient. They should not therefore be used to replace or circumvent the normal powers for dealing with routine crime problems.”

Therefore section 60 powers have a legal purpose as a preventative tool in the context of “incidents involving serious violence” and where “a dangerous instrument or offensive weapon used in the incident is being carried in any locality” and “without good reason”.

In this broader preventative context, outcomes such as arrests and weapon seizures aren't the only measures of success when section 60 is used by the police. How use of the powers deters or disrupts serious violence and reduces the threat and risk of injury are also important factors.

Authorising officers should also take into account guidance in the [College of Policing strategic planning authorised professional practice](#) (APP). This includes setting clear aims and objectives that officers can assess, evaluate and revise in light of ongoing threat assessments. The APP states that an effective operational strategy should:

- provide clarity of purpose;
- recognise public safety as a priority;
- reflect the multi-dimensional threat assessment in priority order;
- be achievable;
- be dynamic to reflect changes in circumstances; and
- be specific to the operation.

In April 2014, the (then) Home Secretary, the Rt Hon Theresa May MP, announced the [Best Use of Stop and Search Scheme \(BUSSS\)](#). The Home Office and the [College of Policing](#) produced guidance within the scheme to assist the police in authorising and using their section 60 search powers. Earlier, in the '[Background and context](#)' chapter of our report, we explain how Government policy decisions and guidance relating to the BUSSS have changed between 2014 and 2022.

In May 2022 (and during our force fieldwork), the (then) Home Secretary, the Rt Hon Priti Patel MP, [announced in a letter to police forces](#) that all aspects of the BUSSS guidance relating to section 60 would be permanently relaxed. This had the effect of removing previous restrictions placed on the police use of section 60 by:

- reducing the threshold that must be met before a section 60 authorisation could be given from reasonably believing serious violence “will” occur to “may” occur;
- lowering the rank of officer able to give an initial section 60 authorisation from senior officer to an officer of or above the rank of inspector;
- increasing the maximum period a section 60 authorisation could stay in place (without extension) from 15 hours to 24 hours;
- lowering the rank of officer required to extend a section 60 authorisation from senior officer to superintendent or above, and increasing the maximum period an authorisation could be extended beyond the initial 24 hours from 39 hours to 48 hours; and
- removing the requirement for section 60 authorisations to be publicly communicated to communities in advance.

## Findings: rank of authorising officer

### Home Office research

[Home Office research into the section 60 stop and search pilot](#) identified that relaxing the BUSSS guidance led to a “marked change in the rank profile of authorising officers”, with a “near universal shift” to authorising section 60 at the inspector level. The research found:

“The relaxation in rank of authorising officer was widely felt to have been beneficial to the speed of decision making, and improving the use of, and access to, the local area knowledge held by inspectors. Although some interviewees viewed this to be a positive change, as it promoted speed and flexibility, others raised concerns around this relaxation, notably the community scrutiny leads.”

It also identified:

“Several concerns were expressed about relaxing the authorisation rank. Increasing the pool of decision makers could mean that the use of [section 60] was less consistent within forces. It was felt that this could weaken perceptions of police legitimacy as a larger pool of decision makers might increase the risk of applying standards and thresholds inconsistently. It was also acknowledged that there was a more diverse range of professional knowledge and experience at inspector level, compared with more senior ranks, which could also lead to inconsistencies. A final potential concern was that the more intimate knowledge of their local areas that inspectors brought might limit their objectivity when considering an authorisation request.”

### All-force survey

The survey results indicated that lowering the authorisation rank was the most common change forces had made to their approach to section 60 since the BUSSS pilot. According to the survey, only 12 forces required chief officers to give pre-planned section 60 authorisations and just one force required them to give spontaneous authorisations. Inspectors are allowed to make pre-planned authorisations in 16 forces and spontaneous authorisations in 35 forces, including seven of the eight high-user forces.

**Figure 4: Authorisation levels for section 60 searches**

Authorisation level	Pre-planned authorisations	Spontaneous authorisations
Inspector and above	16	35
Chief inspector and above	2	0
Superintendent and above	10	5
Chief superintendent and above	2	1
Chief officers only	12	1
<b>Total</b>	<b>42</b>	<b>42</b>

Source: [College of Policing](#)

### Force fieldwork

We asked forces in our fieldwork sample to outline how they have responded to changes in requirements under the BUSSS. Our fieldwork reflected the results of the survey. We found that some forces required chief officers to give section 60 authorisation. For example, a senior leader in one higher-use force explained the force had initially retained section 60 authority at chief officer level. They explained the reasons for this decision were based on local academic research, data analysis and community feedback. But the senior leader felt officers at inspector level were closer than chief officers to local community issues and anticipated that the authorisation level would revert to inspector.

We found that most forces had set their authorisation level at inspector for spontaneous authorisations. Where this was the case, we found that forces had structures in place to inform a more senior officer that the force had put in place an authorisation. We also found evidence that forces typically reviewed their current authorisations at a senior officer level.



## Findings: authorising and recording section 60

### Home Office research

[Home Office research](#) found that relaxing the degree of certainty an authorising officer needed for a section 60 authorisation was widely viewed by police to be a positive change. This reduced the degree of certainty an authorising officer required, from believing an incident involving serious violence “will” occur to “may” occur.

The research found:

“Officers felt that achieving the high degree of predictive certainty that violence ‘will’ occur was impractical and invariably difficult to evidence. ‘May’ was felt to better reflect the realities and uncertainties around predicting future serious violence. This change was felt to allow forces to be more reactive and speed up the authorisation process for dealing with spontaneous incidents, and generally raised little concern.”

In respect of the change that inspector authorisations could last a full 24 hours (rather than 15 hours), the research identified:

“This relaxation was predominantly viewed positively, and the additional flexibility that this gave to police officers was broadly welcomed. However, it was not deemed a substantial operational enhancement and many interviewees from the ‘original’ forces were not aware that these relaxations had been introduced. Some viewed the previous 15-hour duration to be adequate and shorter [section 60s] would be put in place if appropriate.”

In respect of the change that superintendents could extend an authorisation beyond 24 hours to 48 hours (BUSSS required this to be done at senior officer level and extensions were limited to a total of 39 hours), the report stated:

“Extensions to [section 60s] were felt to be used infrequently and the relaxation was not generally felt to have had a marked impact on the desire or need for them. So this relaxation was not believed to have had any major operational impact. However, a minority of interviewees felt that the change to superintendent had made the process quicker and easier, should it be required.”

“Introducing a new authorisation was sometimes preferred over the use of extensions, given the likely change in the intelligence picture.”

### All-force survey

Forty-one forces confirmed they required authorising officers to record the grounds, geographical area and time period for the authorisation, in line with guidance in PACE Code A. Because forces can decide how to record and monitor authorisations, it means forces hold this information in different formats.

Most forces told us they record information relevant to the incident or intelligence that supports the authorisation. Fewer forces are recording assessments of the authorisation’s possible impact on community trust and confidence.

The table below outlines forces’ responses to questions about how they record and assess information on section 60 authorisations.

**Figure 5: Number of forces recording non-statutory information on section 60 authorisation forms**

<b>Non-statutory information recorded</b>	<b>Number of forces</b>
Type of incident prompting authorisation (such as serious violence, public event, operation)	36
Details of senior officer oversight	28
Link or reference to other relevant police-recorded information	27
Details of relevant intelligence	25
A description of how the authorisation will be communicated to the community	25
Details of community intelligence (such as community tensions)	22
Whether authorisation is spontaneous or pre-planned	18
Human rights assessment	17
Reasons why non-authorised search powers were insufficient	9
An assessment of the possible impact on people based on their protected characteristics (for example, completed an equality impact assessment)	8

**Source:** [College of Policing](#)

Twenty-six forces stated they had policies that required authorising officers to specify a detailed geographical location for a section 60 authorisation using specific street names. Twelve forces said they had no mandatory policy on how authorising officers were expected to specify the geographical location of a section 60 authorisation.

### **Force fieldwork**

During our force fieldwork, we interviewed force stop and search strategic leads. We also interviewed senior officers who had given section 60 authorisation or could have been asked to do so. All officers we spoke with shared the view that structured, systematic decision-making is needed when officers consider authorising section 60. They were clear that authorisations can affect community trust and confidence. They were also clear that a targeted, intelligence-led approach was important to achieving proportionate and balanced outcomes when the power is used.

For example, senior officers we interviewed from one force told us they believed section 60 was a valuable power when officers used it on an intelligence-led basis, with thorough analysis and assessment of the possible negative effects. They described how officers gathered, assessed and used all available intelligence in the section 60 decision-making process. They also told us their force used alternative police tactics or activity when evidence and intelligence indicated that using section 60 was disproportionate.

An example in a different force involved knife crime and serious violence, where a series of section 60s were authorised with extensions over a three-day period. The records showed the information and intelligence assessed by the police changed over time. Decisions and underlying reasons within the section 60 records changed to reflect the emerging situation. Policing activity, resource levels, tactical options and geographical area aligned to the authorisation all changed to reflect the moving intelligence picture.

As a further example, a senior officer in one force told us how their force always used the minimum intrusive power to deal with a situation. He explained the force always favoured using alternative powers and methods to section 60 to prevent further violence and disorder. He told us the force required officers to thoroughly review the intelligence and evidence if they were considering using section 60. He also explained officers frequently reviewed intelligence to make sure section 60 authorisation was for the minimum time necessary. He said that carefully assessing the community impact was a vital part of the decision-making process, and that there would need to be very strong justification for the force to give section 60 authorisation.

An inspector in another force told us:

“We must consider the wider impact of section 60. It is an impactful power and you risk losing public confidence. We must consider other options where available and appropriate. There must be good intelligence which must be accurate. Section 60s should not be speculative. There must be a real need. Always consider other options and factors before authorising a section 60.”

We found forces took different approaches to recording information and their reasons for authorising the use of section 60. Some forces used authorisation templates or guidance frameworks. In other forces, we found authorising officers didn't have written guidance or a structure to use. The inconsistent approaches in how police record their decision-making and reasons for authorisations mean that it isn't possible to compare them. It is also not possible to assess authorisations to consider the effectiveness of the power.

## Review of section 60 authorisation records

We reviewed 27 section 60 authorisation records from the four (phase 1) forces. We concluded that 25 of these records contained sufficiently detailed police intelligence and information that supported the authorising officers' decisions. But in two records, the police intelligence section was left blank. While both documents recorded that [community impact assessments](#) were carried out, they did not include the full assessments. So, we couldn't review the information within the community impact assessments.

We found there was often more detailed intelligence in records when the crime was extremely serious or linked to an ongoing serious violent crime series, such as murders, serious gang violence or life-threatening stabbings. Those section 60 authorisations that were made in response to spontaneous or isolated incidents of violence recorded less information and intelligence.

We also reviewed several examples of authorisation records that contained detailed police intelligence that had evolved over time. For example, one section 60 authorisation contained a six-week chronology of detailed police intelligence and information about criminals and violent crime. The authorisation record included intelligence about police arrests and stop and search outcomes. Another section 60 authorisation we reviewed related to a knife murder. It contained an extremely detailed chronological summary of police intelligence. We concluded both records contained intelligence that clearly supported the officers' decisions to use section 60.

In most records, authorising officers had described their decision-making considerations and reasons for the necessity to act. Many officers had explained why the authorisation to stop and search was necessary and included supporting intelligence and information, such as:

- that serious violent crime had occurred;
- there were risks of future serious violent incidents; and
- there were community concerns.

In most records, authorising officers referred to [Article 2 of the European Convention on Human Rights \(ECHR\)](#). One authorising officer stated:

"I recognise that a section 60 is an intrusive police power however I believe a failure of the police to act will have even more harmful consequences with further serious violence taking place. We have a positive duty to act in these circumstances under Article 2 of ECHR".

In one good example of an extension to a section 60 authorisation, the officer clearly explained the grounds, objectives and necessity of their decision to extend. They recorded:

“I note that there are concerns that there will be continued violence and possession of weapons if positive action is not taken. I anticipate that serious violence is likely in the geographical area subject of this application. I therefore believe that a further Section 60 authority is still required and is necessary as there is no less intrusive means to mitigate the threat at this time and reduce the likelihood of further violence. I believe it is necessary to prevent further serious violence through proactive police activity in the area detailed within this application to deter those intent on carrying weapons from committing serious violence. I believe overt patrolling will have limited effect without the ability to search for weapons being carried.”

In most records, authorising officers explained the proportionality of the decision. But the level of detail varied. Some entries were extremely detailed. In others, authorising officers only recorded their decision to authorise was (they believed) proportionate in the circumstances. Records showed authorising officers generally applied the principle of proportionality to three elements. These were:

- the decision to authorise;
- guidance to officers on the use of the stop and search powers; and
- geographical area and time parameters.

As an example, one authorising officer explained the proportionality of their decision in this way:

“I believe that this authorisation is proportionate due to the incidents of violence witnessed by officers and reported to police by members of the public. Furthermore, officers have witnessed a member of this group discard a knife on being chased by officers from the area. Officers then reported that further fights had broken out amongst the group and that a large number of the group remained. I have maintained the proportionality of this authorisation by restricting the area of the authorisation to the locality of the original incident and areas that groups can reasonably be anticipated to congregate after being dispersed. This is further managed by the duration of the authorisation being restricted to 7 hours to allow officers use of the powers just into the hours of darkness where they can then build further grounds under S1 PACE to search for weapons.”

We also found evidence of two cases of serious violence in which senior officers had considered but rejected the use of section 60. One case involved a knife murder. The officer had reviewed the police intelligence and recorded the following decision:

“Section 60 considered, although known to police, he had no recent previous, no trace gangs matrix and it would appear that this was as a result of an argument ... that spilled onto the street OR possibly an argument in the street that led to fight. Nothing to suggest at this time that there is likely to be revenge attacks. I don't feel at this time that S60 required. Section 1 PACE would be adequate power to use.”

The other case involved a serious stabbing that resulted in someone receiving life-threatening injuries. The senior officer recorded section 60 had been considered but not authorised on the basis that “this was an isolated incident, no gang links, no further calls despite ones relating to that incident”.

We didn't find any legal or advisory police framework providing guidance on if, or how, officers should record decisions not to give section 60 authorisation. Authorising officers told us they don't usually record a decision not to authorise section 60. Some senior officers we spoke with accepted there were gaps in how officers recorded and assessed decisions not to use section 60.

In our view, officers' decisions not to authorise section 60 are as relevant as a decision to use the power. Recording this information would give greater insight into how the power is used. Publishing this information may also reassure the public that the authorisation of section 60 stop and search powers isn't being done without due diligence or enough proper consideration.

## **Findings: the geography of section 60 authorisations**

### **Legal context and guidance for officers when searching under section 60**

[Section 60 of the Criminal Justice and Public Order Act 1994](#) gives the police powers to stop and search people and vehicles, without suspicion, in a designated locality in a police force area for a specified period.

PACE Code A note for guidance 13 for authorising officers on section 60 says that authorising officers should specify “the streets which form the boundary of the locality”. It also allows for a “divisional boundary” to be used “if appropriate”. This means that the guidance allows for large-scale localities (such as entire local authority areas) or force divisional boundaries to be specified in an authorisation, in appropriate circumstances. The guidance also states that no matter how a locality is specified, authorising officers “should not set a geographical area which is wider than that he or she believes necessary for the purpose of preventing anticipated violence, the carrying of knives or offensive weapons, or for finding a dangerous instrument or weapon that has been used”.

Note for guidance 13 also states:

“It is particularly important to ensure that constables exercising such powers are fully aware of the locality within which they may be used. The officer giving the authorisation should therefore specify either the streets which form the boundary of the locality or a divisional boundary if appropriate, within the force area. If the power is to be used in response to a threat or incident that straddles police force areas, an officer from each of the forces concerned will need to give an authorisation.”

### **Home Office research**

[Home Office research into the section 60 stop and search pilot](#) included analysis of the geographical coverage (size by area) of 1,002 section 60 authorisations made between 2018/19 and 2019/20. The Home Office selected authorisations from five forces: Cheshire Constabulary, Kent Police, the Metropolitan Police Service, West Midlands Police and Merseyside Police.

The Home Office evaluation found that:

“the typical area covered was 15km<sup>2</sup>, slightly bigger than the area covered by Heathrow Airport. The largest authorisation covered the City of Birmingham (over 270km<sup>2</sup>); 1% of authorisations were less than 0.3km<sup>2</sup>.”

The research and analysis compared the size of geographical area of section 60 authorisations designated before and during the BUSSS pilot. It was only able to draw a statistically significant comparison between pre-pilot and pilot authorisation areas in the Metropolitan Police Service. The Home Office's research found that:

“The median size of the MPS [Metropolitan Police Service] authorisation areas decreased between the comparison and pilot periods, from 19.1km<sup>2</sup> to 16.0km<sup>2</sup>. This represents a statistically significant difference in the distribution of the size of authorisation areas in the year ending March 2019 and the year ending March 2020. MPS analysis shows a high concentration of [section 60s] in a small number of London boroughs.”

### **Analysis of street-level stop and search data**

We used street-level stop and search data available from [data.police.uk](https://data.police.uk) to check the operational geographical scope of more recent section 60 authorisations. We looked at 2021/22 data for three of the high-user forces we visited during fieldwork: Essex Police, Merseyside Police and West Midlands Police. We used the date and time stamps recorded for each search to identify searches that appeared to belong to the same authorisation.



We identified:

- eight section 60 authorisations in Essex;
- 12 section 60 authorisations in the West Midlands; and
- 27 authorisations in Merseyside.

The data appears to show that section 60 authorisations in these forces during 2021/22 have a similar geographical scope to the authorisations the Home Office analysed as part of its pilot evaluation.

### **Force fieldwork**

We spoke with senior officers who had given section 60 authorisation, or who might be asked to do so. All the police officers we spoke with as part of our fieldwork were clear that section 60 authorisations should only be for the necessary geographical area.

Officers told us they thought that if a section 60 authorisation was given for too big an area, negative effects on community trust and confidence were more likely. Some officers also told us they thought authorisations where the geographical area was too wide could be ineffective because officers would need to move resources from other priorities.

A senior officer in one force told us:

“The wider the scope of timescale and geography, the heavier the resource commitment, which will have a knock on to other areas of business. My first consideration is the impact on the community. If we go too wide, we open ourselves up to criticism that we are acting indiscriminately and disproportionately. We’re trying to solve a specific operational problem, so a wide timescale or geographical reach is counterproductive.”

### **Review of section 60 authorisation records**

We reviewed 27 section 60 authorisation records from the four (phase 1) forces. Most of these 27 authorisation records related to inner-city locations. Each record clearly stated the geographical area that the authorisation to search covered. Most records gave very clear boundaries aligned to named roads, parts of housing estates or commercial areas. In our view, none appeared to be unnecessarily wide for the purposes stated in the authorisation. None appeared to be either city-wide or borough-wide (in the case of London). In one Metropolitan Police Service authorisation record, the geographical search area covered four wards within one borough. This was the largest defined “locality” in the Metropolitan Police Service authorisation records that we reviewed. Maps were included in some of the authorisation records we reviewed. But other authorisation records referenced separate maps that force press offices had communicated to the public.

We found evidence that showed some authorising officers frequently reviewed and altered their decisions about the geographical area of authorised search areas to reflect the changing or emerging intelligence picture. For example, some records showed authorisations became more targeted to where violence and associated criminal activities had occurred or might happen. We saw that the maps presented within the section 60 authorisation records were changed to reflect this.

In one record, the authorising officer explained the proportionality of their decision about geography (and timespan):

“I have maintained the proportionality of this authorisation by restricting the area of the authorisation to the locality of the original incident and areas that groups can reasonably be anticipated to congregate after being dispersed. This is further managed by the duration of the authorisation being restricted to 7 hours to allow officers use of the powers just into the hours of darkness where they can then build further grounds under S1 PACE to search for weapons.”

In another record, the authorising officer wrote:

“I am satisfied that the area identified is proportionate and no wider than necessary and relevant to the intelligence picture. I believe the time period is necessary in order to provide a visible early deterrent in the area and to prevent serious violence and apprehend those carrying weapons.”

We concluded the geographical coverage or size by area of each authorisation that we reviewed appeared to be proportionate to the available intelligence and decisions that were documented.

## **Findings: evaluating the effectiveness of section 60**

### **Stakeholders' views**

We asked stakeholders to share their insights into how they thought the police used section 60. We were particularly interested to hear their views on the legitimacy and effectiveness of the power. Responses were varied. Some stakeholders thought that section 60 was a legitimate search tool, as long as authorisation decisions were lawful, necessary and proportionate, and enough safeguards were in place. Some stakeholders highlighted the importance of effective communication with people most likely to be affected by a section 60 authorisation. Other stakeholders thought the police should never use section 60. Some of the people we interviewed told us they thought the police used section 60 to deliberately target ethnic minorities without operational justification.

Some examples of stakeholders' views are given below.

**Dr Michael Shiner, Associate Professor, London School of Economics and Political Science, and Trustee for StopWatch:**

“The potential to prevent one death has an obvious emotional pull but only concentrates on benefits, not on the costs of criminalising communities, or the adverse effect on trust and confidence, which increases the risk of people taking matters into their own hands and makes the task of policing violence even more difficult. Section 60 may have a role under some circumstances but there has been massive mission creep in its attempts to address knife crime, where reasonable grounds can and should be used. If section 60 cannot be regulated effectively, and there is little reason to suppose that it can be, then it should be repealed on the grounds that it is abusive and ineffective.”

“Effective interventions are required and, as an ineffective power, section 60 leaves impacted communities vulnerable to harm (this is evident in long-standing complaints that Black communities are ‘over-policed and under-protected’).”

**Andrew George, President of the National Black Police Association:**

“Section 60 needs to be evaluated much more by the police. There are long-term community issues that require the police to invest more and be more consistent. There is a big gap in police and academic evidence around the effective use of section 60. Community engagement plans are really important in building relationships, increasing the flow of community intelligence and making police operations and decisions more effective. It has to be an ongoing, business as usual process, not just a community engagement exercise after an incident.”

**Abimbola Johnson, Barrister at Doughty Street Chambers and Chair of the Independent Scrutiny and Oversight Board for the Police Race Action Plan:**

“Section 60 should be used more sparingly. If section 60 is going to be used, there needs to be more investment in community engagement before authorising these coercive powers too quickly and too frequently. There are times that arrests are made and weapons seized but there is no data that measures effectiveness.”

**Rick Muir, Director, The Police Foundation:**

“Retain the power and tighten the criteria. The deterrent effect of section 60 is extremely hard to evidence. The power should be retained but only used in cases of high threat, risk and harm.”

**Gavin Hales, Senior Research Fellow, London Metropolitan University; Senior Associate Fellow, The Police Foundation; Visiting Fellow, London School of Economics Mannheim Centre for Criminology:**

“There is very little empirical evidence about the efficacy of section 60 powers, and what there is has generally only been able to look at the level of whole boroughs, not more locally. Moreover, the way section 60 powers are used has changed over time, as have background levels of stop and search and crime.”

“The people involved in knife crime offending are not a broad cross section of society. They are disproportionately young males, with knife crime – at least in London – disproportionately occurring in areas with a proportionately larger Black or mixed heritage population. Therefore, the police action also focuses on the same age groups and areas.”

**Dr Jamie Bennett, Chief Strategy Officer, Youth Justice Board:**

“Young black boys are more likely to be the victims of violent crime. Police are often using section 60 to protect children. Police must be able to demonstrate that they are responding to a legitimate threat and that their actions are proportionate, and that the power is necessary and effective. The challenge for the police is to evaluate, understand and be more sensitive to the impact their section 60 operations have on public trust and confidence. It is potentially an excellent crime prevention tool, but it also has potential to cause damage to some communities and individuals. There is an importance in communication, transparency, public scrutiny and police evaluation. Many of the abolitionist arguments regarding section 60 assume that there is no material threat. They focus on the statistics on prevalence and impact on community, but not on the risk and threat of murder or serious violent crime.”

**Paul Odle, National Lead for the Race, Religion and Belief Equality Group for the Police Federation of England and Wales:**

“The majority of BAME [Black, Asian and Minority Ethnic] communities would support the proportionate use of stop and search. But the police must deal with BAME community perceptions that the police deliberately profile and target people of colour.”

## **Views of National Police Chiefs' Council Leads**

**Chief Constable Amanda Pearson, NPCC Lead for Stop and Search:**

“The use of section 60 powers are important to tackle serious violence and keep our communities safe from harm. The effectiveness of the power is often challenging to determine as positive outcomes cannot always be measured by such factors as arrest or discovery of weapons. The deterrent factor is not simple to assess, but reductions in incidents or crimes allows us to positively report back to communities as well as those demonstrable factors such as arrests and weapons found.”

**Assistant Chief Constable (retired) Jaquie Sebire, NPCC Lead for Serious Youth Violence:**

"It's difficult to assess whether outcomes are proportionate to community tensions."

"There hasn't been a robust, evidenced based, and data driven study or randomised control [trial] to determine whether section 60 works in preventing serious violence. Neither has a trial compared this with the impact section 60 has on communities."

"Section 60 authorisation is inconsistent. Authorising officers must test the intelligence on which applications are based. This would be much improved if authorising officers had to follow something like the national decision model process, such as they do for firearms deployments, and that similar level accreditation was required."

**Social research evidence**

Our review of the social research evidence identified two studies that considered the crime-reduction effects of choosing to authorise section 60 more frequently. Both research studies examined the same Metropolitan Police Service knife crime operation.

In Operation BLUNT 2, the Metropolitan Police Service increased its use of section 60 in selected London boroughs for several months. The study '[Does stop and search deter crime? Evidence from ten years of London-wide data](#)' (Tiratelli and colleagues, 2018) examined the effectiveness of stop and search. It looked at whether trends in non-domestic violent crime in London over a ten-year period changed after the Metropolitan Police Service introduced Operation BLUNT 2 in target boroughs. Research published by the Home Office, '[Do initiatives involving substantial increases in stop and search reduce crime? Assessing the impact of Operation BLUNT 2](#)' (McCandless and colleagues, 2016), took a different approach. This study compared crime statistics at a borough level, taking into account specific levels of police activity and resources deployed locally, before and after the operation.

These studies did not find any evidence to suggest Operation BLUNT 2 had markedly reduced crime in the selected boroughs. The studies concluded the operation also had no effect in reducing overall violent crime trends across London as a whole.

Analysis of recorded crime and stop and search data for England and Wales reflects the findings of both studies. The College of Policing compared the number of searches a force carries out with the level of knife crime the force records, and this showed no correlation. This is true for both reasonable grounds searches for weapons and section 60 searches.

The research that the College of Policing reviewed focused on the overall long-term crime-reduction effects of using section 60 more frequently. The College of Policing didn't identify social research studies that looked at how effective section 60 was at helping senior police officers meet operational objectives during a serious violent incident or when there is a serious violent threat.

### All-force survey

Most of the 36 forces that reviewed their overall use of section 60 considered basic data. Thirty-four forces reviewed the number of section 60 authorisations, 32 reviewed where authorisations were made and 31 reviewed the number of people searched using the power.

Some forces reviewed data related to the success of section 60 operations. Twenty-nine forces considered the number of arrests linked to section 60 searches, including all six high users that reviewed their overall use of the power. Twenty-six forces considered the number of weapons found through section 60 searches, including five of the six relevant high users. But only ten forces considered local crime data during and after the authorisation and none of these forces was a high user of section 60 search. Very few forces seemed to be considering the overall impact of the use of section 60 on crime levels.

Some forces reviewed demographic data about the people searched using section 60. Thirty-one forces considered data relating to ethnicity, including all six high users of section 60 that reviewed their overall use of the power. Twenty-five forces considered data relating to the gender of those searched and 24 forces considered the age of search subjects. But only 14 forces said they carried out some form of [equality impact assessment](#) when reviewing their section 60 search data and only one of these forces was a high user of section 60.

Twenty-three forces reviewed complaints data related to section 60 searches, including three high users of section 60 search.

### Force fieldwork

At the time of our investigation, we found that some fieldwork forces considered the necessity, legitimacy and proportionality of deployments when they assessed section 60 operations. In addition, these forces also considered the number of arrests and weapon seizures that resulted from their searches. Some forces also considered violent crime prevention and the extent to which using section 60 had reduced the threat of serious violent crime. But most of the fieldwork forces told us they found it difficult to analyse how effectively they prevented crime.

In our interviews with senior officers, we outlined the CJA's concerns about the very low arrest rate, including for weapon seizures, for section 60 searches and the possible negative effect section 60 may have on community trust and confidence. In response, many of these officers told us they used section 60 as a preventative power in situations where violence had already occurred.

One senior officer told us he thought the number of arrests linked to a section 60 authorisation shouldn't be the sole basis for assessing its effectiveness. He said that, in his opinion, section 60 could be used by a force as part of a prevention strategy in response to violent crime. He emphasised the importance of forces taking a proportionate response, with clear reasons, and said that he thought forces should consider section 60 as part of a range of tactics to prevent further violence in the immediate term. He explained how he believed using section 60 could keep local communities safe, while forces put other solutions in place.

Several senior officers gave us examples they believed showed their forces had used section 60 effectively.

One example involved a report of a fight with weapons. Intelligence linked to planned retribution led to the force putting a section 60 authorisation in place for four hours. There was no further violence and the local community and traders responded positively to the force's action.

In another example, in a different force, an officer authorised section 60 after shootings in a city centre, to discourage rival gangs from continuing and escalating their violent behaviour. The force's social media research indicated the section 60 authorisation had deterred potential offenders from attending the area.

We interviewed two senior officers responsible for stop and search in a force that rarely authorised the use of section 60. They both gave detailed information about their force's most recent use of section 60. They believed their evaluation and learning from their use of section 60 highlighted the deterrent effect section 60 can have in suppressing violence. The force had received intelligence that serious violence could take place at a funeral because of a long-standing feud between different groups that might attend the funeral. The force used this intelligence to develop a response to the anticipated threat of violence. It considered using section 60 before the funeral but initially decided not to authorise use of the power.

On the morning of the funeral, the force received further intelligence that weapons were concealed around the funeral venue. It was not told where the weapons were hidden. Police carried out highly visible patrols around the local area and searched the funeral location. The force arranged for information about its policing activity in relation to the funeral to be publicised in the community. The police recovered several weapons, including machetes and pickaxe handles.



As a direct result of the seizure of weapons and further information that people in possession of weapons were travelling in cars to the funeral, the force authorised the use of section 60 to stop and search people and cars in the locality of the funeral. The force circulated an intelligence briefing about specific people and their vehicles. It also completed a community impact assessment that covered those communities that may be most affected by its authorisation and search activity. And the force made the public aware of the section 60 authorisation and its actions.

Live-time intelligence assessments the force carried out later in the incident suggested potential offenders had left the area or postponed their journeys because of the section 60 and additional police searches. The authorising officer immediately cancelled the section 60 authorisation. After the incident, the force undertook a structured debrief in order to gather and summarise organisational learning from its use of section 60.

This example shows the importance of police evaluating all sources of intelligence before giving section 60 authorisation. It also shows the value of understanding and assessing the community impact of police action.

## Conducting section 60 searches

### What the Criminal Justice Alliance says

In [its super-complaint](#), the [Criminal Justice Alliance \(CJA\)](#) states it is concerned that:

- Intelligence used to support [section 60](#) authorisations doesn't always match the characteristics of people being stopped under the power. The CJA is concerned about fair application of the power.
- Specialist officers may be being overused for section 60 operations. The CJA states that such officers may lack local knowledge and cultural awareness.
- Handcuffs are too readily applied during some section 60 encounters, without necessity or justification.
- Risk and vulnerability aren't adequately considered during stop and search encounters involving children and young people.
- Training and guidance to equip officers to properly recognise and address the distinct needs of children and young people may not be sufficient.

### Summary of our findings

We share many of the CJA's concerns about how some officers conduct section 60 searches.

- Forces can reduce any unintended or negative consequences arising from section 60 use by improving their compliance with existing law and guidance. Our investigation concluded that forces aren't paying sufficient regard to these.
- The intelligence used to support section 60 authorisations may not always be given to officers carrying out the searches. We found that the quality of police briefings for officers expected to use section 60 powers varied across forces. Some briefings lacked detail, both on the use of the power and on the impact that police action may have on communities. Police forces need to make sure they follow the law and guidance on this issue. They need to give officers deployed on section 60 operations more relevant information, including more on the intelligence supporting the authorisations.

- There were also many different and somewhat inconsistent approaches to how section 60 briefings were recorded (written or otherwise) and how they were provided to officers assigned to carrying out these stop and searches. Section 60 briefings are a critically important part of the policing operation. They should be conducted and recorded on audiovisual devices such as [body-worn video](#) or approved handheld communication devices.
- All fieldwork forces used body-worn video to record section 60 stop and search encounters. But officers didn't always record the full stop and search encounter.
- Officers we spoke with knew that they needed to use their section 60 powers lawfully, respectfully and fairly. Our review of body-worn video footage and complaints about section 60 indicates that searches aren't always carried out in this way.
- Generally, in forces that use section 60, police supervisors aren't checking enough of their officers' section 60 searches to make sure they are applying the power lawfully, fairly and respectfully. The way supervisors review section 60 search records and associated body-worn video footage varies considerably across forces.
- In most forces, response and neighbourhood officers are most frequently deployed to resource section 60 operations. A few larger forces deploy officers from specialist response teams or support groups to deal with incidents involving serious violence where section 60 is in place.
- We are concerned from our review of body-worn video of section 60 stop and searches that in five cases (out of 51) officers may have used handcuffs unnecessarily and unjustifiably during their search. The review of [Independent Office for Police Conduct \(IOPC\)](#) complaint cases revealed further examples of potentially inappropriate use of handcuffs in section 60 searches.
- We are also concerned that some officers may not be following [Police and Criminal Evidence Act 1984 \(PACE\) Code A guidance](#) on how they should record and explain a person's entitlement to a copy of a section 60 search record.
- Forces take different approaches to how they assess the risk and vulnerability of children who are stopped and searched. The police service isn't giving enough priority to this issue. Police training, policy and oversight on searching and [safeguarding](#) children are insufficient. We found similar inconsistencies in how forces review searches of children and how they make referrals to other specialist support agencies.

## Legal context and guidance for officers when searching under section 60

PACE Code A sets out what officers need to consider when they conduct section 60 searches. It states:

- The selection of people or vehicles searched under section 60 should “reflect an objective assessment of the nature of the incident or weapon in question and the individuals and vehicles thought likely to be associated with that incident or those weapons”.
- Section 60 “must not be used to stop and search persons and vehicles for reasons unconnected with the purpose of the authorisation”. Officers “must take care not to discriminate unlawfully against anyone on the grounds of any of the protected characteristics set out in the Equality Act 2010”.
- Any person who is searched under section 60 is “entitled to a written statement ... if they apply within twelve months”.

PACE Code A also outlines that the search record should state whether the authorisation for exercising the search was given under section 60. A person subject to a search under the power should be told by the searching officer that a record has been made and that they are entitled to a copy. If a copy isn't available at the time and location of the search, they should be told how they can get a copy.

[College of Policing stop and search authorised professional practice](#) (APP) also provides guidance on when it would be appropriate for an officer to search someone under section 60. It says section 60:

“does not justify the blanket use of stop and search powers. Officers should consider the circumstances that have generated the authorisation and limit their searches to those persons likely to be involved.”

The APP also says that chief constables should “actively consider whether or not to require officers to record the reason why the search of this individual is connected to the purpose of the authorisation”.

The APP provides guidance to officers to video record all relevant footage in the time leading up to the encounter, the conduct of the search and its conclusion.

The [operations APP](#) provides information and guidance on effective operational planning, briefing and debriefing, and post-operation review. It is designed to help senior officers commanding operations and incidents. Officers can apply it to a variety of operations, including those where authorising section 60 may be appropriate. The APP states:

“Briefings should set the style and tone for an operation. Briefing provides the information needed to direct deployed resources. This information is also used for debriefing personnel in order to obtain further relevant, available information.”

Officers should be “thoroughly briefed on the purpose of an operation prior to participating in it”.

The APP also provides clear briefing objectives and states that:

“there are certain key objectives to meet in a briefing. These are to:

- ensure that the team has assimilated the relevant information contained within the briefing (this can be checked by conducting random knowledge checks to confirm understanding)
- ensure that individual members of staff understand their responsibility for the allocated task
- confirm there are sufficient resources to conduct the required tasks (this includes situations where staff may self-brief, for example at remote stations).”

The APP also states that, in a police operation:

“Commanders should consider the most appropriate briefing method to use, based on the number of staff involved and the complexity of the information to be passed on. Briefing does not necessarily have to be conducted verbally or in person. Geographic location or timing may mean that other methods – such as e-based, audio-recorded or written – are more suitable.”

The IOPC's [National stop and search learning report](#) referred to encounters where there were delays in body-worn video cameras being activated. The IOPC found that in some cases the police officers turned their cameras on and off during the encounter. In other cases, officers didn't activate their camera at all.

The report highlighted the importance of body-worn video demonstrating transparency, trust and confidence in the police. It noted any gap in footage means the full encounter can't be independently assessed. The report recommended that the [National Police Chiefs' Council \(NPCC\)](#) supports chief officers to make sure officers follow the stop and search APP. The IOPC's recommendation was accepted and has been reflected in the 2022 revised [NPCC body-worn video guidance](#).

As part of its PEEL assessment of how a force treats the public, [His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#) assesses the use of body-worn video and its supervision.

Information about officers using force during stop and search encounters, and the action they need to take to safeguard children and young people, is included later in this chapter.

## Stakeholders' views

We asked stakeholders to share their views on how section 60 is used by frontline officers. We were particularly interested to hear their opinions on fair or unfair use of the power, including how officers use handcuffs during searches. We were also keen to hear views on the approach officers take when they search children and young people.

Most stakeholders told us they felt officers should apply a safeguarding approach when searching children and young people. For example:

**Dr Jamie Bennett, Chief Strategy Officer, Youth Justice Board:**

“There needs to be standardised reporting on stop and search in relation to children. They need to be looked at differently as the impact on children of stop and search is likely to be more emotionally impactful and longer lasting than on adults. After care can help, including informing parents or carers.”

Some participants at our roundtable conference felt the police took an enforcement approach instead of a safeguarding approach when they stopped and searched young people. They felt that a very small number of children searched were subject of any police safeguarding referral.

Our stakeholders also expressed concerns about officers using force during searches. Several participants at our roundtable conference thought the police applied handcuffs to Black children and young adults they searched much more readily than they did to White children and young adults.

Some participants at our roundtable conference spoke about section 60 stop and search seeming inherently unfair because of the lack of “reasonable grounds” for a search. But other stakeholders we spoke with emphasised this didn't mean that section 60 stop and search was unjustified. For example:

**Gavin Hales, Senior Research Fellow, London Metropolitan University; Senior Associate Fellow, The Police Foundation; Visiting Fellow, London School of Economics Mannheim Centre for Criminology:**

“The popular view is that section 60 means random groundless police stop and searching. This is absolutely not the case.”

We received a range of responses from community and academic stakeholders on the possible long-term effect on people who had been searched. For example:

**Dr Michael Shiner, Associate Professor, London School of Economics and Political Science, and Trustee for StopWatch:**

“People subjected to stop and search see it as traumatic, emotionally charged, humiliating and as undermining a sense of belonging. This is exacerbated under section 60 due to the apparently random nature of the power, as it can be used without any objective basis for thinking the individual is doing anything wrong.”

Many stakeholders at our roundtable conference also referred to “trauma” associated with stop and search when it is experienced as unfair, unjustified or heavy-handed. But this term wasn’t universally accepted by all the stakeholders we spoke with. While there were different views on the terminology, there was greater consensus that poorly conducted stop and search can have a negative impact on trust and confidence in policing. For example:

**Simon Holdaway PhD, AcSS, Professor Emeritus of Criminology and Sociology, University of Sheffield:**

“I am surprised that the word traumatic has been used. Trauma is not the appropriate word, especially in the context of children. Rather it should be more appropriately evidenced that stop and search could result in a public lack of confidence in policing.”

## Views of National Police Chiefs’ Council Leads

**Chief Constable Amanda Pearson, NPCC Lead for Stop and Search:**

“Frontline officers should be briefed and understand the purpose and intelligence that underpins the authorisation. Officers should also be able to explain the geographical limits and the times of the authority so that they can explain to those who are stopped and searched. Officers must not conduct blanket searches and should use their judgment based upon the information and intelligence.”

“Handcuffs should only be used when it is lawful, necessary and proportionate for them to do so and not as a matter of routine.”

“Anybody under 18 years is a child first. Safeguarding should be the primary consideration. The searching of some children will continue to be necessary and our approach to the interaction is key to the understanding and confidence of the child and the community. Our safeguarding also needs to consider the circumstances in which the child was found resulting in the search whether an item is found or not as we seek to involve our partners in further prevention and intervention. Forces are now being asked to collect data on safeguarding as part of the ADR [Annual Data Requirement] process.”



**Deputy Assistant Commissioner Catherine Roper, NPCC Lead for Children and Young Persons:**

“Much of the training and approaches around children and young people depends on the force geography, demography and crime picture. There is a real challenge within the NPCC to try and ensure consistency.”

“There appears to be little evaluation of whether NPCC guidance is delivered or what effect it has.”

“Anything that improves police training and funding around child safeguarding and awareness of ACEs [adverse childhood experiences] would be most beneficial.”

## **Findings: how forces make sure their section 60 searches are legitimate, proportionate and necessary**

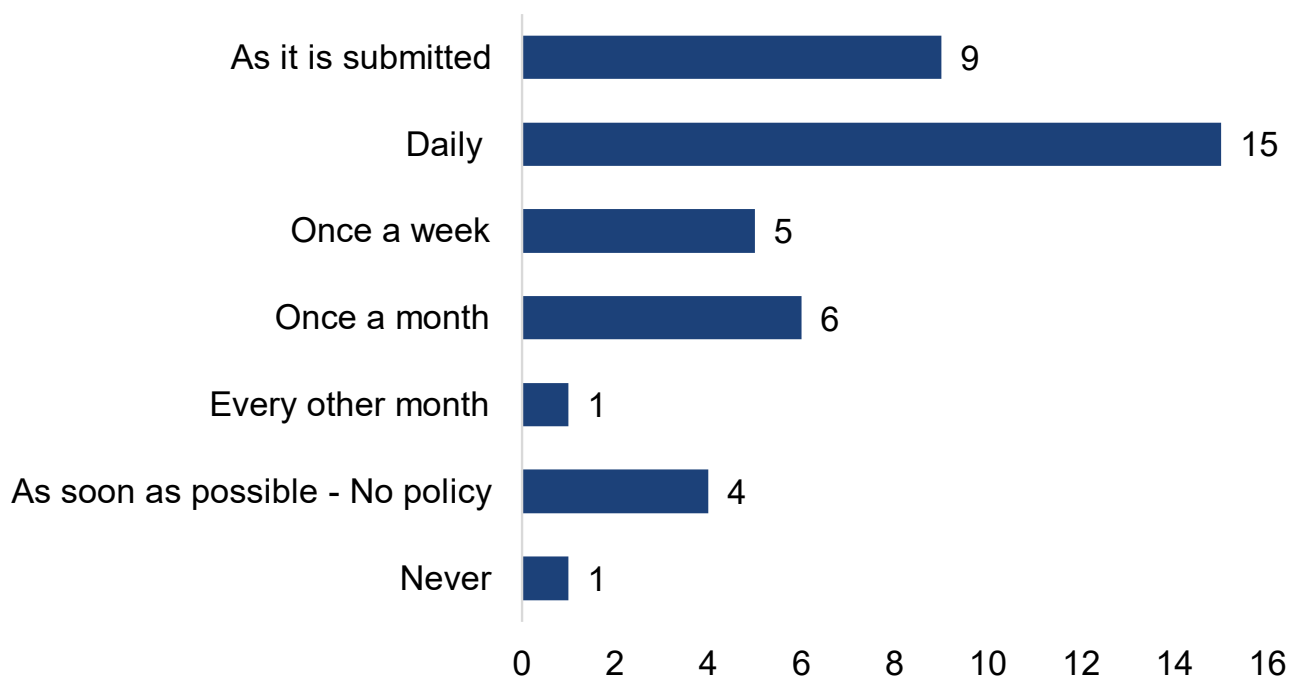
### **All-force survey**

Most forces (38 out of 42) reported in response to the survey that their officers were told the grounds for which section 60 was issued, the geographical area where it applies and the time limit of the authorisation. But two forces said none of this information was communicated to officers (one of these forces said this was because section 60 has never been used by the force). A further two forces said they didn't communicate the grounds for the authorisation (although one of these forces did say officers are told the objective factors that support the authorisation).

Most forces responded (38 out of 42) that their officers are given information on the type of incident the authorisation refers to. But only around half of forces (22 out of 42) said they were communicating to officers the objective factors supporting the decision to authorise section 60.

Forty-one forces responded to the survey stating that their first-line supervisors are expected to review their officers' stop and search records (for all powers) in a timely fashion. Figure 6 shows that in nine forces this review is expected to take place as soon as an officer submits their record. In these forces supervisory sign-off is integral to the record being valid. In 15 forces supervisors are expected to sign off their officers' search records daily. In five forces supervisory reviews are expected to take place weekly and six forces only expect their first-line supervisors to review search records monthly. Four forces said they don't have a set policy but indicated that first-line supervisors were expected to sign off their officers' records as soon as possible. One force said supervisors were never expected to review search records. This is a small force with low stop and search use. But it is surprising that it doesn't expect any supervisory activity of stop and search to happen at all. Another force didn't respond to this question.

Figure 6: Frequency of first-line supervisor review of stop and search records



Source: [College of Policing](#)

Forty forces responded that they expect first-line supervisors to review their officers' search records, checking the legality of their grounds for searching. Thirty-eight forces responded that it was their policy for their supervisors to review the search body-worn video footage. Most forces (37 out of 42) expect their officers to check that the College of Policing's [stop and search APP content on GOWISELY procedures](#) was complied with. Otherwise, supervisor reviews of search records appeared to be generally limited. Only 21 forces expect their supervisors to evaluate their officers' escalation and/or conflict management techniques. Twenty forces require supervisors to look for evidence of disproportionality based on protected characteristics and only 15 forces expect them to monitor how often their officers find the object they were looking for.

It also appears to be rare for forces to have policies that help supervisors decide when and how to escalate concerns about an officer's stop and search records to the [professional standards department](#). Most forces (33 out of 41) said there was no specific policy on referring officers to the professional standards department for their stop and search practice.

Only ten forces confirmed police supervisors manually check section 60 search records to make sure people were searched for reasons connected to the authorisation. Fourteen forces said they dip-sampled section 60 search records. Twenty-two forces confirmed they use someone unconnected with the authorisation chain of command to review section 60 searches.

### **Force fieldwork: supervising and monitoring section 60 stop and searches**

We asked frontline officers about their experience of being supervised when they were deployed on section 60 search operations. We also asked them how their section 60 stop and search encounters were reviewed or monitored by their supervisors. We did this through a series of interviews and focus groups with over 30 frontline officers, including police supervisors at the rank of sergeant and inspector. We also interviewed authorising officers and force stop and search strategic and operational lead officers from all 11 fieldwork forces.

Generally, we found that supervisory processes for section 60 stop and search records and body-worn video didn't differ from processes for reasonable grounds searches. Also, forces didn't prioritise supervision of section 60 over other powers. We found that most forces had policies, practices and performance measures (both qualitative and quantitative) for monitoring and reviewing all stop and search records. Some forces told us they set expectations and performance measures for supervisory review of all stop and searches recorded on body-worn video. They added that meeting these performance measures largely depended on the number of searches requiring review, and other priority activity. All fieldwork forces measured their supervisory reviews of search records. Some also measured their supervisory reviews of searches recorded on body-worn video.

Some officers and force leads told us there was a force policy that all stop and search records must be reviewed by supervisors, regardless of the search powers used. Other forces set sampling criteria based on how often search powers are used and other factors such as the experience of the officers. Some forces set performance measures based on dip-sampling criteria, particularly for supervisory review of stop and searches recorded on body-worn video.

Generally, the way supervisors reviewed section 60 search records and associated body-worn video footage varied considerably across fieldwork forces. Some supervisors told us they weren't checking enough of their officers' section 60 searches to make sure they were applying the power lawfully, fairly and respectfully. This appeared in part to be because section 60 stop and searches didn't require the same criteria for use as reasonable grounds searches.

Our interviews and focus groups generated different and sometimes divided opinions on the supervisory and review requirements for monitoring section 60 and all other stop and search encounters and records. Some officers explained there were different supervisory practices within their own force. Others told us the levels of supervision, monitoring and review of stop and search records sometimes depended on the commitment, capacity and capability of the individual supervisor.

For example, one officer told us:

“a monitoring regime has been implemented for every sergeant to review three stop and searches carried out by their subordinates, each month. This assessment is a random dip sample but will cover professionalism, application of the law, use of force and civility. Whilst this governance process has been in place for some while, levels of compliance with completing these checks differ across the different units.”

A different frontline officer from the same force stated their force had set “a new policy in place from January 2022, for supervisors to review all stop and search records in under 72 hours”. The officer explained that getting the review done within 72 hours was an important target because it could assist in identifying any negative trends early on. And it “helped to correct these trends and provided meaningful supervision”.

Another supervisory officer from the same force stated:

“the scrutiny of stop and search records and their searches on body worn video was randomly done but was comprehensive and routine”.

In a different force, a frontline neighbourhood officer stated:

“supervisors are expected to dip sample their officers' body-worn video footage linked to a number of stop and search encounters. Supervisors should review the stop and search forms and sign it off – it's an expectation that they sign off a sample of stop and search records.”

We were told by the stop and search lead officer in another force:

“sergeants should review all stop and search records of all officers under their supervision within a week of submission. This doesn't always happen. Timeliness and detail are particular issues. Sergeants should also be dip-sampling five body-worn videos per month and inputting their findings on a supervisory platform.”

A different force's stop and search lead officer stated:

“frontline sergeants are expected to review all stop and search records for officers under their responsibility. Checks should include a review of the recorded grounds, the objective, fairness and legitimacy, indications of prejudice and whether further intelligence was submitted.”

In a focus group of supervisors from another force, one officer told us:

“supervisors are required to check grounds, objective, ethnicity recording, use of force, body-worn video and provide feedback to the officer. There is an expectation that a discretionary proportion of search records and associated body-worn video should be reviewed for each officer. This is tailored to the officer's competence and experience.”

An operational police inspector in another force told us:

“every stop and search encounter is reviewed by a first-line supervisor. In addition, one third of the cases reviewed will have body-worn video recordings assessed against the stop search record as well.”

In conclusion, we found that fieldwork forces' practices to supervise, monitor and review stop and search records and associated body-worn videos varied considerably. We found that some stop and search encounters weren't checked often or thoroughly enough to make sure officers had applied the power properly. Forces could do more to show they comply with stop and search APP content on supervision and monitoring stop and search records and associated body-worn video footage. This is particularly important when officers use their section 60 stop and search powers.

### **Force fieldwork: briefings**

We asked the same groups of frontline officers about the briefings they received before they were deployed to an area to use section 60.

Many officers told us having detailed briefings on the information and intelligence associated with the section 60 authorisation was extremely important. They told us it helped them to stop and search the right people and supported them to use their section 60 powers lawfully. But the views and experiences of officers about the section 60 briefings they received were very different.

Some officers were positive about the briefing style and information they had received.

For example, an officer in one force told us section 60 authorisation had been given after a serious stabbing. He explained local officers had been deployed to a search area where a local inspector briefed them. Maps of the local area showing the geographical extent of the authorisation and search area were circulated to officers. The officer told us he thought the section 60 was applied to the necessary geographical locality. He told us the force used social and local media to make sure the local community was aware of what was taking place, and the reasons why.

An officer in another force stated section 60s were authorised in response to high levels of risk of harm. He said this may lead to community tension, particularly in areas where violent crime was highest. The officer stressed the importance of community trust and confidence, and that effective engagement was a key part of deployments on section 60 authorisations. He also explained how officers received intelligence packages and personal command briefings when deployed on section 60 operations. These included briefings covering historical tensions between the police and the local community.

But focus groups of officers from other forces had different views.

One group gave very mixed feedback on the quality of briefings they had received before a section 60 deployment. One officer said it was "very largely dependent on the leadership style of inspector, authorising officer or the supervisory duty officer".

A focus group in another force felt that there was often a gap in the information they received. For example, they told us important information contained within community impact assessments was "not typically seen by operational officers" deployed to carry out the section 60 searches.

Officers from another force explained deployments to police section 60 authorisations were often spontaneous. In these circumstances, officers usually obtained briefing information from the live electronic incident record generated by the control room. They explained the speed and nature of their deployment often meant a structured briefing couldn't be provided. Officers told us in these cases they would "self-brief and rely on their own local knowledge to police section 60 authorisations".

These officers also said they weren't involved in formal debriefing processes. One officer said there was no collective team debrief and that they thought that instead a supervisor did this "on the ground". They also said that, in their view, there was no real assessment, shift by shift, to assess whether the section 60 authorisation was effective.

Another focus group of officers from the same force told us they were regularly deployed to police section 60 authorisations but rarely received a proper local briefing. They also said they didn't have access to the community impact assessment. But the same officers also highlighted there were exceptions to this and gave an example of when they were deployed to an area with a history of police and community tensions. They told us they received "excellent intelligence packages and detailed personal senior leadership command briefings".

In conclusion, we found that the quality of police briefings for officers expected to use section 60 powers varied across forces. Some briefings lacked detail on the use of the power, the intelligence and information on which stop and searches should be based, and the impact that police action may have on communities. Police forces need to make sure they follow the law and guidance on this issue. They need to share more of the information and intelligence on which section 60 authorisations are based with officers deployed on section 60 operations. We consider that briefings and debriefings are a critically important part of the police use of section 60. But our evidence points to the fact that, in some forces, this isn't always the case.

We also found many different and somewhat inconsistent approaches to how officers recorded section 60 briefings (written or otherwise). We also found that forces took different approaches on what information and intelligence they included within their section 60 authorisation briefings to officers. We consider that section 60 briefings are such an important part of the policing operation that they should be conducted and

recorded on audiovisual devices such as body-worn video or approved handheld communication devices. This would also allow them to be used as evidence if required and be open to scrutiny and accountability. This finding and position should be familiar to the police. It is similar to current police briefing practices and requirements for authorising the police use of firearms.

Our investigation also found that most fieldwork forces had introduced a wide range of more general police training and briefing materials about themes like community engagement, cultural awareness, and policing and social history. Many forces had also introduced programmes and training on equality, diversity and inclusion. These forces explored training to address the unconscious biases that some police officers may have and how these biases may affect their policing actions. But we found only a few forces provided specific briefings on policing history and cultural awareness aligned to specific communities when they used their stop and search powers, especially when section 60 powers were used.

Detailed briefings and debriefings on the police use of section 60 are critically important because they support officers in using their stop and search powers lawfully. Section 60 stop and searches need to be based on the best information and intelligence available. But we found that the style, content and quality of such briefings varied significantly across forces. Police briefings should also include information about the communities and people that may be affected by section 60 search activity. We agree with the CJA that the police need to be more culturally aware about how their use of section 60 may affect communities. One way of doing this is by making sure police community impact assessments are included as part of the briefing materials when section 60 authorisation is given. Guidance on this matter is available to the police. But we are concerned that some forces may not be following the APP content and guidance that officers should be “thoroughly briefed on the purpose of an operation prior to participating in it”.

### **Review of section 60 authorisation records**

In our review of 27 section 60 authorisation records, we found that some authorising officers gave particularly clear instructions about how the power should be used by those carrying out searches. For example, in several records authorising officers included guidance to officers on the importance of adhering to PACE Code A and stop and search APP.

One authorising officer stated:

“Section 60 does not justify the blanket use of stop and search powers. Officers should consider the circumstances which have generated the authorisation and limit their searches to those persons likely to be involved. The power does allow officers to search anyone within the locality, but they should use judgment when exercising it and be guided by the purpose of the authorisation.”



Another authorising officer recorded:

“Code A, paragraph 2.14A specifies that officers must not stop and detain people for the purpose of search for reasons unconnected to the purpose of the authorisation.”

### **Review of body-worn video footage**

We reviewed 51 section 60 stop and search encounters that had been recorded on body-worn video footage. They were selected from our four phase 1 fieldwork forces. We didn't review the stop and search records or section 60 authorisations for each encounter.

In 50 of the 51 body-worn video recordings we reviewed, the stop and searches involved men. The age range and ethnicities of those searched varied.

In 11 cases, officers hadn't recorded the whole search encounter on body-worn video. We accept there might be some circumstances where it isn't practical for officers to turn cameras on before they start a search. But if officers are only partially recording interactions with the public that may be important, valuable evidence, information or intelligence may be lost. Recording the whole encounter also ensures transparency and accountability. Clear guidance about this is set out in the 2022 revised NPCC body-worn video guidance.

In most of the 51 searches we reviewed, people stopped by the police appeared to comply with the officer's search. In many of these searches it appeared to us that the officer's communication style became more relaxed, civil and conciliatory if the person stopped didn't object to being searched. In some of the searches we reviewed, we saw officers were more assertive when they first spoke with the person they wanted to search than at the end of the encounter. In 46 of the 51 searches, officers didn't use handcuffs. A few encounters ended with the officer and the person they searched thanking each other. Some encounters ended with a handshake.

In all the searches we reviewed, the police officer told the person (or people) they had stopped that they were going to be searched under the section 60 power. Each officer's explanation of the law and search power varied in detail. Each officer identified themselves by name and explained the area the section 60 covered. Some officers also stated the name of the authorising officer.

Only a few officers took time to fully explain to people they intended to search why the police had given section 60 authorisation. In most cases, officers just told people that section 60 had been authorised or was in place. Some officers also told people there had been trouble or recent incidents of violence in the area. We saw that in cases where a police officer failed to explain the reasons for the section 60 authorisation and search, people often appeared confused as to why they were being searched. But although the

police didn't always explain their search powers and reasons to use them more fully, most people who were stopped and searched didn't say they objected at the time of the search.

We concluded that some officers could have spent more time speaking with people before they searched them. This would have been in line with PACE Code A note for guidance 1, which states:

"This Code does not affect the ability of an officer to speak to or question a person in the ordinary course of the officer's duties without detaining the person or exercising any element of compulsion. It is not the purpose of the code to prohibit such encounters between the police and the community with the co-operation of the person concerned and neither does it affect the principle that all citizens have a duty to help police officers to prevent crime and discover offenders."

PACE Code A also says:

"The co-operation of the person to be searched must be sought in every case, even if the person initially objects to the search."

PACE Code A also provides guidance that:

"The selection of persons and vehicles under section 60 to be stopped and, if appropriate, searched should reflect an objective assessment of the nature of the incident or weapon in question and the individuals and vehicles thought likely to be associated with that incident or those weapons. The powers must not be used to stop and search persons and vehicles for reasons unconnected with the purpose of the authorisation."

But despite all this statutory guidance, in most of the section 60 searches we reviewed, the officers searched the person almost immediately after stopping them. We felt that most searches were transactional, with very little dialogue. By that we mean that officers followed the guidance in PACE Code A in part, by only explaining section 60 authorisation was in place and that this gave them the power to search. Most body-worn video footage showed officers were quick to resort to a search without giving the person an opportunity to explain their reasons for being in the area. We only saw a small number of cases where the police officers asked the person to co-operate with the search.

But in three cases we have concerns about whether officers used section 60 appropriately and in accordance with the statutory guidance within PACE Code A (mentioned above). We didn't review all the section 60 authorisation records and individual search records in our review of body-worn video review.

To search everyone in an area in a random way doesn't comply with PACE Code A. Searches shouldn't be arbitrary. The guidance states that all stop and searches, including section 60, should be based on all the available "accurate and current intelligence or information" that supports the authorisation.

In one search we reviewed, the officer told the person "we are going around searching everyone" and that the power was "applied in any case". In our view, the person stopped gave a believable explanation about why he was in the area (he was working there). But the officer still decided to detain and search him. The officer didn't find any weapons during this search.

In another search we reviewed, officers stopped three men late one evening outside a restaurant. Officers explained the purpose of the search and described the suspects they were looking for. The men explained they had just finished working in the restaurant and that they were closing it. Despite officers taking time to obtain what seemed a believable explanation, they still detained and searched all three men. The officers didn't find any weapons during these searches.

In a third case, officers stopped a man who appeared to be extremely drunk. His speech was slurred and he had difficulty standing up. One of the officers explained section 60 authorisation was in place and that they would search the man. The man was compliant throughout the encounter and posed no apparent threat of violence to the police or other people. The officers didn't recover any weapons in their search.

Our review also found that officers didn't always explain to the person searched that they had a legal entitlement to a written search record. PACE Code A states that any person searched under section 60 is "entitled to a written statement ... if they apply within twelve months".

In three of the searches we reviewed, an officer issued a search record or card. In three other cases, the officers offered to give the person searched a record of their search, although the people searched did not accept these offers. We saw that the police issued, offered to supply or explained a person's entitlement to a search record in only 6 out of 51 encounters. This is not in line with the statutory guidance.

## **Findings: use of specialist support teams**

### **All-force survey**

Most forces said they most often used local response (27 out of 42) and neighbourhood officers (23 out of 42) for section 60 deployments. Most forces (27 out of 42) also responded they were least likely to use officers working in specialist support teams. Four forces said specialist support team officers were the most frequently deployed. One of these forces rarely used section 60 searches but the other three forces all used the power often.

## Force fieldwork

We spoke with officers in the Metropolitan Police Service, including members of specialist teams. These included officers from the violent crime task force and territorial support group. Some officers we spoke with were in senior management roles, others were in frontline roles. We were told that the Metropolitan Police Service's preference is to use local basic command unit (BCU) officers for section 60 deployments. This is because those officers have greater knowledge of local history and current community issues.

Officers told us the Metropolitan Police Service uses the violent crime task force as primary support for resourcing section 60 deployments when extra resources are needed. They added Metropolitan Police Service officers would consider using the territorial support group if the violent crime task force was unavailable. This type of extra resource might be needed in response to serious violence, deployments involving large numbers of people or when the section 60 takes place over a large geographical area or long timespan.

The frontline territorial support group officers we spoke with told us they were very mindful of the importance of community engagement. They were similarly clear on their responsibility to maintain and enhance the trust and confidence of local communities. They told us they are typically required to deploy quickly, often in response to escalating violence. They explained this could result in little opportunity for community and intelligence briefings before deployment. Officers told us they are often deployed without a structured briefing.

The senior officers we spoke with in a sample of BCUs told us they recognised the importance of briefing officers, especially officers deployed to their areas from specialist teams or where they were deployed from other BCUs. For example, senior officers from one BCU explained they had introduced community briefings to make sure officers were aware of local community and cultural issues before deployment. Senior officers in another BCU told us they had incorporated a video in their briefings, with the support of the local community monitoring group, to provide information on local community history. We were told briefing officers show the video to all visiting officers before deployment, when this is practicable.

The violent crime task force and territorial support group officers we spoke with told us their roles and responsibilities had changed in recent years. They explained this meant their focus and policing style now involved greater engagement with people in the community. Many officers expressed pride about their community cohesion and engagement work.

Independent advisory group chairs and community leaders we spoke with, from different London boroughs, spoke positively about the violent crime task force. They told us they felt the Metropolitan Police Service appeared to have improved its policing style. They gave us some examples about the violent crime task force's community engagement work, in

which the police were building positive relationships with young people and ethnic minority communities. Some independent advisory group chairs and community leaders told us the police had become more engaged with community events, youth sporting activities and meetings.

One independent advisory group chair representing a London borough told us:

“The police are honouring the invites, turning up at meetings and discussing difficult topics, even when things are uncomfortable. They are listening and having conversations. There is a massive improvement with engagement. There needs to be a lot more done, but not just the police. The community need to respond about the engagement that they want – there is a lot of trauma – and some will not stay in the same room as police. Both Black, Muslim communities and different faiths are involved. We are trying to build a closer relation with the young people.”

## **Legal context and guidance: use of force**

[Section 117 PACE](#) states that officers may use reasonable force (including using handcuffs) to carry out a stop and search. Officers must be able to justify any force used.

PACE Code A states that, for any search power: “Reasonable force may be used as a last resort if necessary to conduct a search or to detain a person or vehicle for the purposes of a search”.

In September 2022, the College of Policing updated its stop and search APP to include further guidance on using force lawfully and proportionately during stop and search encounters. The guidance applies to section 60.

The updated APP content makes it clear that it is unlawful for officers to apply handcuffs during stop and search encounters as a matter of routine. It says officers should only apply handcuffs during a search encounter when they have an objective basis to do so, once they have assessed the immediate threat and risk. The new APP content on using handcuffs during stop and search sets an expectation that:

“Forces should have systems in place so that officers are able to record uses of force during stop and search. Where feasible, these systems should make it possible for stop and search and the use of force to be monitored and scrutinised in tandem.”

## **Findings: police use of reasonable force to stop and search**

### **IOPC case review and learning report**

The IOPC identified nine cases that it, or its predecessor the Independent Police Complaints Commission (IPCC), had dealt with that related to police use of section 60 stop and search powers. In four of these cases, the IOPC/IPCC found one or more officers had a case to answer or should receive management advice or reflective practice relating to the use of force.

Some of the cases reviewed reflect the concerns raised by the CJA about the use of force during stop and search encounters. For example, a case in 2020 involved a man being stopped while driving. He was handcuffed and searched under section 60 authorisation. An IOPC review of the investigation found that the officers didn't give him enough opportunity to co-operate before handcuffs were applied.

A second example from 2020 also involved a man being searched under section 60. He was handcuffed during the search. He complained the use of handcuffs was unnecessary. The force's investigation of the incident found an officer had a case to answer for misconduct in relation to use of force. An IOPC review of the case directed further investigation into the amount of force used and an allegation of race discrimination that hadn't been properly addressed.

The IOPC's *National stop and search learning report* highlighted that routine use of handcuffs was a common theme among the stop and search cases it investigated (which were broader than just section 60). In some cases, the IOPC felt the use of force may have caused situations to escalate, which can be damaging to the confidence of those directly involved, any onlookers and members of the wider community. Recommendation 9 of the report was for the NPCC to support forces in making sure officers don't use force, in particular handcuffs, as a matter of routine.

### **All-force survey**

Over half of the forces (25 out of 42) that responded to the all-force survey stated they collected data on the police use of force during all stop and search encounters, including section 60. Fifteen forces also stated they reviewed the number of searches in which force is used, as part of internal force briefings and/or leadership discussions on use of stop and search powers.

### **Force fieldwork**

During our force fieldwork, we interviewed individual police officers and held focus groups across a range of ranks and roles. The frontline police constables and sergeants we spoke with all shared the view that officers should only apply handcuffs during a stop and search encounter in line with their assessment of threat and risk. We found that officers were aware of their responsibility to justify and account for any use of force. The officers we spoke with disagreed with any suggestion that handcuffs were a default option for stop and search encounters. Officers acknowledged unnecessary use of handcuffs may escalate tension between an officer and the person searched.

But many of the more senior leaders in the fieldwork forces we interviewed told us they shared the CJA's concern about possible overuse of handcuffs during stop and search encounters. This was for all stop and search encounters, not just those carried out under section 60.

We found numerous examples of fieldwork forces that have recognised and prioritised work to understand and reduce the unjustifiable use of force. This included a focus on reducing the unnecessary use of handcuffs during all searches. Some forces we spoke with explained they had taken significant steps to improve the situation. Examples include forces introducing:

- new force policies;
- internal and independent scrutiny processes;
- enhanced officer training and awareness;
- analysis of officer behaviour and officers' use of force; and
- referrals to community scrutiny panels.

In line with the all-force survey findings, we found not all fieldwork forces were collecting or reviewing data on the use of force during stop and searches. Some fieldwork forces have identified this lack of data and have taken steps to fill the gap.

We also found wide variations in the analysis, supervision and independent review of the use of force across fieldwork forces. It is unclear if there is enough police supervision or monitoring of stop and searches involving the use of handcuffs or the use of force.

### **Review of body-worn video footage**

Officers applied handcuffs to people in 5 of the 51 stop and search encounters we reviewed. We don't know all the circumstances surrounding each encounter. But based on our review of the video footage, the reason why officers used handcuffs was unclear in all five cases. None of the people had visibly shown resistance or force to the officers. The officers didn't properly explain their reasons for using handcuffs. We felt that the use of handcuffs may have caused unnecessary tension or conflict. Using handcuffs also appeared to interrupt the flow and style of the conversation between officers and the people they searched.

### **Legal context, guidance and social research: safeguarding children who are stopped and searched**

[Section 11 of the Children Act 2004](#) places a statutory duty on a "chief officer of police for a police area in England" (and other key people and bodies) to "make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children".

[Section 107\(1\) of the Children and Young Persons Act 1933](#) defines a young person as "a person who has attained the age of fourteen and is under the age of eighteen years".

For the purpose of this report, we consider a child or young person to be any person under the age of 18 years.



Stop and search APP states:

“Treating people with dignity means being sensitive to people’s individual characteristics and needs and being prepared to make allowances for these in order to minimise the impact of a search ... Officers must consider vulnerability due to age, gender, mental ill health or disabilities, but there are other forms of individual needs that may make the experience of being searched more traumatic than usual.”

The APP also includes guidance on searching children. It states that “a child should be treated as a child first”. It says children under the age of ten should only be searched in “exceptional circumstances”.

It also makes it clear that officers should consider their safeguarding responsibilities when they stop and search a child. Statutory guidance on safeguarding children ([Working together to safeguard children](#), 2018) reinforces that “children who are encountered as offenders, or alleged offenders, are entitled to the same safeguards and protection as any other child and due regard should be given to their safety and welfare at all times”. The stop and search APP sets out relevant factors that may identify a cause for concern for a child. These include:

- the time of the stop – for example, if they are out during school hours or it is very late at night;
- whether there is someone with them who may be exerting pressure to commit crime or otherwise exploit them;
- signs of vulnerability, such as physical signs of neglect, difficulty in communicating, bravado or insolence used to disguise undue alarm or actual fear; and
- if the child is looked after or missing from home.

The stop and search APP also notes that officers should consider using police protection powers under [section 46 of the Children Act 1989](#) when there is reasonable cause to believe that a child would otherwise be likely to suffer significant harm.

The IOPC’s *National stop and search learning report* recognised the trauma that stop and search can cause, particularly to children. It states:

“Stop and search is often the most confrontational encounter an individual will have with the police. When a search is not carried out professionally and with sensitivity, complainants have told us of the lasting effect it can have, making them feel victimised, humiliated, and violated. And when the individual being stopped is a young child who may subsequently experience repeated stops and searches throughout their lifetime, the cumulative impact can be significant.”

The report concluded that consideration of the possible harm caused by stop and search encounters should be influencing the design and provision of legislation, policy, practice, training and community engagement. The IOPC recommended that the NPCC, College of Policing and Home Office should consider commissioning research into the trauma people may experience from the use of stop and search, particularly those who are from an ethnic minority background and children and young people.

One research study that specifically focused on the stop and search experiences of children and their families, '[The stop and search of minors: a "vital police tool"?](#)' (Flacks, 2017), involved the parents of children who had been searched. The parents were concerned about the mental and emotional well-being of their children who had been searched and the lasting trauma this could sometimes cause. Concerns were also expressed about children not understanding why they had been searched or their rights, finding the experience of being searched overwhelming and/or possibly being volatile or vulnerable.

## **Findings: safeguarding children who are stopped and searched**

### **Publicly available data on the age of people stopped and searched**

Since 2021, the Home Office has published national statistics on the age of people who have been stop and searched under various stop and search powers, including section 60 ([Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2022](#)). The Home Office summary data tables include data on the people searched under section 60 by age bands, which define children as aged under 18 years and young adults as aged 18 to 24 years.

In the reporting year ending 31 March 2022, police searched one child under 10 years and 1,297 children aged between 10 and 17 years under section 60. Only 4,341 section 60 searches were conducted in that period, so the number conducted on people under 18 years represents 29.9 percent of the total. Police also searched 1,533 young adults aged between 18 and 24 years. This means that almost two thirds of all people searched under section 60 for that period were under 25 years old.

The same age bands are used to display local stop and search age data on [Police.uk](#). But users can also see a breakdown of stop and search data by age bands. They can use age under 10 years, 10 to 17 years, 18 to 24 years, and 30 years or over to help them analyse the stop and search data available at [data.police.uk](#). Or they can use the open data tables published in the Home Office powers and procedures statistical reports. So anyone can get national and force-level data on the number of children and young adults searched under section 60.

### All-force survey

Only nine forces (out of 42) said they record whether officers made a safeguarding referral as a result of any stop and search encounter.

### Force fieldwork

We found that all fieldwork forces took different approaches in how they managed the possible risk and vulnerability of children who were stopped and searched. Few forces could show us any specific stop and search policy or guidelines on the stop and searching of children. We didn't find any force that said they had a different policy or provided additional stop and search guidance to their officers when using section 60 powers. Bearing in mind that the powers are used in relation to serious violence and heightened threats or risks of harm to people, we were surprised fieldwork forces didn't appear to provide more guidance on this matter when children were involved. This is all the more surprising especially considering the numbers of children and young adults searched by the police using section 60 powers.

We also found that all fieldwork forces had different policies and practices for monitoring or reviewing their stop and searches of children. These forces all had different practices for making referrals to other specialist support agencies. We found no evidence that the type of search power the police used to search a child affected or changed the level of police assessment or follow-up.

We found very limited evidence in our fieldwork forces of the police prioritising monitoring or reviewing of their section 60 searches of children. Very few fieldwork forces could show how they applied adequate safeguards for the children they stopped and searched. This means the police could be overlooking their safeguarding obligations. This work is especially important when such a high proportion of the police's section 60 searches are on children and young people.

The fieldwork forces we assessed did little analysis or assessment of searches involving children. We found some examples of fieldwork forces carrying out stop and search analysis related to age. But few forces used this analysis to support strategic decision-making about their use of stop and search, including section 60, on children and young adults.

We therefore share the CJA's concerns that the police service isn't prioritising the risk and vulnerability of children during stop and search encounters. This requires the police to make sure they are following all guidance on stopping and searching children. But the solution is more complex than simply recommending the police improve their training and awareness when searching children. The police should consider how they use all their safeguarding policies and practices when they search children. This includes how the police may make child safeguarding referrals to other bodies. Put simply, if an officer considers a child to be at risk, during a stop and search or otherwise, that officer should take immediate protective action and, if necessary, make a referral to specialist

support professionals. Force policies and practices should support this operational decision-making.

We did see a series of interesting and innovative examples of stop and search practices designed to safeguard children that have been introduced by Suffolk Constabulary. These involved a wide range of joined-up stop and search safeguarding, training and scrutiny policies and practices. Full details of these examples can be found in [Annex B](#).

# Communicating information about section 60 authorisations and managing their impact

## What the Criminal Justice Alliance says

In [its super-complaint](#), the [Criminal Justice Alliance \(CJA\)](#) states it is concerned that:

- Forces don't carry out [equality impact assessments](#) to examine and mitigate the impact of [section 60](#) authorisations.
- There is inconsistency in the way forces communicate information about section 60 authorisations.
- There is limited evidence to show forces engage effectively with people from Black and ethnic minority backgrounds, and with children and young people.
- There is a lack of force evaluation of communication methods.

## Summary of our findings

We agree with the CJA's concerns.

- It isn't common for forces to complete equality impact assessments for section 60 authorisations. Some forces require officers to complete a [community impact assessment](#) for each section 60 authorisation but in other forces it is optional. If forces don't consider carrying out equality impact assessments and/or community impact assessments on their use of section 60, some might not be fully meeting their obligations under the [public sector equality duty](#). It also means we can't be sure all forces are effectively assessing the effect their decisions may have on local people and communities.
- Some forces review community impact assessments for section 60 authorisations through the command chain and/or through independent scrutiny arrangements. But this isn't the case in all forces. We are concerned that some forces might not be identifying important equality and community impact information and intelligence.
- Forces take different approaches to sharing information about section 60 authorisations with the public. Some forces involve independent advisory groups, community scrutiny panels or other local community networks to help them communicate with the public. In most forces, colleagues from the forces' communications departments provide support when forces publish information about section 60 authorisations.

- There is limited evidence to show forces target their communications about section 60 authorisations to people most likely to be affected.
- Forces find it particularly difficult to engage and communicate effectively with children and young people.
- We found limited police evaluation of the effectiveness of how forces communicate with the public about section 60 authorisations. Some forces have initiatives to improve their understanding of effectiveness. But this isn't common practice.

## Stakeholders' views

We asked stakeholders to give their views on how the police communicated with the public about section 60 authorisations. Stakeholders broadly agreed forces need to improve in this area. Responses suggested that better explanations of police activity during section 60 authorisations would benefit the public, particularly those people most likely to be affected by the authorisations.

Some examples of stakeholders' views are given below.

### **Dr Jamie Bennett, Chief Strategy Officer, Youth Justice Board:**

"The police need to provide more explanation and evaluation of how they are driving positive and protective policing activity. The police have missed out on publishing evaluation and assessments of the impact of stop and search on communities in improving public safety. The police are not always good at explaining their community impact and equality impact assessments, especially in relation to stop and search. The police are not effectively explaining stop and search to communities."

### **Rick Muir, Director, The Police Foundation:**

"Effective communication on why the police are using the power is important. However, it can be hard to consult in advance as section 60 is often used in a dynamic situation."

Some stakeholders at the roundtable conference participated in community monitoring groups. They told us they felt the police didn't effectively consult with them before section 60 authorisation was given. A common theme was that stakeholders thought the police should work more effectively with communities to make them aware of section 60 authorisation and gain community support.

Some roundtable participants also felt that their local force didn't communicate section 60 authorisations effectively within their communities. They described instances of forces communicating information through Twitter or other social media. But they questioned whether young people used those platforms. Several roundtable participants thought the police needed to improve their communication with Black and ethnic minority communities, and with children and young people.

## Views of National Police Chiefs' Council Lead

### **Chief Constable Amanda Pearson, NPCC Lead for Stop and Search:**

"It is difficult to balance the impulse to authorise section 60 to address violence or risk, with the need to develop and maintain positive relationships with the local community. There is a need to have a very clear understanding of the specific community relations in place when considering a section 60 authorisation."

"APP [authorised professional practice] provides guidance to forces to be proactive in the engagement and communication with communities in advance of, during and after section 60 authorisations to enhance community trust and confidence."

## **Legal context and guidance: equality impact assessments and community impact assessments for section 60 authorisations**

If forces are to understand and manage possible harm to community trust and confidence, it is essential they thoroughly assess the likely impact of section 60 operations on communities. Forces have the option to complete an equality impact assessment for section 60 authorisations. This helps them make sure they are properly addressing any equality issues that may result from local policy and use of the power.

All public bodies, including police forces, must have due regard to the public sector equality duty. This requires public bodies to eliminate discrimination, advance equality of opportunity and foster good relations between people who share relevant protected characteristics and those who don't.

An equality impact assessment is an analysis of the possible impact a proposed policy or policy change may have on people with protected characteristics. Doing an equality impact assessment can show a force is complying with the public sector equality duty. But this isn't the only way a force can show it meets this obligation. Case law indicates that having "due regard" is important before a decision is made. But there is no specific duty on a public body (including the police) to do an equality impact assessment.

### [College of Policing engagement and communication authorised professional practice](#)

(APP) includes guidance about the police application of the public sector equality duty, which states:

"Although there is no explicit legal requirement to engage with people who have different protected characteristics, public bodies are required to consider all individuals when carrying out their work, and to understand how different people will be affected by their activities. The duty requires public authorities to have an adequate evidence base for their decision making. Engagement can assist with developing that evidence base by helping forces to build their policies on evidence, rather than on assumptions."



“Public authorities covered by the specific duties need to publish information to demonstrate their compliance with the public sector equality duty. This could include details of their engagement as part of decision and policy making.”

Forces also have the option of doing a community impact assessment. The [strategic planning APP](#) contains guidance for senior officers on how to use a community impact assessment as part of an operational plan. The APP uses the term community to describe groups comprising individuals, families, community/other groups and businesses that may be affected by a police response.

The APP states senior officers should use a community impact assessment to determine how a community or group might be affected by an issue or incident. It says a community impact assessment is a document that officers should review and update regularly, taking account of emerging issues. It suggests a community impact assessment might include:

- history relevant to the operation or community;
- the unique and current nature of communities being assessed;
- police and inter-agency factors (for example, partnership arrangements, resources, media involvement); and
- future issues, including how or when the incident may evolve and what the community impacts and perceptions may be.

The engagement and communication APP also describes the purpose of a community impact assessment (CIA) as:

“to identify issues that may affect a community’s confidence in the ability of the police to respond effectively to their needs, thereby enhancing the police response. It helps to inform forces about long-term plans to rebuild community confidence and learn lessons for the future. CIAs should be carried out efficiently and should accurately record the effect that the incident has had on the community”.

The APP states that:

“an effective CIA may also:

- provide enhanced investigative assessment and an understanding of all aspects of the incident being dealt with
- identify vulnerable individuals and groups
- provide an assessment of community confidence in police response
- develop community intelligence.”

In its [National stop and search learning report](#), the [Independent Office for Police Conduct \(IOPC\)](#) identified cases where police actions may have been influenced by assumptions about people from an ethnic minority background. It found that the cumulative effect of these cases was undermining stop and search legitimacy and having a negative impact on trust and confidence. The report concluded that forces should be carrying out equality impact assessments and community impact assessments to help them address any risks of discrimination. It said such assessments should inform local policies and processes. It also said they should protect people from ethnic minority backgrounds from being disproportionately affected because they fit a certain stereotype or are present in a certain geographical area. The IOPC recommended the [National Police Chiefs' Council \(NPCC\)](#) and the [College of Policing](#) “develop guidelines on how to safeguard people from a Black, Asian, or other minority ethnic background from being stopped and searched because of decision-making impacted by intelligence based upon assumptions, stereotypes, and racial bias, and mitigate the risks of discrimination”.

### **Home Office research on the impact of changes to the Best Use of Stop and Search Scheme**

The Home Office's research [Stop and search section 60 relaxation: equality impact assessment](#) acknowledged that relaxing the [Best Use of Stop and Search Scheme \(BUSSS\)](#) conditions could negatively affect some groups with protected characteristics. It stated:

“The wider evidence indicates that disparities (age, race, sex) in the use of section 60 exist and it is still reasonable to assume that any increase in s60 searches as a result of a permanent decision to relax all or some of the BUSSS conditions will disproportionately impact these groups.”

The Home Office suggested ways to avoid or mitigate these negative effects. These included:

- reviewing stop and search data (including the race, age and gender of the person searched) as part of monitoring disproportionality at a national level;
- the planned publication of more detailed data on stop and search, which would allow local scrutiny groups and others to hold forces to account;
- operational guidance, including updated APP on best practice on community engagement and scrutiny;
- senior-level oversight and review of section 60 authorisations; and
- use of College of Policing updated guidance on sharing [body-worn video](#) footage with community scrutiny panels.

## **Findings: equality impact assessments and community impact assessments for section 60 authorisations**

### **All-force survey**

Most forces responded that they regularly reviewed their overall use of section 60. But only three forces review equality impact assessments associated with the authorisation. Twenty-two forces stated they required someone from outside the authorisation chain of command to review the use of section 60 after every authorisation. Eight forces said this included an assessment of the possible impact on people, based on their protected characteristics, after the section 60 had concluded.

### **Force fieldwork**

We found that some fieldwork forces considered and completed equality impact assessments on their stop and search policies and training plans. But forces took different approaches to completing them. We reviewed a sample of equality impact assessments and found they were thorough and detailed. They contained a proportionate and adequate assessment of the possible effect of stop and search on people with protected characteristics.

Several forces required officers to complete a community impact assessment for all section 60 authorisations. In other forces, community impact assessments were optional, and officers only completed them when the authorisation was linked to a critical incident or longer-term deployment.

We found examples where authorising officers in the same force gave conflicting views on whether a community impact assessment would always be required for section 60 authorisation. Some authorising officers told us their force provided community impact assessment templates for section 60. But this wasn't a consistent finding across all fieldwork forces. It was unclear how much training forces give officers and staff responsible for completing community impact assessments. The effectiveness of this training was also unclear.

How forces scrutinised and reviewed section 60 community impact assessments differed across our fieldwork sample. In some forces, community impact assessments for authorisations were reviewed by senior officers, through other internal scrutiny arrangements or by independent advisory groups. The APP about community impact assessments doesn't include guidance on how they should be reviewed. There is also no guidance about how community impact assessments could be used as part of the community scrutiny panel process. This contributes to inconsistencies across the service.

We share the CJA's concerns about forces not doing equality impact assessments to examine and mitigate the impact of section 60 authorisations. The absence of equality impact assessments and community impact assessments for section 60 authorisations in some forces might mean that forces are missing important information and intelligence.

This may affect forces' ability to manage or mitigate possible negative effects on the community. This also creates a risk that some forces aren't effectively meeting their obligation under the public sector equality duty.

## **Legal context and guidance: communication of section 60 authorisations**

One requirement of the 2014 BUSSS was:

“Participating forces must communicate with the public in the areas where a section 60 authorisation is to be put in place in advance (where practicable) and afterwards. The public need to be informed of the purpose and outcomes of each section 60 operation. However, it is a matter of local discretion to participating forces as to how they communicate this information.”

On 16 May 2022, the (then) Home Secretary, the Rt Hon Priti Patel MP, [announced in a letter to police forces](#) that all aspects of the BUSSS guidance relating to section 60 would be permanently relaxed. This had the effect of removing all previous restrictions placed on the police use of section 60, including:

“removing the requirement for section 60 authorisations to be publicly communicated to communities in advance”.

The [stop and search APP](#) says that forces should publicise details of section 60 authorisations. It says forces may do this “via social media, signs placed in the relevant area and through local community leaders and other key individual networks [a network of people who are able to represent identified groups]”.

The strategic planning APP states that operational strategies may include a communications plan, and this may include:

- an outline of phased activity;
- which internal and external stakeholders need to be considered;
- who has responsibility for communicating with which groups;
- how various groups with diverse needs will be communicated with;
- what range/role of media is being considered; and
- consideration of a memorandum of understanding, when working with partners.

## Findings: communication of section 60 authorisations

### Home Office research on the impact of changes to the Best Use of Stop and Search Scheme

The Home Office's research into the [section 60 stop and search pilot](#) suggested most police forces continued to publicise section 60 authorisations during the pilot, despite the fact that the requirement to publicly communicate them in advance had been removed.

The BUSSS changes or relaxations provided guidance to the police that "Section 60s do not need to be communicated publicly by the police in advance".

The Home Office's research found:

"Communicating with the public about [section 60s] – especially in advance – was widely felt to bring a range of benefits in terms of legitimacy and public transparency. Also, for some officers, public communication of the authorisation was a key operational goal of how a [section 60] worked to prevent crime, by elevating the perceived risk of apprehending would-be offenders."

### All-force survey

The most popular method for communicating information about section 60 authorisations to the public was social media (31 out of 42 forces). Other regular approaches forces used included force websites (16 out of 42 forces) and TV/radio announcements (12 out of 42 forces). In most forces (36 out of 42 forces), police media communications staff helped forces to share information about section 60 authorisations with the public.

### Force fieldwork

Our findings reflected the survey responses. We found forces primarily used social media platforms and force websites to publicise information about section 60 authorisations. We also found that many forces used local media networks.

We found that some forces involve their independent advisory group, community scrutiny panel or other local community networks to help with public communication about a section 60 authorisation. We spoke with several independent advisory group and community scrutiny panel chairs and members. Most said the police routinely informed them when section 60 was being authorised. They also said police communication methods varied. The nature of the incident and the time of day the section 60 authorisation was given affected which method was used.

Some independent advisory group chairs and community network members said the police consulted them before deciding to authorise section 60. But most told us the police informed them about the authorisation after it had been made. Some independent advisory group chairs told us they were frustrated by this.

One independent advisory group chair told us:

“Yesterday I was contacted. I'm only given limited information so do not know what response I am supposed to be giving. I know my Borough. I have worked and lived in it. The officers haven't. How can I assist if I do not have the correct information picture?”

Another independent advisory group chair said:

“The police do call us before it is going to happen. My frustration is not involving us before the decision has taken place. The call is very much to tell me that it is happening. With young people, the biggest problem is the engagement. Their back is already up. Young males are facing animosity and aggression from gangs and then again by police. We need to be able to coach the youth in [the] appropriateness of stops. A lot of officers may not know what else has happened on that street ... other deaths within the street ... and other things that may affect people's behaviour.”

### **Review of section 60 authorisation records**

Each section 60 authorisation record we reviewed contained a section for the authorising officer to record how the authorisation had been publicly communicated. Eleven of the 27 records hadn't been completed with this information. This meant we couldn't effectively assess these records. The other 16 section 60 authorisation records contained some detail on how the force communicated with the public, including those most likely to be affected by the authorisation. Some records contained police media statements and messages to the public. Others included communications to community stakeholders. A few combined both. Some authorising officers listed community representatives or stakeholders they had contacted. This generally included elected officials or members of independent advisory groups.

One authorising officer recorded:

“Consultation with IAG [independent advisory group] Chair was conducted 20 minutes after the authorisation was made. This was due to operational necessity as officers were on scene and dealing with an active incident. I contacted [the IAG Chair] as soon as possible following the authorisation to discuss it in detail. She has shown her support for the authorisation.”

Another authorising officer recorded:

“I am aware that community engagement has taken place and that members of the community are going to be involved in the briefing and operational activity to provide scrutiny and also engage with individuals who may be stopped and searched with the aim of deterring them from carrying weapons and being involved in violent crime. In undertaking the operation, officers taking part must continue to engage all members of the community, especially those stopped, and to alleviate community impact through



the continued use of procedural justice approach. This is particularly important given that hostility has been shown towards officers patrolling the area by some individuals.”

## **Findings: how the police target their communications about section 60 authorisations**

### **Force fieldwork**

We found limited evidence to show forces effectively target their communications about section 60 authorisations to the people who are most likely to be affected by them. It is unclear how forces use social media and local media networks to target these people.

We found examples where forces were trying to improve how they targeted all their communications, not just those about stop and search. We learned of one police initiative involving detailed mapping of their community networks to improve how they work with local people. Several other forces were working with their community scrutiny panels to promote the work and recruit people from more diverse backgrounds. Another force had created a detailed community engagement tracker that mapped all the police engagement work within local and diverse communities. Other forces worked with both their independent advisory groups and community scrutiny panels to carry out leaflet drops and targeted social media campaigns. We found that the success of these activities largely depended on the strength of local community networks within forces. But it was often unclear whether forces made sure local successes were replicated in other areas within the force. We found little evidence of any evaluation to establish what works well.

Many of our fieldwork forces told us engaging and communicating effectively with children and young people affected by stop and search powers, especially section 60, was particularly difficult. These forces seemed to rely on traditional social media and IT platforms. But some stakeholders at our roundtable conference told us these platforms might not be the most effective way for forces to reach children and young people. The police need to be more innovative in how they communicate with all people most affected by section 60.

Some forces told us that even after they had invested considerable time and resources in engaging with young people, it was often difficult for them to make sustainable, long-term connections. But we did learn of several force initiatives that were attempting to engage and communicate with young people through setting up youth groups, youth independent advisory groups or involving young people as members of stop and search community scrutiny panels. In [Annex B](#), we highlight one example of innovative practice by Northumbria Police.



## **Findings: how the police evaluate the effectiveness of their communications about section 60 authorisations**

### **Force fieldwork**

We found little evaluation by forces of the effectiveness of how they communicate with the public about section 60 authorisations. While we found some examples of initiatives to improve their understanding of effectiveness, this wasn't common practice across our fieldwork forces.

In [Annex B](#), we highlight one example of innovative practice by Merseyside Police.

## Data and analysing the use of section 60

### What the Criminal Justice Alliance says

In [its super-complaint](#), the [Criminal Justice Alliance \(CJA\)](#) states it is concerned that:

- There is a lack of data on the use of stop and search, including for [section 60](#).
- There is a lack of consistency in how forces record and analyse data. The CJA states this restricts forces' ability to monitor how they perform.
- Forces aren't recording whether search outcomes are linked to the purpose of the search. The CJA is also concerned about inconsistencies in how forces record arrests and weapon recovery during section 60 searches.
- The high number of search records in which officers record ethnicity as unknown means forces cannot fully analyse the degree to which people from an ethnic minority background are affected by search powers.
- There is disproportionate use of section 60 stop and search on people from ethnic minority backgrounds.
- There is no data on the number of police complaints recorded for searches done under section 60 authorisations.

### Summary of our findings

- We agree with the CJA's concerns about the lack of publicly available section 60 data and inconsistencies in how forces record it. We are also concerned that forces aren't monitoring and analysing section 60 data well enough. Forces need to do more to understand and explain any disproportionate outcomes of their use of their stop and search powers.
- The Home Office expects all forces to record data on the number of section 60 authorisations made, the geographical area and the length of time for each authorisation. The Home Office doesn't ask forces to provide this data as part of the [Annual Data Requirement](#) and doesn't report national data on these matters.
- The Home Office requires forces to provide it with data on the number of individual section 60 searches conducted (as part of the Annual Data Requirement). Forces must also provide the number of arrests for possession of an offensive weapon made after a section 60 search.
- Officers sometimes used alternative (reasonable grounds) stop and search powers to search a person when a section 60 authorisation was in place. This will affect

forces' analysis and evaluation of their use of section 60 because these searches will be recorded under other powers.

- Self-defined ethnicity data is still missing across large numbers of police stop and search records. This makes it difficult for forces to effectively analyse these records. Most forces reviewed the quality of stop and search records. Their reviews included whether officers properly completed self-defined and officer-observed ethnicity information. They also included reviews of any resulting ethnic disproportionality of searches.
- Police forces shouldn't rely solely on officer-observed ethnicity data to improve ethnicity data quality. They should also improve how they collect self-defined ethnicity information. Some training and development initiatives for officers are now in place in forces to improve this. We found little evidence of any evaluation of such initiatives.
- The force senior leaders we spoke with appreciated people's concerns about the disproportionate use of section 60. They appeared determined to take steps to understand and address disproportionality levels. Most forces monitored a wide range of stop and search data at a senior leadership level. Many forces held a range of strategic and operational stop and search meetings. Some forces held annual reviews of their section 60 policies and use.
- There have been numerous research and analytical initiatives aimed at better understanding and managing disproportionality, and a significant amount of work on this continues. For example, independent academic evaluation is supporting some forces' analysis of stop and search disproportionality. But no force is able to fully explain the reasons for stop and search disproportionality.
- Recording practices mean that police data doesn't help forces to break down complaints into separate stop and search powers, including section 60. Identifying section 60-related complaints typically involves forces carrying out a manual review of complaint cases or doing a keyword search. This makes it difficult for forces to know the number of complaints it receives about section 60.

## Stakeholders' views

We asked stakeholders to share their views on section 60 data and analysis. We were also interested to hear their views and insight on disproportionality resulting from section 60 authorisations. Many stakeholders said how difficult it is to objectively analyse disproportionality for section 60. Many told us they thought there needed to be more wide-ranging and detailed data that can be easily accessed, and more analysis of section 60 use. Many academics highlighted how complex it is to understand and mitigate disparities caused by the police use of section 60.

Some examples of stakeholders' views are given below.

**Lana Adamou, Lawyer, Liberty:**

"Section 60, because it is suspicion-less, has the biggest effect on disproportionately. It's a myth that Black people are more likely to commit offences. Stop and search is targeted against Black people, so it is very damaging."

**Gavin Hales, Senior Research Fellow, London Metropolitan University; Senior Associate Fellow, The Police Foundation; Visiting Fellow, London School of Economics Mannheim Centre for Criminology:**

"There is social inequality across a wide range of indicators. Similar disparities are seen, for example, in victimisation and offending data (including homicide), dependent drug use, maternal mortality, missing people, homelessness, and some forms of mental illness. These speak to wider structural inequalities in society. Therefore, we should expect that there will be an element of disproportionality in policing an unequal society, especially when broad powers are applied to rather narrow problems, such as knife crime, targeting a subsection of society. Here young males, and especially young Black males, are disproportionately both victims and perpetrators of knife crime."

Participants at the roundtable conference spoke extensively about the negative outcomes of racial and age-related disproportionality in the police use of all search powers, not just section 60. They highlighted the disproportionate effect on young people they worked with and the wider community.

## **Views of National Police Chiefs' Council Leads**

In May 2022, Deputy Chief Constable Tyron Joyce, the [National Police Chiefs' Council \(NPCC\)](#) Programme Director for the [Police Race Action Plan](#), wrote an open letter to chief constables on the importance of the plan. The letter said:

"In its simplest terms this plan is about delivery of our operational activities. Despite our assertion that most policing activity is lawful, we still cannot explain significant and sustained disproportionate use of our policing powers. This undermines our legitimacy and questions how effectively we protect the communities we serve. Our work to explain or reform our activity and improve the way in which we collate and consider data nationally does not threaten our police work but strengthens it."

"HMICFRS could assist the delivery of the police race action plan if they were to inspect disproportionality of stop and search and across all areas."

**Chief Constable Amanda Pearson, NPCC Lead for Stop and Search:**

“Our data collection and analysis continue to improve as we make changes in line with both internal and external needs in collaboration with the Home Office.”

“The key aspect is how forces use the data to understand and explain the use of the power and any disparities in its use. Chief officers are encouraged to introduce strategies to give leadership and direction so that stop and search powers are being used in the right place at the right time to keep our communities safe and be able to explain why police are using their powers within their communities especially in the case of any disproportionate use.”

## **Legal context and guidance: recording, monitoring and publishing stop and search data**

[Police and Criminal Evidence Act 1984 \(PACE\) Code A](#) sets out the information officers are required to record when they stop and search a person, including when they search someone under a section 60 authorisation. These individual search records are separate from section 60 authorisation records. Forces can use these individual records, and section 60 authorisation records, to monitor and evaluate section 60 authorisation outcomes.

In April 2020, as part of its Annual Data Requirement, the Home Office introduced the requirement for forces to submit data down to an individual search record level. This was for all stop and search records, including those made under section 60 powers. This added to the combined data it was already collecting and meant it could publish more detailed national statistics. The 2020 Annual Data Requirement also required forces to collect age data for all stop and searches.

Since 2021, the Home Office has published national statistics on the age of people who have been stop and searched under various stop and search powers, including section 60 ([Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2022](#)). The Home Office summary data tables include data on the people searched under section 60 by age bands, which define children as aged under 18 years and young adults as aged 18 to 24 years.

Forces are required to submit record-level data to the Home Office on all [section 1 PACE](#) and section 60 stop and searches through the Annual Data Requirement. The data includes the self-defined ethnicity of the person who is stopped, their age and sex, the reason for the search, the reason for an arrest and the outcome of the search.

At the time of our investigation, the Annual Data Requirement for stop and search data included:

- Unique ID of stop and search
- Date (YYYY-MM-DD)
- Time (hh:mm:ss)
- Police force (expressed as a numeric code)
- Search type (person search, person and vehicle or vehicle only)
- Sex (female, male, other, unknown)
- Age
- Self-defined ethnicity
- Officer-defined ethnicity [if self-defined ethnicity not given]
- Reason for search
- Reason for arrest
- Outcome
- Outcome linked to object of search
- Weapon found (offensive weapon or firearm) and
- Use of force (was force used as part of the stop and search?).

But the Annual Data Requirement doesn't cover, or require forces to report, data related to section 60 authorisations. There is no annually published national data set about section 60 authorisations. No annual, national and statistically comparable police data exists about the numbers of sections 60 authorised. There is also no information about how many searches were conducted under each authorisation. Without this data, it is difficult to assess elements of the police use of section 60 properly. Information like the locations and geographical area of section 60 authorisations, how long authorisations are in place for and whether they are extended are important factors. At the time of our investigation, the Home Office told us there are no proposals to change this position.

But given forces are recording much of this data when they give section 60 authorisation, we believe the Home Office could include it in the Annual Data Requirement with limited impact on forces.

The Home Office Annual Data Requirement doesn't provide rules or guidance about how the police should monitor section 60 search records or about publishing their own stop and search data.

There is also limited police guidance on the matter. [College of Policing stop and search authorised professional practice](#) (APP) says “comprehensive” data from stop and search records “must be compiled at force, area and local level”. It also says that senior officers with local and force-wide responsibilities should “proactively monitor the broader use of stop and search powers and take action where necessary”.

The APP says force monitoring of stop and search records may include:

- identifying any disproportionality in stop and search encounters and exploring its possible underlying causes;
- analysis of the overall effectiveness of stop and search; and
- exploring if stop and search powers are being targeted properly.

### **Other public sources of stop and search data**

Local performance data on stop and search are published on [Police.uk](#). Headline stop and search data at force and local policing area level are displayed on the platform. This includes data on the age and ethnicity of those who have been searched. The platform doesn't display data on searches by type of power used but does display data on what object officers were looking for.

Users can download record-level stop and search data from [data.police.uk](#). This data allows street-level analysis of stop and search activity by power. And analysis by age and ethnicity of people searched and stop and search outcomes.

Local statistics on stop and search may also be made available on independent websites associated with a police force or its local policing body. This data is likely to be published to meet local police and crime plan commitments and be associated with locally chosen metrics. Precisely what stop and search data is published and how it is presented locally is currently a matter for chief constables and local policing bodies.

## **Findings: recording and monitoring outcomes of section 60 searches**

### **All-force survey**

Most forces responded that they collected a wide range of stop and search data, and that senior leaders monitored this. Thirty-five forces stated senior leaders discussed their force's use of stop and search at least quarterly. Most forces stated they also had regular meetings about their use of section 60. Thirty-two forces said they reviewed the use of section 60 at least annually. Thirty-one forces stated they produced a briefing to support regular leadership meetings about stop and search.

Survey responses indicated many forces didn't appear to actively monitor whether the outcomes of the stop and search, irrespective of the power used, were linked to the purpose of the search. Twenty-three forces said they included data on linked outcomes in briefings to support leadership meetings. Twenty-four forces said they were monitoring the number of weapons found.



## Force fieldwork

During our investigation, we found not all searches conducted when a section 60 authorisation was in place were undertaken using the section 60 power. When we spoke with some frontline officers, they told us they preferred to use their reasonable grounds powers, such as section 1 PACE, even when section 60 had been authorised. This is in line with PACE Code A. But this means that the results of searches they undertook might not be recorded as outcomes of a section 60 search. Instead, forces may be considering them as outcomes for other search powers. As a result, arrests and positive outcomes from section 60 deployments might be under recorded. This could have an impact on force analysis of the effectiveness of section 60.

In February 2021, [His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(HMICFRS\)](#) raised concerns in its report [Disproportionate use of police powers – A spotlight on stop and search and the use of force](#) that not enough forces were actively monitoring the find rate of weapons by search type. At that time, HMICFRS said no force was monitoring this data.

We now know from our investigation that some forces record, review and report on the total number of weapons they recover as a result of all their policing activity, not just stop and search. Other forces record, review and report on the number of stop and searches that result in weapons being found. Very few forces could differentiate the weapons seizures they had made by the different types of search powers that had been used. The difference in these approaches makes it difficult for us, the police or anyone else to compare the search outcomes relating to weapon seizures between forces. It also makes it difficult for the police to assess the effectiveness of their use of section 60 and other search powers in dealing with serious violent crime, and to explain this to the public.

## Review of section 60 authorisation records

All 27 fieldwork force authorisation records we assessed required officers to record outcomes of section 60 authorisations. For example, one force template required authorising officers to record:

- the duration of the section 60 authorisation (including extensions);
- the number of searches conducted;
- the self-defined ethnicity of people searched;
- the number of searches resulting in arrest;
- the number of searches resulting in an outcome other than arrest or no further action;
- details of any other significant results (for example, weapons seized or other violent incidents); and
- relevant feedback from community groups that could contribute to organisational learning.

But the amount of outcome detail forces expected officers to record differed greatly between forces. Outcome details also varied between records.

There were significant gaps in how authorising officers had recorded outcomes. In around half the documents we reviewed, they hadn't recorded any search outcomes. In most of the authorisation records, authorising officers had recorded their section 60 search objectives with general statements like "to prevent serious violence and apprehending people carrying weapons". But in the records we were given, very few authorising officers recorded whether those objectives were met. It is unclear from the authorisations we reviewed whether this information was recorded or evaluated elsewhere. As a result, we can't assess how all fieldwork forces analysed the results and outcomes of section 60 authorisations. This may mean that some forces are also unable to fully assess the effectiveness of their authorisations.

### **Legal context and guidance: recording ethnicity in section 60 searches**

PACE Code A requires officers to record self-defined ethnicity of the people they search. If the officer has a different perception of the person's ethnicity, the officer should record this.

In April 2020, the Home Office introduced a requirement for forces to submit record-level data on all stop and searches. This included data based on officer-observed ethnicity. The aim was to address the situation where the person searched hadn't given the officer their self-defined ethnicity. This means searching officers must assess and indicate a person's ethnicity when they make a record of a search.

The 2021 HMICFRS report *Disproportionate use of police powers – A spotlight on stop and search and the use of force* states:

"Recording ethnicity is important because without a complete picture, forces are unable to understand accurately the impact of stop and search on different ethnic groups. This means decisions about whether any action needs to be taken might be made on misleading information."

In April 2022, the [Independent Office for Police Conduct \(IOPC\)](#), in its [National stop and search learning report](#), recommended a consistent national approach for monitoring and scrutinising data on the protected characteristics, including ethnicity, of people subject to stop and search. The report recommended the NPCC provide support to police forces on recording the data. At the time of our investigation, the [College of Policing](#) was working with the NPCC to develop the proposed 'Protected characteristics – operational recording data standard'. This will set the standard for consistently recording data on protected characteristics on all newly introduced police technology systems. It will also establish common data standards for wider criminal justice partners. At the time of our investigation, the College of Policing and NPCC planned to jointly issue other guidance to all forces.

## Findings: recording ethnicity in section 60 searches

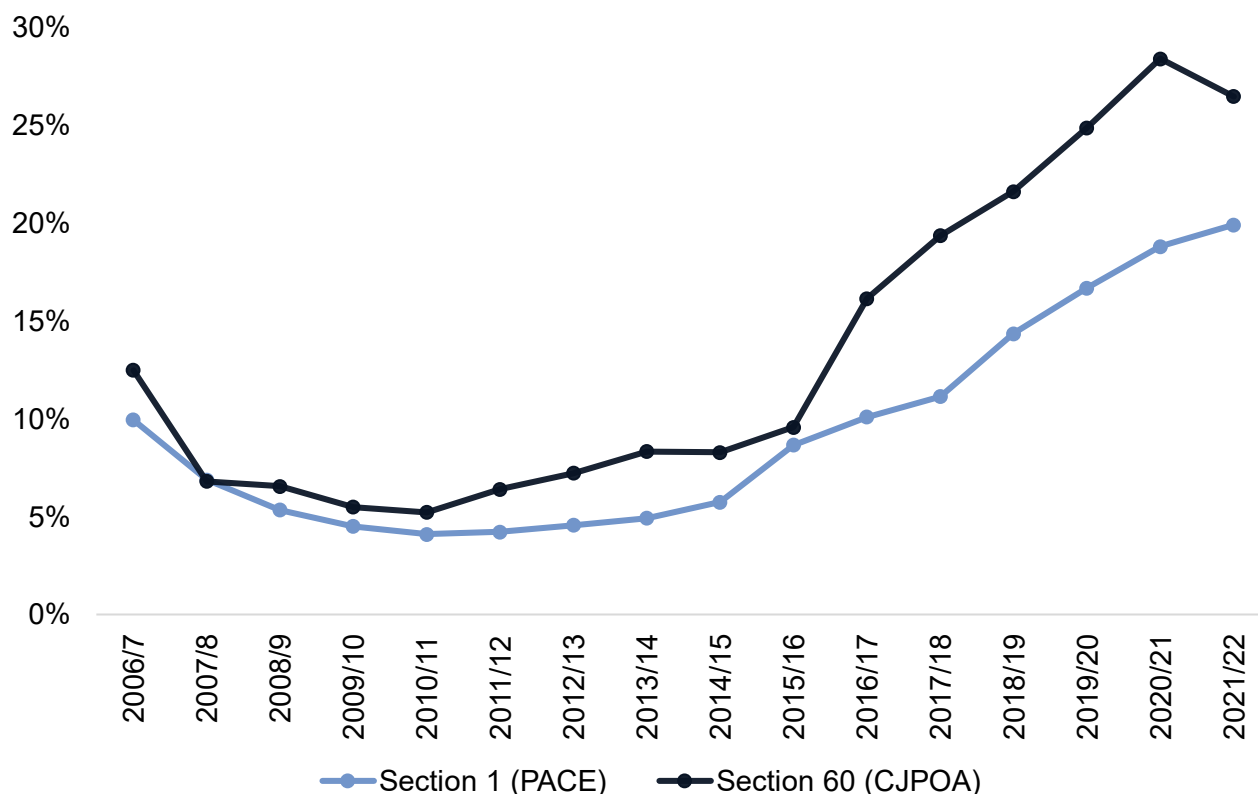
### Home Office section 60 ethnicity data

The Home Office collects recorded stop and search data when there is either self-defined ethnicity (information given by the person searched) or officer-observed ethnicity of that person. The Home Office has published police stop and search ethnicity data, including a combination of self-defined and officer-defined ethnicity, since its 2021 statistical bulletin.

Figure 7 shows Home Office data between 2006/7 and 2021/22 on the proportion of search records in which self-defined ethnicity wasn’t stated. In 2021/22, the self-defined ethnicity of search subjects wasn’t stated in 20 percent of all search records.

This proportion has steadily increased since the year ending 31 March 2011, in which self-defined ethnicity wasn’t stated for only 4.2 percent of searches. The proportion of section 60 search records in which self-defined ethnicity wasn’t stated has consistently been higher than for reasonable grounds searches. It has also been increasing at a slightly faster rate. In 2021/22, the self-defined ethnicity of people wasn’t stated on 26 percent of section 60 search records. This was an increase of 21 percent on the level in 2010/11 but was 2 percent lower than in 2020/21.

**Figure 7: Proportion of section 1 and section 60 stop and search records in which self-defined ethnicity wasn’t stated, years ending 31 March 2007 to 31 March 2022**



Source: [Stop and search open data tables](#) from the Home Office

Note: Data excludes vehicle-only stops. CJPOA: Criminal Justice and Public Order Act 1994; PACE: Police and Criminal Evidence Act 1984

The number of search records in which self-defined ethnicity wasn't stated restricts effective data analysis. It means anyone analysing stop and search data can't reliably know how many people were from an ethnic minority background. The missing data could be masking greater disparities in search rates, or exaggerating headline figures.

Information on the officer-observed ethnicity of people searched can help reduce the uncertainty. The Home Office uses this information to publish figures that combine data on self-defined and officer-observed ethnicity of those searched. The proportion of section 60 records in which the ethnicity of the subject was unknown was reduced from 26 percent to just 1 percent (in 2021/22) using this method.

### **All-force survey**

Most forces were collecting a wide variety of data about their use of stop and search. Generally, there was consistency in the type of data forces were collecting. Most forces stated it was their policy to record both self-defined and officer-observed ethnicity. Thirty-nine forces responded that they recorded self-defined ethnicity. Forty-one forces said they also recorded officer-observed ethnicity. Most forces stated they monitored stop and search disproportionality on the grounds of ethnicity by combining and reviewing search records that recorded self-defined and officer-observed ethnicity. Thirty of the 31 forces that told us they produced a stop and search leadership briefing said that briefings included this information.

### **Force fieldwork**

During our fieldwork we spoke with 11 police stop and search lead officers and also interviewed each fieldwork force's analytical representative, who had specialist knowledge of stop and search data, analysis and performance. During our interviews, most analysts and senior officers confirmed, and in fact openly highlighted, that ethnicity data was missing from some of their force stop and search records. We were told this was a real concern for them and their forces and they were making efforts to rectify this. Some force analysts took the time to show us the force-level stop and search ethnicity data and the gaps in the police records, particularly about officer-defined ethnicity. Many of the police stop and search leads and analysts told us missing ethnicity data presented significant challenges for force analysis. It particularly affected their ability to analyse, understand and present accurate data on stop and search disproportionality based on ethnicity.

Without this data, forces cannot fully understand the reason for or evaluate the disproportionate effect of using stop and search powers, including section 60. They also can't properly assess the legitimacy of their section 60 authorisations, and the searches conducted under them.

Many forces told us about the steps they were taking to identify the data problems at a police team and individual officer level. They also told us how they were taking measures to provide enhanced training and awareness for individuals and across the force.

When we spoke with officers who conducted searches, some of them told us they find it difficult to ask the person they stop and search about their ethnicity. Some officers told us they might choose not to ask a person about their ethnicity because they believed it might offend them.

In one force, the analyst explained they had tried to assess the problem and had found around a quarter of records they had reviewed stated self-defined ethnicity wasn't recorded because the person being searched refused to give the information. Staff in this force told us officers should record officer-observed ethnicity in such cases. Our interviews with officers who conducted searches in that force confirmed this was happening. They told us they routinely asked people for self-defined ethnicity, when possible. But they said not everyone was prepared to provide that information. Officers told us that if people refused to give this information, they completed the officer-observed ethnicity part of the record.

Another fieldwork force had applied mandatory fields to a newly introduced recording system. This should mean officers have to record ethnicity on every stop and search record for it to be accepted on to the database. When a force applies a mandatory field for ethnicity recording, analysts will have data that is more comprehensive. But we found officers in some fieldwork forces can apply a 'not provided' or similar entry on their records. This means that ethnicity data may not be available even when mandatory fields are in place.

Officer-observed ethnicity data may be less accurate because it relies on appearance alone. Forces shouldn't rely solely on officer-observed ethnicity data to improve data quality. They should also be working to increase the recording of self-defined ethnicity. This includes forces increasing officer confidence. This is fundamental to improving ethnicity recording and would lead to more effective data analysis.

Several forces told us about training and development initiatives they had introduced to improve data recording. But at the time of our investigation, it was largely unclear how much evaluation of these initiatives had taken place.

## **Legal context and guidance: the use of section 60 and disproportionality**

This section focuses on disproportionality in the police use of stop and search powers, including section 60, based on ethnicity, age and gender.

Home Office data published in October 2022 shows that all forces are, to varying degrees, disproportionate in the way they use their stop and search powers. Some have very high rates of disproportionality. The disproportionality rates differ greatly between forces with similar policing environments and populations. Stop and search disproportionality based on ethnicity has been a problem for many years. The disparity between the search rate for White and Black people has been consistently more pronounced for section 60 than reasonable grounds searches. Data available when this fieldwork was carried out (data for year ending 31 March 2021) shows that a Black person is 12.5 times more likely to be stopped and searched under section 60 than a White person. For section 1 Police and Criminal Evidence Act 1984 (PACE) searches (data for year ending 31 March 2021), a Black person is 6.3 times more likely to be searched than a White person. But ethnicity of the person stopped and searched isn't always recorded. The missing data could be masking greater disparities in search rates or exaggerating the headline figures.

Disproportionality caused by the police use of stop and search, especially section 60, has never really been analysed in a way that has helped the police service to take positive action to reduce its occurrence and the harmful impact it may have on individuals and communities. There is very little analysis or academic research about the disproportionality based on ethnicity, age or gender that results from the police use of section 60.

The negative effects of disproportionality on public perceptions and community relations shouldn't be underestimated. There is clear evidence that perceived misuse of stop and search can negatively affect trust and confidence in policing.

Forces should show that they understand the issues and must seek to mitigate possible harm or negative effects. They should be able to explain to the public the reasons for disproportionality and show, with evidence, that their use of all stop and search is legitimate, fair, proportionate and necessary. They should also be taking action to protect against bias in any police stop and search decision-making, including section 60, that might contribute to disproportionately.

Disproportionality caused by the police use of all stop and search has been subject to independent investigation and inspection activity.

The 2021 HMICFRS report *Disproportionate use of police powers – A spotlight on stop and search and the use of force* stated:

“The standard approach to considering disproportionality is to use information from the 2011 national census (the most recent census data) about the proportion of people from different ethnic backgrounds in a given area. This approach has been criticised by some researchers – and police forces – on the basis that the ethnic make-up of some areas has changed a lot since 2011. Also, some forces have extremely high numbers of short-term visitors to their areas, for reasons including a vibrant night-time economy, thriving tourism or a university. This means that the ethnic profile of people in an area

at a given time may not match that of the resident population, which could affect the disproportionality rate. Data about the ethnicities of visitors is not routinely collected and cannot be accurately determined for any force area. We use the resident population approach ... because it is considered to be the most reliable way to determine disproportionality, and it is how the Home Office and others calculate the rate.”

This report also stated: “Over 35 years on from the introduction of stop and search legislation, no force fully understands the impact of the use of these powers. Disproportionality persists and no force can satisfactorily explain why.”

It concluded: “The negative effect of disproportionate use of powers and poor police and community relations on public perceptions should not be underestimated. The damage can be far-reaching and long-lasting.”

Measuring ethnic disproportionality is complex and challenging and it is unlikely that a fully reliable method exists. The resident population approach is the most reliable and consistent method available to measure the level of ethnic disproportionality in the police use of stop and search.

The *Police Race Action Plan* acknowledges that there will sometimes be an objective reason why some racial disparities exist when the police use their powers. When the reasons are unclear, the plan indicates that the disparity should be addressed with a particular focus on the lawfulness, proportionality and necessity of the use of police powers. The plan says that this should be done “to ensure demonstrable legitimacy”.

The plan states:

“We understand that the disproportionate use of police powers is a problem in and of itself, regardless of the reasons for those racial disparities. There is growing evidence to suggest that coercive police contact can be traumatic, damage the public's trust in the police, undermine the legitimacy of the police and be counter-productive in the long term. Racial disparities mean that these adverse impacts will be experienced more strongly by Black people.”

The plan commits forces to identify and address section 60 disproportionality. It states that forces should address the potential impact on communities by having robust accountability and learning processes based on scrutiny and supervision. These should include training and development in legitimate use, decision-making and communication. It says that scrutiny should include whether section 60 is effective in dealing with serious violence. It also says that scrutiny of the police use of section 60 should involve the local community.



The plan states:

“Chief constables will identify and address disproportionality in the use of section 60 ... and its impact on communities, by having robust accountability and learning processes based on scrutiny and supervision. This will include training ... in legitimate use, decision making and communication, managing the intelligence-led use of the powers and its effectiveness in dealing with serious violence, and community involvement in the scrutiny of section 60.”

The College of Policing has stated it will develop a code of practice to give the above approach a statutory framework. This should make sure forces are more consistently monitoring and reporting information about their use of stop and search powers.

The IOPC's *National stop and search learning report* suggested prolonged disproportionate use of stop and search powers by some officers had seemingly not been identified by some supervisors before forces made referrals to the IOPC. The IOPC recommended that the NPCC supports chief officers to make sure forces appropriately monitor and supervise stop and search.

[The Commission on Race and Ethnic Disparities report](#) made a series of recommendations “that will help build trust and understanding for individuals and communities in public services and institutions”. Recommendation 4 aimed to “bridge divides and create partnerships between the police and communities”. It recommended creating a new framework containing minimum standards for community scrutiny and accountability across a range of “policing activity and disparities”. It recommended that the framework should include “an ability for groups to scrutinise and hold police services to account on policing activity and disparities in stop and search, use of force, workforce mix and internal misconduct”.

In August 2023, the Home Office announced its consultation on a [Draft Community Scrutiny Framework: National Guidance for Community Scrutiny Panels](#).

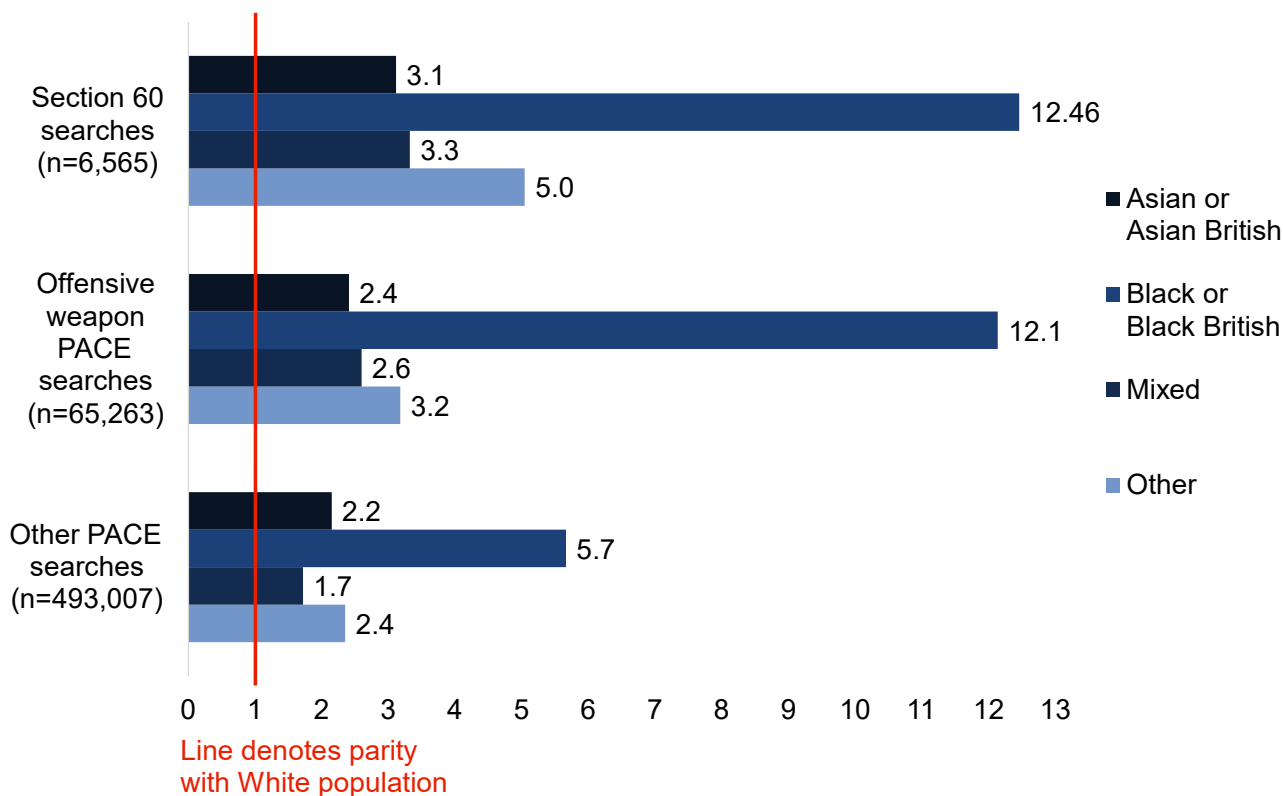
## **Findings: the disproportionate use of section 60**

### **Home Office data**

Home Office data shows that ethnic disparities are clear across all the stop and search powers the police use. This is regardless of what the police search people for. Ethnic disparities are consistently more pronounced for Black or Black British people.

Figure 8 shows Home Office disparity ratios for three types of police searches for the year ending 31 March 2021. It shows the disparity ratios for Black or Black British people were much higher for section 60 searches and section 1 PACE searches for offensive weapons than for other PACE searches. Search rates for this group were 12 times higher for both section 60 searches and offensive weapon PACE searches than search rates for White people.

**Figure 8: Disparity ratios by ethnicity for section 60, offensive weapon PACE searches and other PACE searches, year ending 31 March 2021**



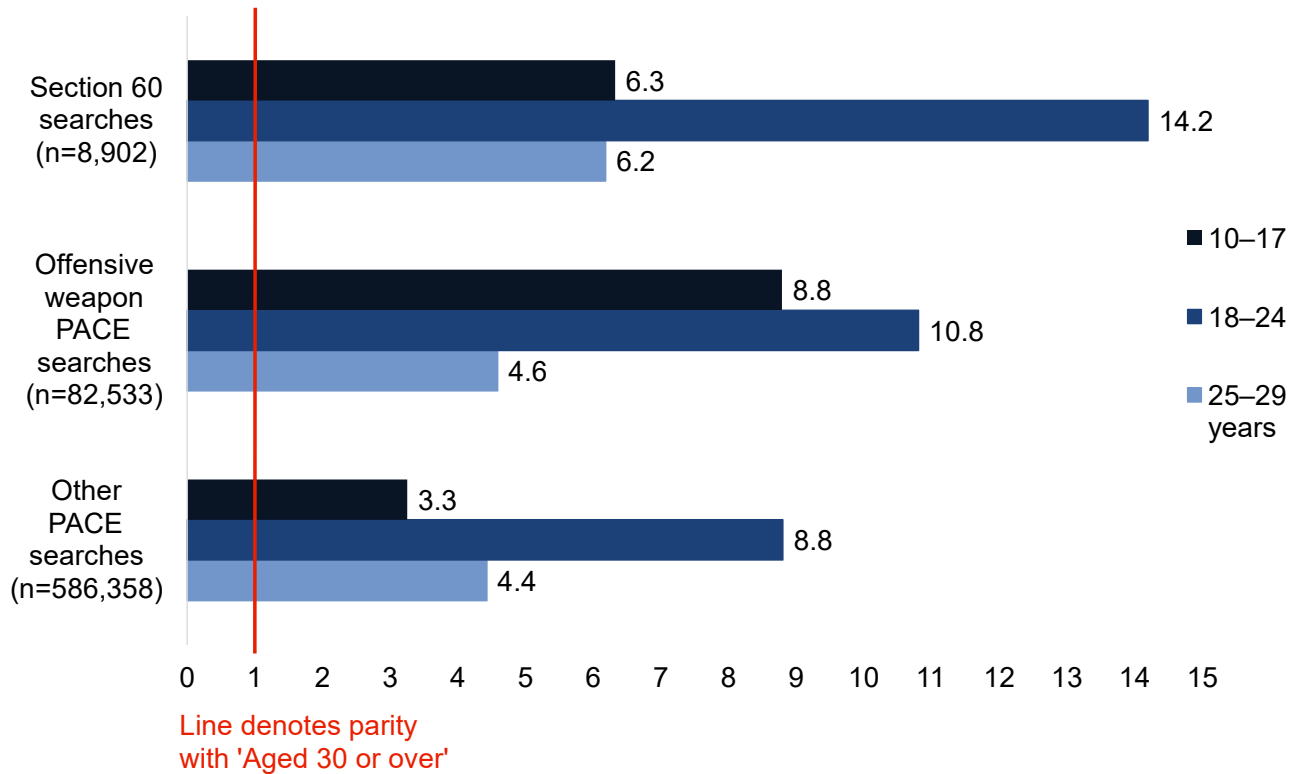
**Source:** [Stop and search open data tables](#) from the Home Office

**Note:** PACE: Police and Criminal Evidence Act 1984; n = number of searches

For the same reporting period, there were also disparities in search rates for children and young adults, relative to adults aged 30 or over for all search powers. Figure 9 shows Home Office disparity ratios by age of those people searched for three types of police searches for the year ending 31 March 2021.

Children (aged between 10 and 17) were 6.3 times more likely to be searched under section 60 than adults aged 30 or over. And they were 8.8 times more likely to be searched under offensive weapon PACE searches than those aged 30 or over. Young people aged between 18 and 24 were 14.2 times more likely to be searched under section 60 powers. And they were 10.8 times more likely to be searched under offensive weapon PACE searches than those aged 30 or over.

**Figure 9: Disparity ratios by age for section 60, weapon PACE searches and other PACE searches, year ending 31 March 2021**



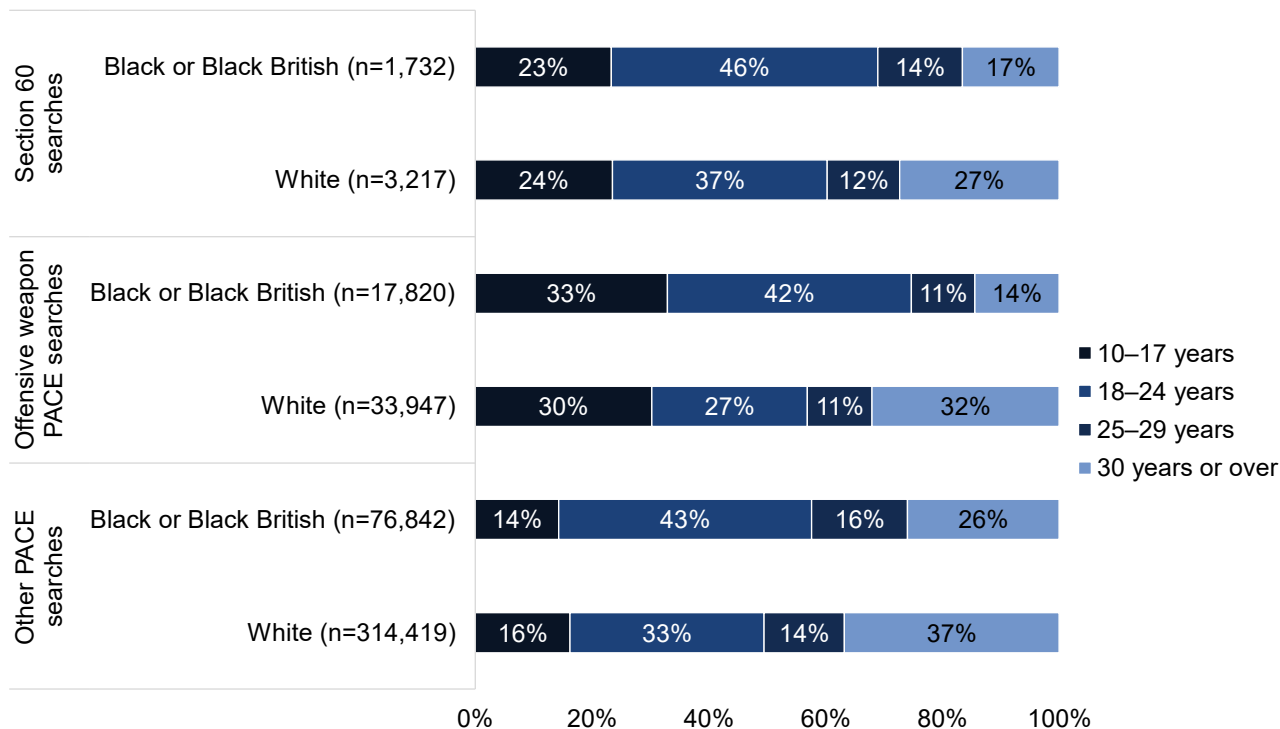
**Source:** [Stop and search open data tables](#) from the Home Office

**Note:** PACE: Police and Criminal Evidence Act 1984; n = number of searches

Figure 10 shows Home Office data that compares age and selected ethnicity information across three types of police searches for the year ending 31 March 2021.

It shows that section 60 searches, reasonable grounds offensive weapon PACE searches and other reasonable grounds PACE searches of Black or Black British people had younger age profiles than the equivalent searches of White people. Searches of people aged 30 or over consistently represented much lower percentages of searches involving Black or Black British people.

**Figure 10: Proportion of section 60, offensive weapon PACE searches and other PACE searches by age and ethnicity, year ending 31 March 2021**



Source: [Stop and search open data tables](#) from the Home Office

Note: PACE: Police and Criminal Evidence Act 1984; n = number of searches

[Home Office stop and search data](#) shows that there are certain places nationally across force areas where high levels of stop and search activity take place. It states that the police should take into consideration any “geographic clustering” of stop and searches, when assessing “ethnic disparities in search rates”. The national statistics and analysis on stop and search can help forces and others to understand where stop and searches take place. It provides some examples of police stop and search activity that is clustered within certain communities or small local geographical areas.

This Home Office report also assesses stop and search activity by Lower Super Output Area ([LSOA, a geographical area used in census statistics](#)). LSOAs are small areas designed to be of a similar population size, with an average of approximately 1,500 residents or 650 households. The report gives the example that, in 2021/22, London accounted for 40 percent of all use of stop and search in England. The LSOA analysis showed that approximately 25 percent of stop and search within London took place in just 2.4 percent of its LSOAs, and 50 percent of stop and search took place in just 10.2 percent of its LSOAs.

This means that while stop and search activity in England was concentrated in London in 2021/22, it was further concentrated in several small parts of the capital. Areas with

particularly high rates included Westminster, Croydon and Newham. All these areas have high levels of visitors and are public transport hubs.

### **An alternative Home Office approach to calculating stop and search disparity rates**

In November 2021, the Home Office published [Exploration of an alternative approach to calculating stop and search rates in the Metropolitan Police Force Area – Experimental Statistics](#).

The Home Office used a different methodology and approach to calculate and interpret ethnicity-based disparity ratios resulting from stop and search. The findings showed that there were lower ethnicity disparity ratios resulting from searches when different population and subject or suspect data was used. The report specifically examined the stop and search rates in the Metropolitan Police Service for the year ending 31 March 2021. The methodology and findings relate to several London boroughs.

The report found that:

“Disparity ratios using the Suspect-Adjusted Disparity method reduced disparity for Black people compared with the traditional method, falling from 3.7 to 1.2. This pattern was seen across all boroughs. For the Asian group, disparity increased slightly using this method, from 1.3 to 1.7 although the picture was mixed at borough level, with some boroughs seeing decreases. Whilst disparities narrowed using this method for Black people, they still remain, the implications of which will still likely impact confidence in policing.”

The Home Office methodology and findings using this alternative approach provide a different way of analysing stop and search data. The report recognises that there are limitations in using this approach, as there are with all approaches to measuring disparities in the use of police powers. Also, because the analysis was limited to London boroughs and used Metropolitan Police Service data, its conclusions can't be reliably applied across the police service. But the approach reflects the challenges in gaining a clear and objective analysis of the complex reasons for stop and search disproportionality.

### **Force fieldwork**

We looked at how fieldwork forces reviewed and analysed disproportionality related to their use of stop and search, including under section 60 powers. We were keen to find out if forces had designated a strategic lead for disproportionality. We investigated how forces committed to analysing and assessing all stop and search disproportionality data. We also looked at how forces used this information to improve police stop and search activity.

We found that all fieldwork forces had a strategic lead for stop and search disproportionality. This person was typically at a senior level, and often had analytical support. Some forces told us strategic monitoring and oversight boards had an important role in understanding and addressing local disproportionality issues.

Forces told us about their detailed research and analytical initiatives aimed at better understanding and managing disproportionality. We found that forces appreciated the importance of the issue and the negative effects it could have on community trust and confidence. It was clear that forces considered the issue to be a priority and were determined to take steps to reduce disproportionality levels. Examples of changes forces had made included closer and more detailed analysis of data, liaison with local criminal justice partners, increased targeting and use of intelligence, mandatory training, improved internal case review and closer analysis of high-use stop and search officers.

One force had commissioned two internal reports to understand local stop and search disproportionality. The force had identified Black ethnicity disproportionality across all stop and searches (including drugs searches) and their associated outcomes. It had done further analysis, which included assessing the grounds for searching, the police intelligence picture associated with the search activity and any crime [problem profile](#) that had been created. The analysis also reviewed whether the search activity was planned and in response to dealing with a crime problem or was more reactive and spontaneous. The force had also identified that police stop and search activity to tackle transient [county lines](#) serious crime and drugs networks also caused increased stop and search disproportionality, aligned to ethnicity, age and gender. At the time of our investigation, the force's analysis had been inconclusive and it was developing further research.

Another force had done several pieces of analytical work on stop and search disproportionality. This included assessing stop and search trends, individual officer data, and specific crimes or incidents that had created high numbers of stop and search records. As with other forces, the force found its analysis didn't fully explain local disproportionality data. As a result, the local Office of the Police and Crime Commissioner (OPCC) decided to commission an external organisation to carry out detailed work on stop and search disproportionality.

In a third fieldwork force, the force assessed disproportionality every two months in a stop and search meeting, chaired at superintendent level. The force also used a legitimacy and use of powers board to help it understand the causes of local disproportionality. The force had set up an academic research partnership with a local university to improve levels of understanding about disproportionality. But, at the time of our investigation, the research was inconclusive in establishing any clear reasons why disproportionality in the use of stop and search existed across the force.

A fourth force assessed multiple factors affecting disproportionality, including crime types, intelligence, local and transient populations, and suspect data. Recommendations from the force research included better recording and improving data quality. Results of the research were inconclusive, so the force was carrying out more research to gain further insight and understanding.

The importance of understanding disproportionality can't be underestimated. The police rely on the trust and confidence of local communities. Sustained levels of unexplained stop and search disproportionality only serve to undermine that trust and confidence. We found all fieldwork forces were attempting to reduce disproportionality caused by the police's use of all stop and search powers. Many were carrying out research and analysis to help them better understand and solve the problem. But no force was fully able to explain the reasons for stop and search disproportionality.

There has been research on the crime-reduction effect of stop and search. There is a growing evidence base on the unintended harms associated with proactive use of stop and search powers. Research has so far focused on the effect of deciding to use stop and search more often at a force level. But there has been less research that considers what works at an operational level to make sure section 60, or any other search power, is effective at reducing crime while minimising any associated unintentional harms, including disproportionate application on certain communities. Such research could help the police understand how stop and search can be used most effectively as part of a response to serious violence.

In [Annex B](#), we highlight some examples of innovative force practice in the analysis of stop and search disproportionality.

## **Legal context and guidance: information available about police complaints relating to section 60 searches**

The CJA's super-complaint [More harm than good](#) expressed concerns about "the timeliness and effectiveness of IOPC investigations" and the fact that "there is no data on the number of complaints recorded in relation to searches granted under [section 60] powers".

It stated:

"We are concerned because a transparent complaints system is vital for trust and confidence in policing and the IOPC."

The IOPC oversees the police complaints system in England and Wales. But the IOPC only independently investigates the most serious and sensitive matters. This means each police force handles most of the police complaints it receives and has a department that makes sure complaints are dealt with properly. In some circumstances, the IOPC reviews how forces have investigated police complaints or handled matters.

The nature of the IOPC's work (and of its predecessor, the Independent Police Complaints Commission (IPCC)) and the criteria for referring investigations to the IOPC mean the IOPC doesn't see all section 60 complaint cases made against the police.



For all complaints, the police force the complaint is made against is responsible for recording the complaint. This includes entering data about the allegations raised in the complaint. This complaints data is reported on publicly. Police complaint data includes a subcategory for stop and search. This subcategory covers allegations relating to all stop and search and isn't broken down into each stop and search power. There is no complaints data category for section 60 and no requirement for police forces to separate section 60 complaints from other stop and search complaints under current legislation or statutory guidance.

In 2020/21, police forces recorded 2,275 (about 2 percent of all allegations) under the stop and search subcategory. In 2021/22, forces recorded 1,724 allegations (about 1 percent of all complaints) in the same category.

### **Review of complaint data held by forces**

The IOPC contacted all 16 forces that had recorded making section 60 stop and searches between April 2021 and March 2022. It asked these forces to provide it with information on the complaints they had received about section 60. The IOPC specified this complaint data should be from the reporting periods 2018/19, 2019/20 and 2020/21 to correspond with the data highlighted in the super-complaint. These dates also covered the period before and after the Home Office section 60 pilot.

The IOPC's request sought the following information:

- demographics – age, sex and ethnicity of the person(s) complaining;
- details of the allegations, anonymised;
- handling methods, such as investigation, other handling, local resolution;
- decisions and outcomes; and
- the outcomes of any appeals or reviews about the complaint.

Forces told the IOPC that its request for specific section 60 complaint data meant they had to do a manual search of stop and search complaints (sometimes including a 'keyword' search) to identify cases.

The IOPC received responses from 15 of the 16 forces it contacted. Only 2 of the 15 forces, the Metropolitan Police Service and the British Transport Police, were able to provide the IOPC with section 60 complaint cases as requested. Two forces said they didn't have capacity to help with the request. Eleven forces were unable to identify any relevant cases.

The Metropolitan Police Service identified five complaints about section 60 stop and searches, although they said the true number was likely to be higher. Three of those five cases were already known to the IOPC. The two other cases were dealt with 'otherwise than by investigation' by the police force, and the service level was found to be acceptable.

The complainants didn't apply to have the police force's handling of their complaint reviewed.

The British Transport Police identified one case. This had been locally resolved. The complainant didn't submit an appeal to the IOPC.

### **IOPC independent investigations, reviews and appeals**

The IOPC considered nine cases that had been investigated or reviewed by the IPCC or the IOPC. These all related to public complaints made about the police use of section 60 search powers. In four of these cases, the IPCC/IOPC made recommendations for individual learning or found a case to answer for misconduct for one or more officers. The issues identified in these cases covered use of force (including use of handcuffs when they may not be justified), poor communication and de-escalation, and lack of courtesy and respect in the context of the use of section 60 stop and search powers.

The IOPC considered four additional IPCC/IOPC cases. But it found these didn't relate to section 60, even though they were tagged with this case marker. In some of these cases, the complainant believed they had been stopped under section 60 but this wasn't the case. In other cases, section 60 was in place but the stop and search was made using other powers or the complaint related to a different issue.

### **Conclusion**

The low number of complaints forces reported in their responses and, in some cases, their inability to search their IT systems for section 60 complaint cases are concerning. The difficulty forces had identifying complaints about section 60 searches supports the CJA's concern about lack of data. Lack of data and difficulty in identifying these complaint cases also mean forces can't easily analyse complaint data as part of their monitoring and evaluation of section 60. Specific data about the number and outcomes of section 60 complaints isn't published and isn't available to any interested parties.

The data we collected, while incomplete, suggests that only a small number of complaints are made about section 60. This doesn't necessarily mean that individuals aren't concerned or dissatisfied about how section 60 stop and searches are conducted. We know from our engagement with community and voluntary sector stakeholders that some individuals are unhappy with how stop and search is conducted by police, including under section 60. There could be many reasons why individuals may decide not to make a formal complaint, including lack of trust and confidence in the police and the police complaints system.

Given the very small number of complaints about section 60, it may not be proportionate to require a system change to the complaints data recording requirements to specifically identify these cases. This shouldn't prevent forces that use section 60 from putting in place local strategies to identify complaints made about section 60 stop and search and to use this as part of their evaluation or scrutiny of section 60 operations.

## Independent scrutiny of all stop and search powers

In its 2019 report [Stop & Scrutinise: How to improve community scrutiny of stop and search](#), the [Criminal Justice Alliance \(CJA\)](#) suggested four principles for community scrutiny panels:

- **“Independent and empowered:** led by the community, acts as a ‘critical friend’, provides constructive challenge and influences change.
- **Informed:** has effective and transparent access to a wide range of data and records on stop and search, including [body-worn video](#) footage, and access to appropriate training and guidance.
- **Representative:** reflects the communities most affected by stop and search, stays dynamic by periodically reviewing and refreshing its membership and actively engages young people and Black, Asian and minority ethnic people in its work.
- **Open and visible:** promotes its work widely in the community, particularly with young people and ‘harder to reach’ groups, publishes summaries of meetings and outcomes, and is easily contactable by members of the public.”

In [its super-complaint](#), the CJA states it is concerned that:

- some forces have no independent community scrutiny panel;
- too many community scrutiny panels aren’t independently chaired;
- there are inconsistencies in monitoring the diversity of community scrutiny panels, and the periodic review of membership;
- poor data and a lack of information hampers the effectiveness of some community scrutiny panels;
- only around one third of community scrutiny panels have access to body-worn video footage;
- community scrutiny panels don’t prioritise scrutiny of stop and searches conducted under [section 60](#);
- there is a lack of training provided to community scrutiny panel members;
- community scrutiny panel processes lack consistency and effectiveness; and
- community scrutiny panels are not resourced or supported by a national oversight body.

## Summary of our findings

We support the CJA's four principles for scrutiny and agree with many of the CJA's concerns. We found that:

- All fieldwork forces had some level of locally based, independent community scrutiny panel or similar model, to hold the police to account for their use of stop and search powers. Some were called community scrutiny panels but others adopted different names.
- Community scrutiny panels typically received administrative support from forces and local policing bodies.
- Most community scrutiny panels were independently chaired. Most fieldwork forces had some level of diversity of ethnicity and gender in their membership. Forces and community scrutiny panels told us it was difficult to get young people to join community scrutiny panels and stay as panel members.
- Some community scrutiny panel members had limited knowledge and experience to perform what is a complex scrutiny role. We are concerned about the inconsistent and limited training available for panel members to help them carry out their role effectively.
- We found that when a community scrutiny panel reviewed stop and search encounters and an experienced police officer supported the panel, the officer gave advice and information about stop and search legislation, police practices and local experience. Involving the police in this way helped panels make informed and consistent decisions. It also gave panels a vital route to give feedback to individual officers, and to make suggestions about how the police could improve organisational learning. But the extent of police officer involvement in community scrutiny panel meetings varies across forces. There may also be others who can fulfil this role who have a knowledge of police procedures, such as [police and crime commissioner \(PCC\)](#) representatives, or those who provide training on stop and search.
- Community scrutiny panels' terms of reference and processes varied greatly from force to force. This has led to very different approaches and outcomes. How searches were selected for scrutiny, the process for scrutiny and the level of scrutiny varied considerably.
- All community scrutiny panels that were part of our fieldwork reviewed a selection of stop and search records for their force. Fieldwork forces were open and transparent in making data and information available to panels.

- All our fieldwork forces made body-worn video footage of stop and search encounters available to their community scrutiny panels. Most panels reviewed body-worn video footage. Some panels expressed concerns about the quality and completeness of some recordings.
- Many community scrutiny panels reviewed stop and search records or body-worn video in isolation and didn't link their review with other issues, such as use of force. As a result, forces missed opportunities to gain greater feedback, insight and organisational learning.
- Very few fieldwork forces consulted community scrutiny panels before or at the time they decided to give section 60 authorisation. Some panels were asked to review or scrutinise the details of the police decisions to authorise section 60. But they were usually asked after the event.
- Few community scrutiny panels regularly reviewed section 60 stop and search encounters. And few routinely paid particular attention to the age and ethnicity of those searched under section 60 powers.
- There is little evidence of any community scrutiny panel networking at local or national levels. There is no national co-ordination body and no library of identified positive practice. As a result, opportunities for forces to establish and share community scrutiny panel practices are being missed. Fieldwork forces told us they would welcome a national community scrutiny panel framework and oversight function if it provided information, guidance, support and co-ordination. But there is little support within forces for any national community scrutiny panel body to have authority or regulatory control over forces.

In this chapter, we provide legal context and background, stakeholder perspectives and investigation findings on the following areas:

- arrangements for the scrutiny of stop and search;
- independence of community scrutiny panels;
- appointment and review of community scrutiny panels;
- training for community scrutiny panel members;
- information the police share with community scrutiny panels;
- community scrutiny panels' review of section 60 authorisations; and
- the CJA's proposal for an independent, national body to support community scrutiny panels.

## Stakeholders' views

We interviewed many individual stakeholders and organisations and asked them to share their insights about community scrutiny of the police use of stop and search. We were particularly interested to hear their views about community scrutiny panel independence, effectiveness and training, and the establishment of a national oversight body.

Several stakeholders told us there was a general lack of training for community scrutiny panel members. They saw training as very important in making sure members were able to carry out their responsibilities. Some panel members and a few academic stakeholders told us that generally panel members didn't receive enough training. They also said this meant some members lack the knowledge or experience to make effective judgments on complex issues. These stakeholders emphasised they thought the training needed to be thorough and structured, and include social, community-related and policing history, the responsibilities of panel members, and legislation, including relevant [Police and Criminal Evidence Act 1984 \(PACE\) Codes](#).

Some stakeholders suggested forces needed to improve their feedback to community scrutiny panels, to help panels understand how their scrutiny work led to improvements in policing. We also heard a range of views about whether a national oversight body to support community scrutiny panels (for forces in England and Wales) would be helpful.

Some examples of stakeholders' views are given below.

**Dr Mike Rowe, Lecturer in Public Sector Management, University of Liverpool:**

“Regarding CSPs [community scrutiny panels], it's very easy to say you've consulted, or you have a committee, but what does that committee do and on whose behalf does it operate? What authority does it have? Members are not necessarily representative of the local community, and don't always take messages back to the community in an effective way.”

**Katrina Ffrench, Founder and Managing Director, UNJUST C.I.C:**

“There is a lack of training for community scrutiny panels. There should be an induction to explain history and responsibility and why the work is important. There is important work to be done and panels should contain professional members. The process relies on too many lay people to run complex and legally based reviews. A national oversight body for community scrutiny could be a positive thing. There would be benefits in having a uniform approach and recognising good practice. However, it is important to clearly establish what the body stands for, its purpose, who the body answers to and whether it has the necessary resources and sustainability.”



**Simon Holdaway PhD, AcSS, Professor Emeritus of Criminology and Sociology, University of Sheffield:**

“External stop and search scrutiny groups need more expertise, training, data and evaluation prior to trying to unpick the seriously difficult issues such as disproportionality. Most independent scrutiny groups are untrained and lack the expertise to make judgments about difficult stop and search issues. The skills and knowledge are critical. There is inconsistency of skills required to recruit or to assess the stop and search issues comprehensively.”

**Tyrone Steele, Interim Legal Director, JUSTICE:**

“CSP [community scrutiny panel] arrangements need to be improved. They are inconsistent across the country. As a minimum they need to meet regularly, receive proper training and be representative of the local community.”

**John Campion, Association of Police and Crime Commissioners Joint Lead on Race Disparity, Equality and Human Rights, Police and Crime Commissioner for West Mercia:**

“Community arrangements vary widely across the service. This is necessary as forces vary similarly in size, demographics, crime and priorities. This makes any assimilation of good practice very hard.”

**The former chief executive officer of the Independent Custody Visiting Association:**

“There is no independent national body looking at national trends in stop and search data and holding the police and Home Office to account on the use of stop and search powers. Having a centralised body that corrals CSPs [community scrutiny panels], shares good practice and improves policing is key. Their two key aims could be to reassure the public and to demonstrate that there is transparency in the policing of stop and search.”

Some of the participants at the roundtable conference said:

“In terms of accountability ... when we're giving feedback regarding what we're seeing, it's very difficult to know what's happened ... they'll say ... 'We have taken some intervention, we've spoken to the officers', but we don't know what that intervention looks like ... When we ask ... what actually happened, they'll say because of confidentiality they can't really share that with us. So we don't really know if any intervention has taken place at all.”

“We find that the vetting procedures are often a barrier for people to get involved, and I know of one police authority where they said they don't want to vet you, they want to vet significant people in your family, and so that was also included on the application form.”



“Panels need to be given the skills and the training because it's not just bringing them into the room, it's the skills, training and authority to hold officers to account.”

Some community scrutiny panel members who participated in the roundtable conference pointed out that section 60 searches didn't take place or were limited in number in the forces they scrutinised. Consequently, their experience of reviewing section 60 authorisations was also limited.

## Views of National Police Chiefs' Council Lead

### **Chief Constable Amanda Pearson, NPCC Lead for Stop and Search:**

“Internal and external scrutiny is essential for improved trust, confidence and transparency and the quality of the encounter by the individual officer.”

“The independence of the external process allows those within the community to provide important learning and reflection both on an individual search basis, but also inform training and development.”

“There is a need to balance the impact with the potential benefit of introducing a national oversight body for community scrutiny against that of local arrangements. It is essential that external scrutiny has due regard for the local communities, their members, issues they may face and the local context of policing powers. The role of a national oversight body may assist in identifying best practice, and consistency of delivery rather than scrutineering.”

“We look forward to the Home Office national community scrutiny framework proposals to give consistency to the scrutiny practice.”

## Legal context and guidance: arrangements for the scrutiny of stop and search

At the time of our investigation, there wasn't a national framework for the independent scrutiny of the police use of stop and search. There was also no regulatory, co-ordination or oversight function to support the work of community scrutiny panels.

[PACE Code A](#) requires police forces, in consultation with their local policing body, to make arrangements for stop and search records to be scrutinised by representatives of the community.

Stop and search authorised professional practice (APP) guidance on [community oversight](#) says local scrutiny panels should:

- Be representative of the community they serve. The APP says membership should be reviewed periodically to help make sure the panels “maintain a critical distance from the police”.

- Be chaired by someone independent of the force unless there is a good reason why this isn't possible.
- Have clear "aims, responsibilities and terms of reference". The APP says scrutiny should focus on the "issues that are of greatest concern to local communities".
- Have access to the relevant information they need, such as relevant statistical data and search records, as well as lay observation opportunities.
- Be supported so they have the capacity and capability to effectively scrutinise. The APP says forces may decide it is necessary to provide "additional support" to panel members in the form of training or administrative support. It gives "training on the law, how to interpret data and the complaints process" as examples.
- Be able to bring about change to force policies, procedures and practices on stop and search through constructive oversight, dialogue and challenge. It says panel views and recommendations should be recorded in an "auditable way" and that forces should have processes for reporting back to panels on the "action they take in response and recording the results of these actions". It also says forces should explain when they take no action after a panel concern or recommendation.
- Be transparent. The APP says forces "should be open with the general public" about the work of the panel. It says this could involve publishing information about the panel online or holding some panel meetings in public.
- Operate in accordance with the General Data Protection Regulation and make sure personal data relating to police officers and members of the public stays secure.

In April 2021, the [Commission on Race and Ethnic Disparities report](#) made a series of recommendations "that will help build trust and understanding for individuals and communities in public services and institutions".

Recommendation 4 aimed to "bridge divides and create partnerships between the police and communities" through creating a new minimum standards framework for community scrutiny groups that would include holding police forces to account across a range of "policing activity and disparities". It recommended:

"the College of Policing, working alongside the Association of Police and Crime Commissioners (APCC), and National Police Chiefs' Council (NPCC), develop a minimum standard framework for community 'Safeguarding Trust' groups that will not only have a function to scrutinise and problem-solve alongside policing, but also to ensure there is a minimum level of engagement with communities in every police service area.

The framework for the minimum standard should include, but not be limited to:

- a requirement for stop and search data to be made more granular and publicly available for groups to scrutinise;

- a requirement for groups to be independently chaired and representative of their communities;
- a duty for Safeguarding Trust group minutes to be published;
- an ability for groups to scrutinise and hold police services to account on policing activity and disparities in stop and search, use of force, workforce mix and internal misconduct; and
- an ability for groups to review stop and search authorisations made under section 60 (S.60) of the Criminal Justice and Public Order Act 1994, where police will be required to provide the Safeguarding Trust group with a rationale as to why a S.60 was authorised.”

In March 2022, the Government published its response to the Commission on Race and Ethnic Disparities report in [Inclusive Britain: government response to the Commission on Race and Ethnic Disparities](#) (Inclusive Britain).

Inclusive Britain proposed measures to turn the findings in the Commission on Race and Ethnic Disparities report into action. This included requiring the Home Office to develop a “new national framework for the use of police powers – including stop and search and use of force – which are scrutinised at a local level”.

In August 2023, the Home Office announced its consultation on a [Draft Community Scrutiny Framework: National Guidance for Community Scrutiny Panels](#). The draft framework recommends there should be:

“national guidance standards for the effective community scrutiny of local public-police interactions, by Community Scrutiny Panels (CSPs), so that communities and the police are better engaged in understanding each other”.

## **Findings: arrangements for scrutiny of stop and search**

### **All-force survey**

Forty-one forces responded to the all-force survey questions about community scrutiny and confirmed that local community scrutiny panels operated in their force area. One force didn’t respond to these questions.

### **Force fieldwork**

All fieldwork forces told us they had an independent panel for stop and search scrutiny. We found community scrutiny panels typically received strong support from forces and local policing bodies in areas such as administration and providing data.

We found that panel names, formats, terms of reference, practices and processes varied greatly from force to force. This resulted in widely inconsistent approaches and outcomes in a range of areas, as we detail later and throughout this chapter.

Other examples involving significant differences in community scrutiny panel arrangements and processes included:

- the initial and ongoing training for panel members; and
- the stop and search scrutiny processes – some panels only reviewed stop and search records and not the associated body-worn video footage.

## **Legal context and guidance: independence of community scrutiny panels**

At the time of our investigation, the College of Policing was compiling a research document in support of the [\*Police Race Action Plan\*](#).

### **Findings: independence of community scrutiny panels**

#### **All-force survey**

The survey showed that in 23 forces someone who was independent of the police chaired community scrutiny panel meetings. In nine other forces, a representative from the local Office of the Police and Crime Commissioner (OPCC) took this role. In four forces, a police officer or police staff member chaired panel meetings. In three other forces, a panel member, police officer/staff representative or a member of the local OPCC chaired meetings jointly. One force told us someone from the local council chaired its community scrutiny panel.

#### **Force fieldwork**

Everyone we spoke with in fieldwork forces talked about the importance of independent community scrutiny panel leadership. They also said having independent processes, such as for recruiting and selecting a chairperson, helped them to challenge and influence organisational police improvement.

All fieldwork forces had created independent governance by having community oversight and involving the local policing body. Most community scrutiny panels we looked at had broad independence over process and decision-making functions. Examples included how the panels selected the types of search records and body-worn video for review, and how they applied their own scrutiny assessment criteria. The independence of the panels helped them to hold the police to account in a better and more transparent way.

The police officers we spoke with supported community scrutiny panels being independent from the police. They told us they welcomed the learning and improvement opportunities for their force that came from panel findings.

## Findings: appointment and review of community scrutiny panel membership

### All-force survey

The survey showed that 14 forces invited applications from members of the community through a public advertisement. Four forces approached known people and asked them to join a community scrutiny panel. Eleven forces used a combination of these methods to recruit panel members. In ten forces the OPCC led the panel recruitment process.

Nineteen forces told us they vetted prospective community scrutiny panel members. Most of these forces limited this vetting to basic checks. But some forces carried out more substantial checks.

### Force fieldwork

We found there were significant variations in how fieldwork forces appointed community scrutiny panels. This included methods for recruiting and selecting panel members, the composition of the panel and the number of panel members.

One example of inconsistency causing problems for some community scrutiny panels and the police was vetting procedures for recruiting panel members. Inconsistencies happen because there isn't any national standard or framework for vetting requirements for panel membership. People we interviewed told us this had sometimes led to disagreements and tensions between the police, community scrutiny panels and other governing bodies such as OPCCs and mayoral offices. In part this was because more detailed vetting processes often led to significant delays in recruiting panel members. Some people we interviewed also told us more stringent vetting processes sometimes meant candidates with the best experience of the police use of stop and search might be excluded. We heard that vetting procedures may also make it harder for forces or OPCCs to recruit young people and people from different ethnic backgrounds.

Despite these difficulties, we found that all fieldwork force community scrutiny panels had a degree of diverse representation. In line with the survey findings, we found forces took different approaches to make sure panel membership reflected local communities.

All the panel members, local policing body representatives and police leaders we spoke with showed a desire and commitment to increase the diversity of community scrutiny panel membership. People stressed how important it was for community scrutiny panel representation to reflect diverse populations and community interests. But panel members told us involving young people and keeping their interest as panel members was difficult.

Northumbria Police told us how it involved young people in its review of stop and search. In [Annex B](#), we include details about this example. But we found very few other examples of effective community scrutiny panel processes involving young people. Forces need to

do more to encourage young people who have experienced being stopped and searched, including under section 60, to join community scrutiny panels.

## **Findings: training for community scrutiny panel members**

### **Force fieldwork**

Our fieldwork supported many of the concerns our stakeholders outlined about training. We found wide-ranging differences in how forces trained community scrutiny panel members. Some panel members had been given guidance documents or presentations, or had participated in 'ride-along' schemes. But in most cases panel members had received very little specific training.

We attended community scrutiny panel meetings in four forces as part of our investigation fieldwork. We were concerned at the low levels of knowledge and experience some panel members showed when we observed their stop and search scrutiny and decision-making processes. We saw that this led to panels having limited effectiveness in decision-making, particularly when members scrutinised the legality of searches and the communication styles of searching officers.

Some community scrutiny panels were supported by an experienced police officer. Their operational experience and knowledge helped panel members to reach informed and consistent decisions with a more robust assessment against the requirements in law and guidance. We think this finding is particularly important in the context of the low levels of training panel members receive.

## **Legal context and guidance: information the police share with community scrutiny panels**

The College of Policing stop and search APP on [community scrutiny](#) says that community scrutiny panels should be supported and have access to the information they need, for example, statistical reports and search records.

There is no legal requirement for officers to record stop and search encounters using body-worn video. As a result, there are no statutory requirements on how forces should store and review stop and search body-worn video footage. Similarly, there are currently no requirements about whether forces should share footage with community scrutiny panels for external scrutiny, and if they do, how forces should do this.

But the stop and search APP on community scrutiny also includes guidance on body-worn video. It says this provides the "only realistic option for scrutiny panels to review how stop and search is carried out by officers". It advises forces to liaise with their data protection teams before sharing body-worn video footage with scrutiny panels. This is to make sure the force has a legitimate basis for disclosing specific pieces of footage and that appropriate safeguards are in place.



In 2021, in its report [Disproportionate use of police powers – A spotlight on stop and search and the use of force](#), His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) raised concerns about the inconsistent use of body-worn video to support the scrutiny of stop and search.

The [Independent Office for Police Conduct \(IOPC\)](#), in its [National stop and search learning report](#), highlighted the importance of making sure the information required to effectively scrutinise a stop and search encounter, including body-worn video footage, is made available to scrutiny panels. The IOPC recommended that:

- “the NPCC and College of Policing work with the Information Commissioner's Office to enhance APP on the sharing of stop and search information with external scrutiny and oversight groups, in particular body worn video footage, to bring about greater consistency and transparency” and
- “the NPCC supports Chief Officers to work with local policing bodies to implement the enhanced APP on the sharing of information with external scrutiny and oversight groups, to bring about consistency and transparency”.

In October 2022, the NPCC published new [body-worn video guidance](#). The College of Policing and NPCC made commitments to address the IOPC's recommendations as part of the NPCC guidance and to monitor compliance through the Police Race Action Plan.

As outlined at the start of this chapter, the Commission on Race and Ethnic Disparities report recommended introducing safeguarding trusts. It said these trusts should be able to request body-worn video footage to review from a specific date, rather than be given pre-selected body-worn video clips to review. At the time of our investigation, the Home Office said it would work with policing partners to:

“explore how best to facilitate the sharing of body-worn video footage with local scrutiny panels, in order to improve the scrutiny of police decision-making and improve the understanding of legitimate police use of powers such as stop and search”.

In August 2023, the Home Office announced its consultation on a [Draft Community Scrutiny Framework: National Guidance for Community Scrutiny Panels](#). The draft framework includes statements on the use of body-worn video:

- “Body Worn Video (BWV) footage is of significant value in enabling CSPs [community scrutiny panels] to scrutinise an incident. As far as possible, forces should make BWV available to CSPs, in accordance with data protection policies.
- Where BWV footage is to be viewed by CSPs, the panel must agree to comply with disclosure, data protection protocols and force guidance.



- Forces should adopt a clear process for the review of BWV footage and how data is made available to the CSP, including opportunities to view footage in advance of a panel session, online or remotely. This process should ideally be determined by the PCC or Professional Standards department of forces before the footage is provided to the CSP.
- Forces and PCCs should have due regard to the latest national guidance on the use of BWV footage.
- All panel members should be adequately supported to deal with potentially distressing cases of BWV footage and should be made aware that they may withdraw from the process if they wish to do so.”

## Findings: information the police share with community scrutiny panels

### All-force survey

Twenty-eight forces said they shared a random sample of search body-worn video footage and the corresponding stop and search records with community scrutiny panels. Six forces selected specific records and the corresponding body-worn video footage, so this was not a random sample of records. One force gave a random sample of body-worn video footage without a search record and another force gave a specific body-worn video without the corresponding search record.

The survey also showed the number of stop and search records that forces shared with their community scrutiny panels varied. Twenty-three forces stated they shared less than 10 percent of the stop and search records. This group included the large metropolitan forces. Eight forces said they shared more than half of the relevant search records with their panels. Three other forces stated they shared between 10 percent and 50 percent of the relevant records with their panels.

In terms of forces sharing other records, 12 forces told us they shared internal stop and search briefings with their community scrutiny panel. Six forces shared details of [equality impact assessments](#). Only one force responded to say it shared intelligence about community tensions with its panel.

### Force fieldwork

We found that fieldwork forces were open and transparent with their community scrutiny panels and made data and information available to panel members. We identified several instances of forces routinely providing regular data reports and briefings to their panels. Most community scrutiny panels reviewed stop and search data sets. But some only reviewed stop and search encounters.

All fieldwork force community scrutiny panels reviewed a selection of stop and search records.

Our fieldwork, in line with the survey findings, showed forces readily made body-worn video footage of stop and search encounters available to their community scrutiny panels. We found panels typically randomly selected body-worn video footage to review. Some panels concentrated their efforts on local areas of concern. For instance, one panel reviewed data connected to officers conducting the highest numbers of stop and search. Sometimes panels selected footage for a specific case they had identified as concerning. For example, one community scrutiny panel requested further information about a stop and search carried out on a very young child. We didn't find evidence to suggest forces pre-selected cases for panel review.

All fieldwork forces required officers to record stop and search encounters on body-worn video. Some community scrutiny panel members told us about concerns they had on the availability and quality of some body-worn video recordings. They told us some forces deleted these too soon. This meant the panel couldn't review footage at a later stage if it was relevant to a particular case or theme they were examining. Some panel members also told us of instances where officers had started the body-worn video recording too late in the encounter. This meant body-worn video footage of vital early interactions was missing.

In Hertfordshire Constabulary, we found an example of innovative practice of a partnership approach to the independent community scrutiny of stop and search. In [Annex B](#), we include more information about this example.

Overall, we are concerned that many community scrutiny panels are reviewing stop and search matters in isolation. Panels would gain greater insight by reviewing stop and search encounters and data alongside other information, such as use of force forms and complaints. This would also help panels to provide enhanced scrutiny and offer forces more opportunities to improve.

## **Legal context and guidance: community scrutiny panels' review of section 60 authorisations**

The [stop and search APP](#) states that after a section 60 authorisation the police should engage with communities to:

“mitigate any community concerns and report back the operational outcomes of authorisations and other relevant information (e.g., disproportionality rates and complaints received)”.

One way forces can do this is by involving its community scrutiny panel in a post-section 60 authorisation review. In 2021, the Commission on Race and Ethnic Disparities mentioned this in a recommendation about building transparency and community involvement in policing. It said local scrutiny groups should always review police

operations involving a section 60 authorisation. It also said forces should have an obligation to explain to communities why section 60 was authorised.

## **Findings: community scrutiny panels' review of section 60 authorisations**

### **All-force survey**

Not many forces involve their community scrutiny panels in post-authorisation reviews of section 60 as a matter of routine. Sixteen of the 22 forces responding that someone from outside the authorisation chain of command formally reviews section 60 authorisations said this involved the relevant community scrutiny panel.

### **Force fieldwork**

We found that some of the fieldwork force community scrutiny panels reviewed section 60 authorisations as part of their scrutiny work. For example, one panel received details of all section 60 authorisations made by their force. The OPCC notified panel members about each authorisation and gathered relevant information for their next meeting. The panel members we spoke with felt that all section 60 authorisations they had reviewed had been lawful, proportionate and necessary.

Another community scrutiny panel included scrutiny of section 60 authorisations as a standing agenda item at its meetings. Members of that panel reviewed police decision-making and the reasons for the section 60 authorisations. They also assessed authorisation outcomes, including information on the number of searches, arrests, weapon seizures and the intelligence that the police used or gained. An example of that panel's feedback included panel members expressing their concerns about the wide geographical area that one section 60 authorisation covered. The police responded by explaining their reasons and describing how the intelligence supported authorising the section 60 search for the wider geographical area covered.

We found that detailed and also prompt community scrutiny panel reviews of section 60 authorisations weren't common practice across all fieldwork forces. Most panels reviewed section 60 authorisations retrospectively, often a long time after the authorisation had concluded. This means the panel's feedback might be less relevant. It could also delay opportunities for organisational learning for the force.

We found that most community scrutiny panels didn't regularly review specific search encounters conducted under a section 60 authorisation. Of those panels that did review section 60 searches, only a few panel members said they paid specific attention to whether the search encounters appeared disproportionate based on the gender, age or ethnicity of those people being searched.

We didn't find any force or independent community scrutiny panel that systematically prioritised or reviewed stop and searches (using all powers) on children. While some

forces and associated panels did show innovation in carrying out thematic reviews on this subject, this wasn’t common practice.

In the British Transport Police, we found an example of an innovative approach to the independent community scrutiny of stop and search records conducted during the Notting Hill Carnival. In [Annex B](#), we include more information about this example.

## **The Criminal Justice Alliance’s proposal for an independent, national body to support community scrutiny panels**

In its super-complaint, entitled [More harm than good](#), the CJA said it thought that for community scrutiny panels to achieve their intended and full potential, a national body like the [Independent Custody Visiting Association \(ICVA\)](#) should be established. The CJA recommended that:

“The Home Office should establish an independent, national body to scrutinise national stop and search trends and support robust community scrutiny.”

## **The Home Office response to Commission on Race and Ethnic Disparities recommendations**

In [Inclusive Britain: government response to the Commission on Race and Ethnic Disparities](#), the Home Office said the new national framework would make sure:

“local scrutiny panels are independently led, reflect the diversity of the areas they represent and give police officers the confidence to use their powers with the backing of local communities”.

In August 2023, the Home Office announced its consultation on a [Draft Community Scrutiny Framework: National Guidance for Community Scrutiny Panels](#). The draft framework recommends there should be:

“national guidance standards for the effective community scrutiny of local public-police interactions, by Community Scrutiny Panels (CSPs), so that communities and the police are better engaged in understanding each other”.

The draft framework also proposes that:

“Whilst local forces and PCCs working with panels will have discretion as to what powers and tactics will be scrutinised, it is recommended that the types of cases to be made available for panel scrutiny should include:

- Stop and search powers, including both the authorisation of section 60 Criminal Justice and Public Order Act 1994 powers and the interactions between the police and the public for all searches
- Incidents involving use of force

- Intrusive powers such as strip searches
- The use of BWV [body-worn video]”.

## **Findings: the proposal for an independent, national body to support community scrutiny panels**

### **Force fieldwork**

We asked a range of police representatives, OPCC representatives and independent community scrutiny panel members for their views on the CJA's proposal. We also held a focus group with representatives from the Association of Police and Crime Commissioners (APCC).

We accept that each community scrutiny panel, force and governing body must be able to arrange scrutiny models to match their local priorities and needs. But without an overarching framework there is a lack of consistency of stop and search scrutiny practices across forces. This means opportunities to recognise and make use of learning and best practice and apply this across community scrutiny panels may be being missed.

In all the scrutiny models we reviewed during our force fieldwork, we found that all the community scrutiny panels assessed the legality and fairness of each stop and search encounter they examined. Some did this by using rules and grading criteria to review and assess whether searches were based on reasonable grounds, where reasonable grounds were required. But there aren't any nationally agreed or standardised processes explaining how community scrutiny panels should be set up or function. This means every panel operates differently across force areas.

We found little evidence of any police, APCC, OPCC, mayoral or community scrutiny panel networking structures that shared or promoted good practices. We found a few positive examples of forces comparing and contrasting their community scrutiny panel models to help them improve or to share examples of good practice. The NPCC stop and search lead also promotes good community scrutiny panel practice through discussions, briefings and sharing information through the force stop and search lead officers. But overall, opportunities to improve community scrutiny panel governance, processes, learning and positive practices that better hold the police to account are being missed.

There were differing opinions on whether there needed to be a national oversight body to support the work of community scrutiny panels. Some people we interviewed said they would support the introduction of an oversight body if its main functions were to co-ordinate information, collect and share good practice, and provide guidance. Others felt that such a body could promote community scrutiny panel efforts and share and promote the results of good practice across force areas.

But there was also a strong sense from most of the stakeholders we interviewed that local autonomy was needed in how community scrutiny panels were governed and operated. The ability to identify and address local community priorities was important for many people. For some, the independent community scrutiny of stop and search was one such priority.

Some stakeholders told us that independent community scrutiny arrangements for stop and search varied widely across force areas. They said this was necessary because forces varied in size, demography, and crime and disorder priorities. One PCC told us "this makes any assimilation of good practice very hard". Another PCC we spoke with stated they were opposed to "any additional central control or regulation in relation to the independent scrutiny of stop and search". They said a PCC's role was to set up community scrutiny panels and to make sure the scrutiny arrangements are "the best they can be". There was generally little support from PCCs or their officers for establishing a national community scrutiny oversight body that had any form of regulatory control over local community scrutiny panels.

As part of our investigation, we also consulted with the (former) chief executive officer of the ICVA. They and the forces we spoke with made the following points about a national oversight body for community scrutiny panels:

- it would be a very different proposition to the ICVA model;
- it could co-ordinate and share innovative and promising practice to help community scrutiny panels work well and improve policing activity nationally;
- it could lead to greater transparency of national community scrutiny panel processes and activities and in turn improve public trust and confidence in the police use of stop and search;
- its effectiveness would largely depend on establishing a nationally accepted scrutiny framework, capable of being provided with some consistency;
- it might require a form of mandated regulatory or statutory authority to co-ordinate oversight, inspect and be able to recommend performance improvements to community scrutiny panels, PCCs/mayors and police forces; and
- the oversight body would need to collect and analyse data, and provide training, so it may need more resources and funding than the current ICVA model.

We welcome the Home Office's [\*Draft Community Scrutiny Framework: National Guidance for Community Scrutiny Panels\*](#) outlining a new framework for the community scrutiny of certain police powers. The findings, observations and recommendations we make in our report are available for the Home Office and others to consider as part of this debate.



## Annex A – People and organisations consulted

People and organisations we consulted and/or sought information from either directly or as part of stakeholder focus groups during the investigation:

- Abimbola Johnson, Barrister at Doughty Street Chambers and Chair of the Independent Scrutiny and Oversight Board for the Police Race Action Plan
- Chief Constable Amanda Pearson, NPCC Lead for Stop and Search
- Dr Amie Birkhamshaw, Deputy Chief Executive, Office of the Police and Crime Commissioner for Hertfordshire
- Andrew George, President of the National Black Police Association
- Cabinet Office, Race Disparity Unit
- Deputy Assistant Commissioner Catherine Roper, NPCC Lead for Children and Young Persons
- Dr Doirean Wilson, Senior Lecturer and Diversity Lead, Middlesex University
- Gavin Hales, Senior Research Fellow, London Metropolitan University; Senior Associate Fellow, The Police Foundation; Visiting Fellow, London School of Economics Mannheim Centre for Criminology
- Dr Jamie Bennett, Chief Strategy Officer, Youth Justice Board
- Assistant Chief Constable (retired) Jaquie Sebire, NPCC Lead for Serious Youth Violence
- Dr Jo Mockeridge, Senior Lecturer in Applied Criminology, and her students at Canterbury Christ Church University
- John Campion, Association of Police and Crime Commissioners Joint Lead on Race Disparity, Equality and Human Rights; Police and Crime Commissioner for West Mercia
- Katrina Ffrench, Founder and Managing Director, UNJUST C.I.C
- Dr Michael Shiner, Associate Professor, London School of Economics and Political Science, and Trustee for StopWatch
- Dr Mike Rowe, Lecturer in Public Sector Management, University of Liverpool
- Paul Odle, National Lead for the Race, Religion and Belief Equality Group for the Police Federation of England and Wales
- Rick Muir, Director, The Police Foundation



- Professor Simon Holdaway, PhD, AcSS, Professor Emeritus of Criminology and Sociology, University of Sheffield
- Fieldwork forces: Avon and Somerset Police, Bedfordshire Police, Dorset Police, Durham Constabulary, Essex Police, Merseyside Police, the Metropolitan Police Service, Northamptonshire Police, Suffolk Constabulary, West Midlands Police and West Yorkshire Police
- Additional force contributions: the British Transport Police, Hertfordshire Constabulary and Northumbria Police
- Alliance for Youth Justice
- Association of Police and Crime Commissioners
- Att10tive Social Enterprise
- Butetown Community Centre, Cardiff
- Criminal Justice Alliance
- Equalities & Justice North West
- Golden Key Bristol
- Growing Futures
- Gypsy Roma Traveller Police Association
- Haringey Council
- HM Inspectorate of Probation
- Home Office Police Powers Unit, Public Safety Group
- Independent Custody Visiting Association
- JUSTICE
- Lambeth Council
- Liberty
- Mayor's Office for Policing and Crime (MOPAC)
- MOPAC pan-London Stop and Search Community Monitoring Group chair and representation from Bromley, Croydon, Hackney, Haringey, Islington, Lambeth, Lewisham, Newham, Sutton and Tower Hamlets
- National Black Police Association
- National Police Chiefs' Council
- New Leaf Initiative Community Interest Company
- Police Federation of England and Wales
- Power The Fight

**Report on the Criminal Justice Alliance's super-complaint: Section 60 of the Criminal Justice and Public Order Act 1994 and independent community scrutiny of stop and search**

- Pride of Romani
- Reach Every Generation
- Revolving Doors
- Spark2Life
- StopWatch
- United2Change (Cymru)
- UNJUST C.I.C.
- Word on the Curb
- Youth Justice Board

## Annex B – Examples of innovative police practices

In this report, we mention examples of innovative police practices. When we use the term innovative, we mean these are new ways of working in a police force. They may not have been formally evaluated but have the potential to produce better outcomes. The examples haven't been subject to any testing or monitoring.

In this annex, we give more information about these examples.

### Training officers on section 60

#### Metropolitan Police Service: bitesize stop and search training videos

The Metropolitan Police Service has made a series of eight animated training videos for officers. The videos cover key areas of stop and search and include issues identified through community feedback and other organisational learning. The force has designed the videos to be short and informative, covering:

- an introduction to stop and search;
- stop and search powers;
- reasonable grounds to suspect;
- the quality of encounter;
- [section 60](#) for searching officers;
- section 60 for authorising officers;
- more thorough searches where intimate parts are exposed; and
- supervision of stop and search.

#### Metropolitan Police Service: scenario-based immersive training

The Metropolitan Police Service is piloting new immersive training. This scenario-based training is designed to encourage officers to recognise the emotional impact of a policing situation. It aims to help officers adjust their behaviour and react professionally to what is happening, rather than being driven by their emotions. The training includes stop and search and de-escalation techniques in a variety of simulated policing situations.

### Merseyside Police: Hydra training

Since 2016, Merseyside Police has been using a tool called Hydra for frontline officer training. The training involves immersive learning simulations, which take students through scenarios based on realistic events. In July 2022, at the time of our investigation, the force told us it had provided immersive Hydra training to more than 1,300 frontline officers. The training focuses on decision-making, including in confrontational or aggressive encounters. It includes group discussions on communication styles and how different approaches can affect a situation or decision.

In October 2023, the force told us that “currently 3,200 frontline officers have undertaken the training, including all student officers during [Operation Uplift](#)”.

The training deals with the history and development of stop and search powers. It also highlights their impact on communities. The force said the training “stresses the importance of procedural justice and how to deal with dissatisfaction, with a real focus on understanding the officers’ attitudes and behaviours. Section 60 forms part of the discussion.”

Merseyside Police told us that organisational learning influences the training. But it hasn’t yet evaluated the initiative. The frontline officers we spoke with during our investigation spoke favourably about the Hydra scenario-based stop and search training they had done.

### Dorset Police: Hydra-based training

In April 2022, at the time of our investigation, Dorset Police told us it was developing virtual reality training based on the Hydra training tool. The aim is to provide officers with a more immersive learning environment. The key expected benefit is that officers will “emotionally connect” with the training, so learning is achieved more quickly. The force told us that it expected to roll out the new modules to operational officers in 2023.

Independent members of the community are involved in developing the stop and search training modules. This may have several benefits. It should help people to share their own experiences and explain to officers how it feels to be stopped and searched by the police. It also means the training can reflect the feelings of people from ethnic minority communities or with other protected characteristics.

In October 2023, Dorset Police updated us. Since our fieldwork, it has introduced a Use of Police Powers Board and a new stop and search lead officer. The board’s remit includes scrutiny and review of stop search training. The review of stop and search training has highlighted three areas to be developed:

- The use of what it calls “virtual reality” (VR) across a range of training subject matter. But the force was quick to point out that “VR within training is in its infancy locally and nationally and its use is limited. We have found it is not reactive to individual responses to scenarios leading to reduced ability to support development needs and are seeking ways to remedy this.”
- Innovative practice from Merseyside Police (highlighted above) in relation to the use of Hydra stop and search modules and scenarios. Dorset Police has recently used this stop and search training approach with its student officers.
- An ongoing review of the diversity of scenario volunteers and how the force uses community volunteers to help with other scenario-based stop and search during an officer's initial training.

### **Avon and Somerset Police: inclusiveness awareness training**

Avon and Somerset Police has a programme of inclusiveness sessions aimed at improving officers' awareness about diverse communities, and the effect officers can have on building trust and confidence. The sessions have been developed with members of the public and community scrutiny panels, who are also invited to attend the sessions.

Officers and staff with more than three years' service are required to attend the sessions. There is a one-day workshop and 90-minute sessions from nine different sections of the community. Sessions cover a variety of topics, including sexual orientation and ethnicity. Online sessions are also included as part of the initiative. In April 2022, when we visited the force, 2,500 members of staff had completed the first workshop and about 1,000 had completed the second. The force had also provided three seminars to 130 police leaders. Speakers included local officers from diverse backgrounds and community representatives.

### **British Transport Police: bitesize training**

British Transport Police recognises that stop and search training is important throughout an officer's service, not just when an officer joins the force. It holds monthly stop and search bitesize sessions for officers who have been put forward by supervisors or the professional standards department. Other officers who think they would benefit from the training can also attend.

Officers are trained alongside those aiming to become sergeants through a Step Up To Sergeant programme, so that sergeants are as up to date with training as other officers. The bitesize training is in addition to their initial training. By August 2022, 150 officers had attended sessions, which represents more than 10 percent of the force.

A key objective of the stop and search training is to improve communication skills for stop and search encounters, making sure the quality of the encounter is covered. British Transport Police's learning and development department monitors the sessions to help individual and organisational learning.

The aim is to make the training available to all officers, prioritising those who use stop and search more often and officers who are less experienced. The online sessions take place monthly and are two hours long. They include an interactive element. All officers can access the sessions because they are recorded and stored on the Learning Management System.

The force told us that this syllabus aligns with and takes into consideration [Independent Office for Police Conduct](#) and [His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(HMICFRS\)](#) stop and search recommendations. The training focuses on the quality of the interaction and the importance of good intelligence and legitimate grounds. It covers areas such as recording self-defined ethnicity and the use of handcuffs. [Safeguarding](#) children who are subject to stop and search is also included in the training.

After deploying staff to the 2022 Notting Hill Carnival, the force identified that special constables needed to improve their drafting of the reasonable grounds for stop and search. As a result, the whole of the Special Constabulary received the bitesize training before deploying to the 2023 carnival.

British Transport Police said its "training is agile and incorporates emerging themes" and "training can be data-led, directing attention to poor performing units". It told us continued professional development training was "one of many contributors to a find rate of 45 percent that British Transport Police is leading on in UK policing". The force said that 'self-defined ethnicity not stated' on search records "has dropped from just below 40 percent to 15 percent". Its use of stop and search has increased since 2020. And its compliance with using [body-worn video](#) to record searches has also improved "from 83 percent to 97 percent from 2020 to last full reporting period".

The force also told us continued professional development of officers' use of stop and search is supported through a network of in-force peer leaders known as stop and search 'champions'. These peer leaders support and provide guidance to frontline officers on a one-to-one basis. They offer what the force calls a 'ground truth', acting as a reference group for officers to gain insights about the best use of stop and search.

## Conducting section 60 searches

### Suffolk Constabulary: approaches to safeguarding children who are stopped and searched

Suffolk Constabulary gave us several examples of how it links its policies, practices and organisational learning for using stop and search on children, and how it prioritises safeguarding of the most vulnerable children. It uses positive supervision, training, referrals and scrutiny processes.

The force has a clear policy for using stop and search on children, with officers needing permission from a supervisor before searching. The force's stop and search lead told us the force considered all people under 18 to be potentially vulnerable. They said that Suffolk Constabulary policy and practices encourage officers to consider making a child protection referral where appropriate. The force also expects its officers to always inform children's parents or guardians if stop and search has been used.

Suffolk Constabulary's stop and search lead officer is also involved in force-level meetings about wider issues of child safeguarding and vulnerability. This allows a more joined-up approach and understanding about the effect of police stop and search operations on children. It helps officers make the right safeguarding referrals to other agencies and take the most appropriate police action to safeguard those children who are most vulnerable.

The learning and development lead officer also plays an important part in making sure any learning about child safeguarding and stop and search outcomes is part of officer training. They stated that the force will aim to strengthen its policies and practices about searching children in future police training events.

Suffolk Constabulary recently introduced a new children and young person policy. This included detailed guidance on safeguarding children and young people and specific direction and guidance about stop and search.

The force told us it works with an independent Stop and Search Reference Group. It also works with other groups, such as the Suffolk Youth Parliament and Western Assembly of Youth (West Suffolk only), to help give young people an active voice and role in holding the police to account for stop and search actions involving children.

Suffolk Constabulary hadn't evaluated the use or effect of its wide range of stop and search practices designed to safeguard children. But it considered that its policies, leadership oversight and policing approaches led to positive outcomes. The force stop and search leaders clearly understood the effect police stop and search activity could have on children.



It was positive that the force had a clear focus and an ambition to improve how local policing approaches child safeguarding.

Suffolk Constabulary's oversight and combination of police activity in relation to children it searched wasn't common practice across other fieldwork forces.

## **Communicating information about section 60 authorisations and managing their impact**

### **Metropolitan Police Service: 'A Different View' community awareness training**

The Metropolitan Police Service has created an interactive awareness package called 'A Different View'. It is a video-based exercise to help the community understand why the police use stop and search and improve their knowledge of these powers. In 2022, HMICFRS reported in [\*PEEL 2021/22: Police effectiveness, efficiency and legitimacy – An inspection of the Metropolitan Police Service\*](#) that:

“'A Different View' is an interactive and immersive exercise aimed at helping community groups understand stop and search and the decisions police officers must make when using this power. It uses real footage from body-worn video recordings to show the police's perspective of stop and search scenarios. This is increasing the public's awareness of stop and search, and in turn should increase community confidence in the police's use of this power.”

### **Merseyside Police: section 60 user insight survey**

On 6 November 2019, Merseyside Police conducted a public survey after a major incident in Croxteth, Liverpool led to a series of section 60 authorisation decisions over a five-day period.

The incident, which took place on 31 October 2019, involved a gang-related shooting. The driver of a moving car was shot and the car then hit an innocent bystander, a 12-year-old girl. She was trapped under the car and suffered serious injuries.

The force conducted five days of high-profile patrols and intensive investigative activity after the incident. On 1 November 2019, the force first authorised the use of section 60 stop and search powers. The force notified the public that a section 60 authorisation was in place and provided regular updates through various methods of communication. The case received major publicity.

Merseyside Police made five separate section 60 authorisations across the five-day period of policing activity. This was in response to the serious shooting, anticipated organised criminal gang reprisals, police intelligence and heightened community tensions. The force conducted an evaluation of the incident and presented the findings as a case study. The case study highlighted that:

- the police conducted 138 stop and searches across 5 section 60 authorisations;
- there were “15 positive outcomes” as a result of the section 60 searches; and
- of those people stopped and searched, “123 (89%) were from a white ethnicity”.

It also highlighted that one 14-year-old male was found in possession of a bladed article and was dealt with by voluntary attendance, and a 17-year-old male had an offensive weapon and was arrested.

On 6 November 2019, the force released a public ‘user insight survey’, immediately after its section 60 policing activity ended. The survey was part of a wider police evaluation of search outcomes and the effect on the local community of using section 60. The survey sought the views of people living in the Liverpool area and those most likely to have been affected by the incident and police actions.

On 7 November 2019, the force published the survey results. There were 39 responses to the survey. Most people who responded classified themselves as White (national statistics state that most residents in Liverpool classify themselves as “White British”). Where the survey respondents lived wasn’t recorded. Most people said they hadn’t been searched under section 60. Over three quarters (30 out of 39) of respondents said they felt that the police use of section 60 had a positive impact on reducing and preventing crime. Twenty-nine people said they felt that the police use of section 60 had a strongly positive impact on their local community. Most people who responded to the survey also said that the police use of the power made them feel safer. Nineteen respondents stated that they would like to know more about section 60. People responding to the survey were also able to leave personal views and comments on each of the main questions.

Merseyside Police said the survey results and the more detailed personal comments provided insightful feedback that would help it adapt how it uses section 60 powers in future.

## Data and analysing the use of section 60

### West Yorkshire Police: disproportionality analysis

In 2021, West Yorkshire Police conducted an intensive study into stop and search disproportionality. This revealed that the force needed better quality data to inform its analysis of disproportionality. The force has developed a new intelligence-based IT application that allows it to understand stop and search data more effectively, down to individual record level.

At the time of our investigation, the application was still in its pilot stage. But it was providing much greater clarity on where stop and searches were happening, who was involved and the nature of the searches. The force intended to use the application to establish links between recorded crime and stop and search activity.

In October 2023, the force told us that the intelligence-based tool had been successfully implemented across the force.

### Durham Constabulary: disproportionality analysis

Durham Constabulary has completed two reviews assessing disproportional use of stop and search. The first review was a general overview of stop and search. The second had a greater focus on disproportionality and covered the 12-month period ending July 2020. It also considered use of force and fixed penalty notices. The analysis assessed stop and search rates and outcome rates of their searches, based on available census data about where people lived and their protected characteristics, with particular reference to ethnicity.

The force found that the number of records officers submitted with ethnicity 'not stated' had a negative effect on its ability to conduct precise analysis. Not having data on ethnicity undermined its ability to accurately assess disproportionality in its use of stop and search.

The analysis concluded that there was significant disproportionality in the use of stop and search across the force.

The force applied a targeted approach to using stop and search, and the relatively few searches could lead to disproportionate outcomes. The force's assessment found that just one search of a person from an ethnic minority background could substantially affect disproportionality figures and rates.

The evaluation identified that [county lines](#) criminality was a significant factor in disproportionality figures. Some criminals from an ethnic minority background who travelled into the force area were identified through police intelligence and were targeted for stop and search. The evaluation also found a significant increase in people from

ethnic minority backgrounds moving into and living in a particular part of the Durham Constabulary area. This was partly due to newly created employment opportunities in the area after a large distribution centre opened.

Understanding these new criminal, social, economic and demographic factors helped Durham Constabulary to better understand the reasons for any disproportionate use of stop and search. It also helped the force to learn from the outcomes of the research and tailor its policing and community engagement activities accordingly.

## **Independent scrutiny of all stop and search powers**

### **Northumbria Police: stop and search youth panel pilot**

Northumbria Police conducted a review of its use of all stop and search powers. The aim was to help it to better understand how people are affected when they are stopped and searched. The review identified there was little involvement of young people in the independent community stop and search scrutiny process.

The force used its community and school contacts and formed a new working partnership with a Multi-Academy Trust (the Academy). The Academy serves a region-wide catchment area and provides education for young learners who have Education, Health and Care Plans for social, emotional and mental health. Many Academy pupils live in deprived areas, often with higher levels of crime and disorder. They were therefore identified as being more likely to have experienced stop and search.

Together, the force and the Academy staff set up a youth panel involving Academy pupils. The youth panel reviewed redacted body-worn video footage and provided feedback to the police. The force invested significantly in digital technology and spent a great deal of time reviewing the stop and search footage that it was going to show to the Academy pupils. This was especially important for confidentiality as most of the searches selected involved children or young people. The force and the Academy staff considered that reviewing the use of stop and searches involving young people would make it much more relevant to pupils. They found that this approach helped with insightful conversations and feedback from pupils, including their experiences of the police use of stop and search.

In 2022, three youth panels took place. Participants were aged between 14 and 16 and were selected by the Academy staff. The force and the Academy staff ran the scrutiny and feedback processes jointly.

Youth panel members were initially sceptical about the process and generally critical of local police. As time went on, the force and Academy staff noted improvements in panel members' trust and confidence in the police. Participants learned about stop and search law and how police were trained to act and behave. They were encouraged to focus on

the concepts of fairness. They were asked to review how the police and the people they searched behaved and spoke to each other during search encounters. Panel members' comments and feedback were recorded.

By the third panel session, panel members had become more engaged with the process. They had developed insight into whether grounds for a search were reasonable. They were able to provide feedback on the police's communication style. They also commented on the behaviour of the person being searched, and how this affected the encounter.

Northumbria Police told us "the school were amazed that the pupils were engaged and retained their focus through all three sessions and did not walk out". The force also said:

"We learned quickly that we needed to involve earlier year groups to ensure wider views, influence and consistency and continuity in the youth panel, as we lost the original group after they left the Academy."

The force told us that insightful feedback was provided to the searching officers. It shared wider learning outcomes from the pilot with the Office of the Police and Crime Commissioner (OPCC), the independent community scrutiny panel and the policing powers panel. The force also published the results of the findings and feedback from the youth panels.

Northumbria Police told us that the pilot was difficult to evaluate, but that it had "sown the seeds for improving police engagement with young people less trusting of the police".

### **Hertfordshire Constabulary: partnership approach to the independent scrutiny of stop and search**

Hertfordshire Constabulary has adopted a strong partnership approach to support independent community scrutiny of the police use of stop and search. The OPCC, the force and community scrutiny panel (CSP) members have developed a collaborative, well-managed process that prioritises learning lessons from CSP feedback. Everyone we spoke with demonstrated a determination to work together to improve the independent community scrutiny arrangements, solve problems, learn and improve. They told us they worked collaboratively as a team and with clearly defined roles and responsibilities. They said this made sure everyone understood their jobs and the objectives of the scrutiny process.

At the time of our investigation, the independence and transparency of this process was supported and overseen by the police and crime commissioner (PCC) and through police and crime plan priorities. The PCC's policing plan included actions to tackle disproportionality and a review to understand whether "stop and search or use of force is being deployed on a discriminatory basis across Hertfordshire and if this is undermining police legitimacy". The plan also set out a clear vision and commitment to supporting the independent scrutiny of stop and search:

"External scrutiny is an important part of police legitimacy. It opens police practices to communities for closer examination, with a view to them providing constructive oversight, discussion, and challenge. If done well, it can provide opportunities for the police to understand communities' concerns and take steps, to improve policies, procedures, and practices."

The CSP had clear objectives. Anyone could apply to be a panel member. The OPCC spoke with people who expressed an interest in the role to explore their motivations and interests. Those selected to become panel members received a form outlining their roles and responsibilities. CSP members elected an independent chair.

The OPCC developed data and information to help it assess the diversity of the CSP with regard to protected characteristics and whether it was more broadly representative of the local community. This information also helped the OPCC and the CSP target any recruitment and engagement activity towards people with under-represented characteristics or from local communities.

The OPCC, CSP members and the force accepted more work was needed to make sure representation was even more diverse and that members reflected views of local people. This pragmatic approach showed an understanding of the gaps in CSP membership and a determination to improve and sustain the position for the future.

The CSP membership included people who had worked within the criminal justice sector. Some others had personal experience of being searched by the police. The OPCC was also trying to make sure all members were supported and retained. In part, this was done through a training programme. The force supported and developed training. The training included topics such as legislation, police training and practices, and CSP objectives. Panel members could also attend the force 'ride-along' scheme and stop and search training for new police officers. The people we spoke with told us that a more detailed training programme was being developed. This was to include twice-yearly refresher training.

The OPCC was making efforts to improve the representation of young people. It produced webinars and liaised with local colleges and universities. One webinar recruitment session, involving 180 people, led to 50 people following up an interest in joining the CSP.



The OPCC promoted the CSP's work and regularly published stop and search scrutiny findings and adverts through various media about recruitment initiatives. Working with the CSP, the OPCC produced an annual report which detailed the panel's key achievements and outcomes of its reviews. The PCC also provided detailed recommendations and developmental objectives for the year ahead.

The CSP activity went beyond a basic review of search records and body-worn video footage. It was independent but also part of a strong collaboration with the force and OPCC. The CSP had also developed the capability to do more detailed thematic reviews. Some members were professionally qualified in data and evaluation techniques. The CSP provided detailed feedback to the police. Officers who supported the panel reviewed this feedback to agree and prioritise follow-up action.

The community scrutiny panel CSP was responsible for examining the bigger picture in relation to use of stop and search. A sub-panel reviewed the search data in advance of the main panel meeting. It highlighted and selected areas or trends for closer scrutiny, such as searches involving children. The panel also selected themes to review, such as section 60 searches or searches for drugs. This closer scrutiny has led to the panel becoming more experienced in interpreting more-detailed police data. Twice a year, the community scrutiny panel CSP also reviews public complaints data relating to stop and search and this informs areas of thematic review and data analysis.

Operational police sergeants regularly attended community scrutiny panel meetings. Local police chief inspectors also attended if the panel highlighted an area of concern, or when powers such as section 60 were used. The CSP invited them to observe the panel scrutiny process and to see stop and search records and body-worn video footage of searches that related to their officers. The police representatives were also available to advise the panel about the law, police processes and additional local policing and stop and search activity. They also made sure all panel assessments and feedback were used positively in relation to individual officers whose searches had been scrutinised, and that any feedback could be included in wider organisational learning opportunities. We were told that if the CSP decided that the stop and search under review was so poor that it received a 'red rating', it also made a referral to the police professional standards department. This means that the professional standards department has it on record and can track any future trends in that officer's behaviour and use of stop and search.

The CSP also supported force independent scrutiny processes elsewhere. For example, the chair attended the force's police powers board. The force has worked with the OPCC to review and simplify policies and processes. The current policy is that CSP volunteers aren't vetted. We were told that the reason for this policy decision was that risk was manageable and vetting may have a negative effect on recruitment and the diversity of representation. This has improved information-sharing arrangements. It has also removed some barriers to recruitment.



## British Transport Police: live scrutiny of searches at Notting Hill Carnival

In 2022, British Transport Police trialled a live-time independent stop and search scrutiny initiative for force searches at Notting Hill Carnival. One of the priorities of the initiative was to help the force's carnival command team to determine and respond to any learning opportunities during the event, rather than waiting for post-event debriefs and analysis.

The force assembled independent stop and search scrutiny panels to review search records during the carnival. To obtain the widest and most diverse representation possible, the force decided it didn't need to vet panel members.

Because officers recorded stop and search encounters on mobile handheld devices, the stop and search records were available for scrutiny on force IT systems as soon as officers submitted them. The initiative didn't attempt to capture, process and review body-worn video footage. We were told that this option might be reviewed as an option for future development of the initiative. In October 2023, British Transport Police updated us that "in 2023, a vetted [community scrutiny] panel reviewed one body-worn video clip from a stop and search within Notting Hill Carnival".

The scrutiny panels assembled online, during each evening of the first two days of the carnival. The panels reviewed the written search records that officers had made electronically into the force IT systems. They reviewed the police officer's recorded grounds of stop and search encounters under all powers. They focused on reviewing whether officers had used search powers correctly. The panels prioritised the review of search records of children and young adults, as they and the police considered this to be important.

British Transport Police told us that "due to the large volunteer base, the panels went beyond the theme and reviewed the bulk of stop and searches available to them at the time of meeting". The panel provided feedback to the force's stop and search lead officer. He in turn made sure individual officers were given feedback and all officers on carnival duties the next day were properly briefed with any organisational learning.

At the end of the initiative, members of the panels provided the police with general feedback that the quality of search records completed on the second day was better than those they assessed on the first day of the initiative. The force stated: "The 'find rate' was 11 percent higher on day two post feedback (rising from 53 percent to 64 percent) including a safeguarding intervention where a child who was at risk of sexual exploitation was identified as a result of being professionally curious within a stop and search encounter."

The force considered that officers had benefited from feedback given by panels on the first day, and that this led to more searches focused on knife crime on the second day. The force said it felt this was due to its pilot and the results of "post dynamic scrutiny and a revised approach to s60 powers".

At the time of our investigation, British Transport Police was evaluating the trial with a view to making improvements. It told us that it hoped to develop the initiative for future years, and potentially use it as a model for other force policing activities and events. British Transport Police told us that it has since shared the stop and search scrutiny pilot experience and findings at a [College of Policing](#) knowledge-sharing event and with the [National Police Chiefs' Council](#).

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