

Stop and Search Legitimacy Scrutiny Panel – April 2021

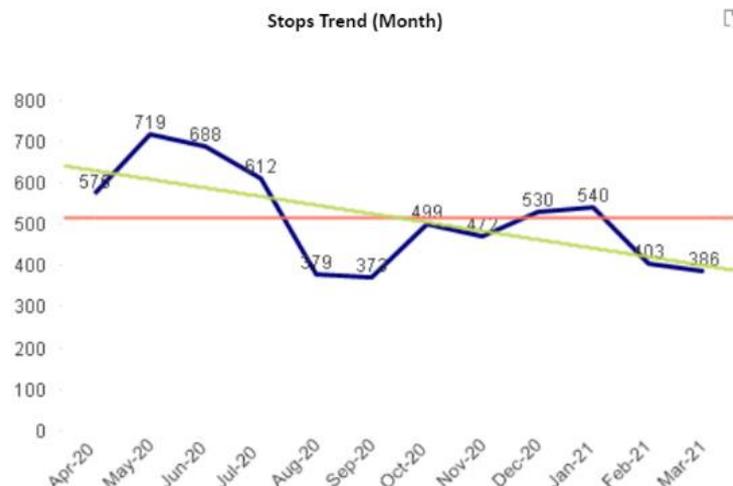
In response to the continued COVID-19 restrictions, a virtual Legitimacy Scrutiny Panel session took place in April 2021 covering stops and searches during the period 1st October 2020 to 31st March 2021. Due to the success of the first virtual stop and search Panel exercise, it was agreed that this session would include a random selection of records for specific review of the grounds provided as well as the data for the period, along with a random selection of body worn video (BWV). 38 records were chosen at random by one of the Panel members, with a number to be further selected by the members for review during the session. Any remaining records from the selection would be included in the supplementary review undertaken by the OPCC in support of the virtual process.

Gwent Police provided an input on feedback from Her Majesty’s Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS) and the latest internal methodology for reviewing the strength of grounds recorded, which has since been adopted by the Scrutiny Panel. It was encouraging that the guidance given by HMICFRS aligned with the longstanding approach taken by the Panel and the narrative included within the outcome reports.

Data Overview

Gwent, in common with the majority of other policing areas, had continued to experience an increase in stop and search activity during 2019/20. During the period May 2020 to March 2021, Gwent experienced a downward trend in the number of stop and searches as a result of the ongoing COVID restrictions (Table 1).

Table. 1: Stops Trend by Month April 2020 to March 2021



For the scrutiny period, the highest number of encounters were recorded in January 2021 (n=540) and the lowest in March (n=386), most likely corresponding with changes in lockdown restrictions, social behaviour and the available population (the application

of Fixed Penalty Notices linked to breaches in compliance with the associated legislation are scrutinised elsewhere; however, the January peak is consistent across the activities).

As expected, a slightly higher number of encounters were recorded in the East Local Policing Area (LPA) than in the West; the East comprises Monmouthshire, Newport Central, Newport East and Newport West Neighbourhood Policing Areas. Suspicion of illegal drugs remained the highest recorded purpose for stops, with individuals aged between 18 and 25 years most likely to be stopped and searched generally. Furthermore, Asian individuals continued to experience a higher rate of stop-searches than other ethnic minority groups. These occurrences are examined in greater detail later in the report.

Dip Sample of Records

The data is based on the 2,842 available entries relating to ‘person’ stop-searches. Of these, 242 (8.5%) related to individuals that had self-identified as being from a Black, Asian or Minority Ethnic background. Table 2 provides the analysis of the dip sampled records alongside the analysis for the total number of entries. 100 entries were dip sampled for this period, including 15 records reviewed by Panel members in order to assess the grounds recorded. This feedback is incorporated within the “Grounds” section of the report.

Table 2: Analysis of records		Dip sample (100 records)				Total (2842 person entries)			
Category		# White	# BAME	% White	% BAME	# White	# BAME	% White	% BAME
Gender	Male	35	39	35.0	39.0	1468	230	51.6	8.1
	Female	7	3	7.0	3.0	219	8	7.7	0.3
	Other ‘I’ (Indeterminate)	0	0	0.0	0.0	3	0	0.1	0.0
	Unknown ‘U’	0	0	0.0	0.0	5	4	0.2	0.1
Self-Defined Ethnicity	Asian Indian	0	1	0.0	1.0	0	3	0.0	0.1
	Asian Pakistani	0	6	0.0	6.0	0	45	0.0	1.6
	Asian Bangladeshi	0	2	0.0	2.0	0	13	0.0	0.4
	Other Asian Background	0	4	0.0	4.0	0	29	0.0	1.0
	Black Caribbean	0	1	0.0	1.0	0	8	0.0	0.3
	Black African	0	5	0.0	5.0	0	28	0.0	1.0
	Other Black Background	0	2	0.0	2.0	0	21	0.0	0.7
	White/Black Caribbean	0	1	0.0	1.0	0	21	0.0	0.7
	White/Black African	0	1	0.0	1.0	0	5	0.0	0.2
	White/Asian	0	2	0.0	2.0	0	6	0.0	0.2
	Other Mixed Background	0	11	0.0	11.0	0	33	0.0	1.2
	Gypsy/Irish Traveller	0	1	0.0	1.0	0	1	0.0	<0.1
	Chinese	0	1	0.0	1.0	0	2	0.0	<0.1
	Arab	0	2	0.0	2.0	0	12	0.0	0.4
	Any Other Ethnic Background	0	2	0.0	2.0	0	15	0.0	0.5
	White British	42	0	42.0	0.0	1654	0	58.2	0.0
White Irish	0	0	0.0	0.0	10	0	0.3	0.0	
White Other Background	0	0	0.0	0.0	31	0	0.7	0.0	

	Not Stated	16		16.0		905		31.8	
Age	Under 18	10	9	10.0	9.0	286	47	10.1	1.6
	18 to 25	6	16	6.0	16.0	675	104	23.7	3.6
	26 to 35	8	10	8.0	10.0	376	63	13.2	2.2
	36 to 45	8	5	8.0	5.0	207	22	7.3	0.8
	46 to 55	9	1	9.0	1.0	118	2	4.1	<0.1
	56 to 65	0	0	0.0	0.0	18	3	0.6	0.1
	66 and over	2	0	2.0	0.0	6	0	0.2	0.0
	Not stated	0	1	0.0	1.0	9	1	0.3	<0.1
Purpose	Articles for Use in Theft	2	1	2.0	1.0	57	9	2.0	0.3
	Articles to Cause Damage	0	0	0.0	0.0	0	0	0.0	0.0
	Bladed Article	2	4	2.0	4.0	125	24	4.4	0.8
	Criminal Damage	1	0	1.0	0.0	25	2	0.9	<0.1
	Drugs	24	29	24.0	29.0	1114	164	39.2	5.8
	Evidence of Offences Under the Act	0	0	0.0	0.0	22	1	0.8	<0.1
	Firearm	1	1	1.0	1.0	8	1	0.3	<0.1
	Fireworks	1	0	1.0	0.0	16	1	0.6	<0.1
	Going Equipped	3	2	3.0	2.0	90	7	3.2	0.2
	Intoxicating Liquor	0	0	0.0	0.0	0	0	0.0	0.0
	No Purpose Recorded	0	0	0.0	0.0	4	0	0.1	0.0
	Offensive Weapons	4	3	4.0	3.0	64	8	2.2	0.3
	Other	0	0	0.0	0.0	23	5	0.8	0.8
	Public Order	0	0	0.0	0.0	0	0	0.0	0.0
	Seizure of Alcohol or Tobacco	0	0	0.0	0.0	0	0	0.0	0.0
	Stolen Property	4	2	4.0	2.0	147	20	5.2	0.7
	Suspect Crime/Disorder/ ASB	0	0	0.0	0.0	0	0	0.0	0.0
	Threat or Harm	0	0	0.0	0.0	0	0	0.0	0.0
	Traffic Violation	0	0	0.0	0.0	0	0	0.0	0.0
	Warrant Bail Check	0	0	0.0	0.0	0	0	0.0	0.0
Outcome	Arrested	6	3	6.0	3.0	172	27	6.0	0.9
	Caution (Simple or Conditional)	0	0	0.0	0.0	8	0	0.3	0.0
	Community Resolution	2	0	2.0	0.0	4	0	0.1	0.0
	Drug Warning	3	4	3.0	4.0	138	18	4.8	0.6
	Item Seized	0	0	0.0	0.0	0	0	0.0	0.0
	No Further Action (NFA)	28	33	28.0	33.0	1248	188	43.9	6.6
	No Outcome Recorded	0	1	0.0	1.0	15	2	0.5	<0.1
	Other	0	0	0.0	0.0	0	0	0.0	0.0
	Penalty Notice for Disorder	0	1	0.0	1.0	35	2	1.2	<0.1
	Police Discretionary Resolution	2	0	2.0	0.0	39	3	1.4	0.1
	Summoned	0	0	0.0	0.0	8	2	0.3	<0.1
	Voluntary Attendance	1	0	1.0	0.0	28	0	1.0	0.0

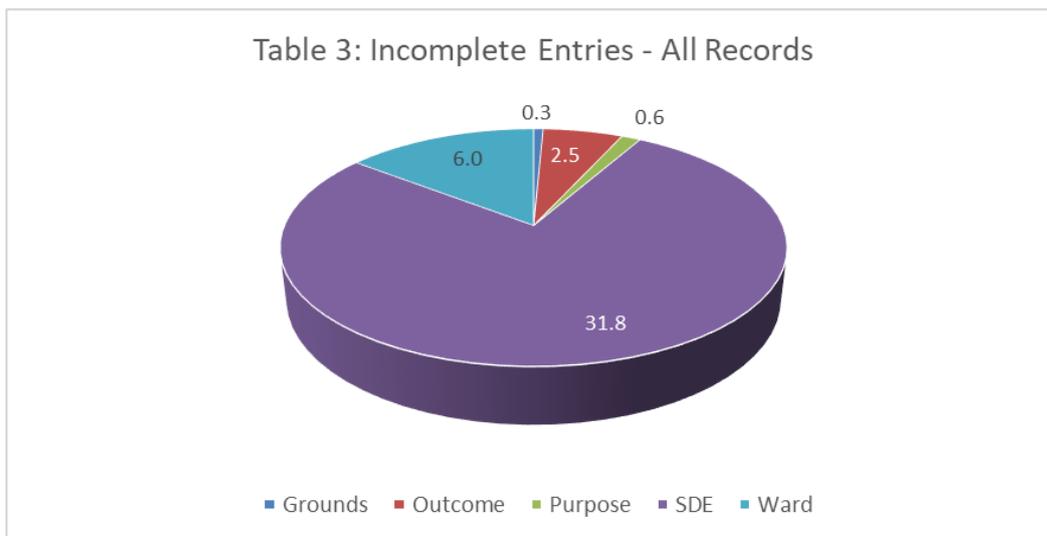
Data Quality

Gwent Police has continued to focus on improving the overall quality of stop and search data. Having previously acknowledged data discrepancies (duplicate submissions) due to user and technological error, work has been ongoing by the Digital Services Division (DSD) to explore a solution to this issue. The previous Scrutiny Panel stop and search

report noted that this had been largely successful with the number of duplicates recorded greatly reduced; however, within the current period a number of potential duplicates have been found. A review of 200 records identified 4 possible instances of apparent duplicate entries; as these share common blank fields, it suggests a continued issue with uploading from mobile devices, which may not be easily rectifiable if caused by technical rather than user issues.

Previous recommendations have been made regarding monitoring the impact of digital upload and transfer processes through the internal Coercive Powers Quality Improvement Group. This issue now falls under the quality assurance processes undertaken by this Group, helping to provide a focus on reliable and consistent data in support of the wider improvement work identified.

Under the Police and Criminal Evidence Act (PACE) Code A, officers are required to record the individual’s self-defined ethnicity (SDE), the date, time and location of the encounter, the object of the search, the grounds for the search, and the identity of the officer conducting the search. For the purposes of the Panel, the time of the search and the officer identity are not provided. In reviewing the whole data set, blank information continues to be present across each of the fields, as shown in Table 3. In particular, SDE was missing in 31.8% of records (n=905).



It is recognised that blank fields could be partly caused by the duplication issue. However, the presence of blank fields provides for data inaccuracies and, as per previous recommendations made, data quality will remain an area of scrutiny for Gwent Police via the Coercive Powers Quality Improvement Group. It is acknowledged, however, that outcome data might not always be completed in cases when the subject has been arrested and transferred to custody. This will be further discussed under each relevant section of the report.

Grounds

To better align with HMICFRS inspection processes, Grounds have been evaluated as “strong”, “moderate”, and “weak”. Dip sampled records have been assessed against HMICFRS guidance, including:

- The use of police intelligence;
- Whether the grounds relate to the person stopped and searched;
- The grounds showing the outcome of the search rather than the grounds for it;
- Identification of the subject as linked to the purpose of the search;
- Ambiguity and clarity of the grounds provided; and
- Use of 'suspicious activity' as a cause for stopping and searching an individual.

Of the 100 entries dip sampled, 50% were determined to have "strong" grounds, 35% had "moderate" grounds, and 15% had "weak" grounds. Weak grounds were identified due to:

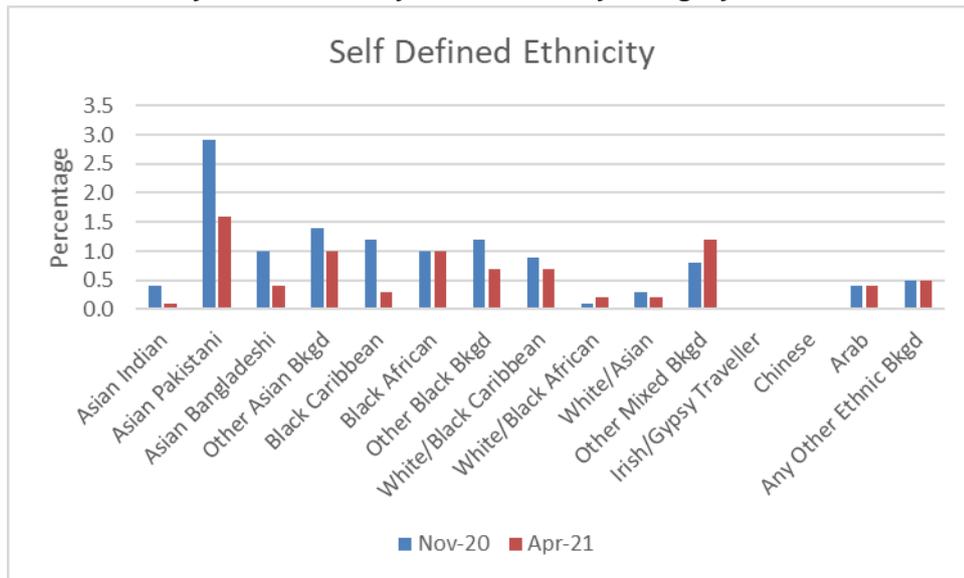
1. Lack of justification and detail for the stop and search;
2. Lack of original purpose for the stop;
3. Smell of cannabis included as grounds with no supporting rationale;
4. Lack of any detail relating to the encounter;
5. Lack of detail provided to support reasons for suspicion or provide more background; and
6. Confusion in the way the grounds were written up.

Previous Scrutiny Panel reports have made recommendations regarding ensuring training provides a consistent and appropriate focus on legitimate Grounds. This issue has been taken forward by the internal Coercive Powers Scrutiny Board, of which the OPCC is a member. More recently, the need to record detailed and sufficient grounds has been reinforced by the Superintendent operational lead as a result of outcome data provided in the Stop and Search Performance Report for quarter 4 (Q4), 2020/21. Therefore, no further recommendation will be made at this time; however, monitoring will continue via both the OPCC and Gwent Police.

Ethnicity

16.0% (16 entries) of the dip sample had incomplete SDE fields. 40.0% of subjects identified as from a Black, Asian or Minority Ethnic background, and 42.0% identified as from a White background. It should be noted that during 2020 the Home Office introduced an additional category for Gypsy or Irish Traveller, which will enable anyone identifying as such to categorise themselves in this way, should they wish. Table 4 provides a comparison of the total SDE data across ethnic minority categories for the November 2020 and April 2021 exercises.

Table 4: Self-Defined Ethnicity, All Records by Ethnic Minority Category



Decreases were seen for 8 ethnic groupings, with small increases for Other Mixed Background and White/Black African classifications. The proportion of Irish/Gypsy Traveller and Chinese entries was less than 0.1% in each case. 31.8% (905 entries) of the total number of records for the period had incomplete SDE fields, a considerable increase when compared to the last period (6.7%; 172 records). It is accepted that this could be due to people declining to provide the information, rather than officers not asking the question. The absence of ethnicity in stop and search records has been raised for review by the Coercive Powers Quality Improvement Group to identify any additional means of improving data collection. This will be monitored through the Coercive Powers Scrutiny Board and in future Scrutiny Panel exercises.

The highest rates of activity involving people from Black, Asian and Minority Ethnic backgrounds were recorded in the Pillgwenlly and Stow Hill wards of Newport. This is consistent with the overall activity rates for stop and search during the period and may be reflective of the serious and organised crime work undertaken in the Newport area at this time. For both wards, Asian people were subject to higher rates of encounters, consistent with the previous exercise. Those identifying as Mixed Race experienced the second highest rates in the Pillgwenlly ward.

Table 5 shows the top 5 wards for stop-searches on individuals from ethnic minority groups. All of these areas have previously appeared in the top 5 listing, which may be related to an ongoing issue of where officers are uploading stop and search forms. However, in some cases this may be reflective of targeted use of intelligence and crime reduction initiatives. Lliswerry showed the highest rate of disproportionality during the period, with Moriah and Stow Hill also above acceptable proportionality levels. This will have an impact on the force’s overall proportionality rate, when taking into consideration that Stow Hill, Pillgwenlly and Victoria wards contain Gwent’s highest resident ethnic minority populations.

Table 5: BAME Stops as Percentage of Population by Ward (Top 5)

Ward	Total Person Stops	Total BAME Stops	BAME % Stops	BAME % Population	% Difference
Pillgwenlly	229	82	35.8%	39.5%	-3.7%
Victoria	123	26	21.1%	32.7%	-11.6%
Stow Hill	112	28	25.0%	24.4%	0.6%
Moriah	103	4	3.9%	1.1%	2.8%
Lliswerry	56	10	17.8%	9.3%	8.5%
5 Ward Average	-	-	20.7%	21.4%	-3.4%

An increased number of stop-searches within the Newport area is expected, due to ongoing work to tackle organised crime issues across the City. In each the top 5 areas, the majority of encounters related to drug searches. However, the highest number of drug searches occurred in the Moriah ward (74.4%) where targeted and intelligence-led activity has been prolific, followed by Lliswerry (71.4%) and Victoria (66.6%).

Gwent Police has enhanced its focus on better understanding ethnicity and population demographics at a ward level. This information is presented on a quarterly basis to the internal Coercive Powers Scrutiny Board, enabling effective oversight, understanding of the outcomes and challenge of any disparity in the use of stop and search powers in Gwent.

The race disproportionality ratio (RDR) helps indicate whether different groups of people are being stopped and searched more disproportionately than others. Table 6 provides comparisons across the total stop and search data within the last three years.

Table 6: 3-year comparison - RDR

Stop and Searches	# of Stops (Total)	# of Stops ('White')	# of Stops (BAME)	% of Stops ('White')	% of Stops (BAME)	Gwent RDR	Eng/Wales RDR
2018/19	2323	1811	338	78.0%	14.6%	4.7	4.3
2019/20	3146	1812	328	57.6%	10.4%	4.5	4.1
2020/21	4717	3559	903	75.5%	19.0%	6.2	-

The upward trend in the overall number of recorded encounters continued during 2020/21, despite the downward turn for the current scrutiny period. While this substantial increase in RDR is a concern, it is understood that the increase has been predominantly driven by high disproportionality rates recorded in Monmouthshire and Newport West during the quarter 4 period. National comparative rates for the year will be published in the autumn of 2021.

Gwent Police's quarterly monitoring and scrutiny of disproportionality in use of stop and search provides a more detailed understanding of force performance and the impacts of activity during each period. However, there is currently no 'big picture' view of the year to date, enabling oversight of the trends and changes in RDR over time, particularly at the end of the reporting year, and in preparation for the release of national RDR figures.

Consideration could be given to including this aggregated overview to support the force's understanding of changes in the RDR across the year.

During 2019/20, the national rate of stop-searches for those identifying as Black or Black British stood at 8.9 times the rate of White people. During 2020/21, Black people in Gwent were stopped at around the same rate as White people. However, people of Asian descent were more affected locally by stop and search activity at 1.6 times the rate of those identifying as White. Home Office data for 2019/20 does not provide the national rate for Asian stop-searches¹; however, for the year preceding, the rate was around 2.8 times.

We acknowledge that, as these figures have been based on SDE as recorded, a percentage of error should be recognised within the data where this information is absent. Therefore, it is possible that there is greater proportionality than the information suggests. To support better public awareness and understanding of outcomes of local activity, Gwent Police's stop and search data is available on their website via the national data resource, Police.uk². A link is also provided on the relevant page of the OPCC website.

As stated in previous reports, it is important that the impact of Gwent Police's targeted operational campaigns on stop and search is clearly understood and publicly communicated. This would help increase community trust and confidence, particularly as a large proportion of activity occurs within geographic areas of higher ethnic minority populations, thereby contributing to levels of disproportionality. The Coercive Powers Scrutiny Board now facilitates this understanding through detailed discussion and appropriate scrutiny. In addition, community engagement plans are being developed to support greater public understanding and transparency around the use, impacts and scrutiny of stop and search.

Where appropriate and relevant, commentary regarding ethnicity proportionality will be included within the analysis of each of the following subject areas.

Recommendation: Gwent Police should consider whether the addition of year-to-date and year-end comparator RDR figures would enhance the level of scrutiny currently facilitated by the Quarterly Performance Report. This would enable a wider perspective on RDR performance across the year and an understanding of how the year-end rate compares to the previous year(s).

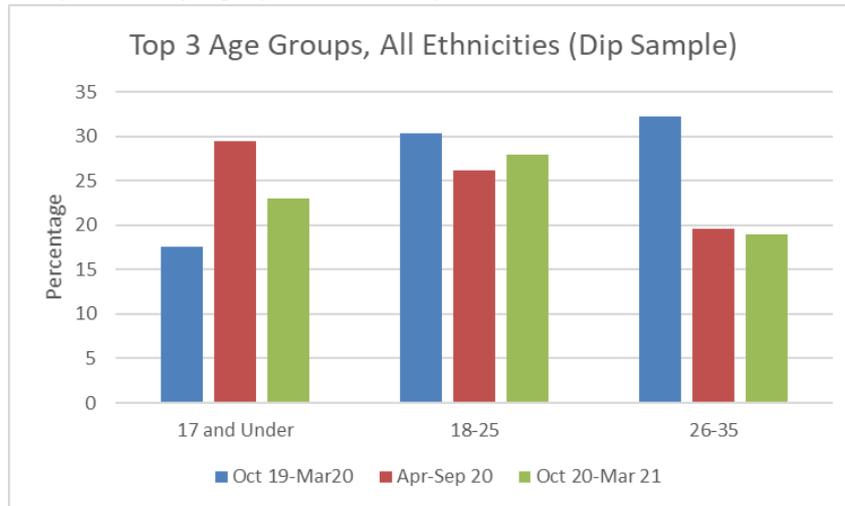
¹ For the 2020 report, the Home Office re-categorised Chinese from 'Other Ethnic Group' to 'Asian' which will have affected the ability to provide direct comparisons with the data published in 2019.

² [Stop and search | Police.uk \(www.police.uk\)](https://www.police.uk)

Age

Table 7 provides a percentage comparison by age across the last three dip samples.

Table 7: Stops comparison by age (all ethnicities)



For the scrutiny period, across all ethnic groups within the current dip sample, 51.0% of encounters were recorded for people aged 25 and under. Of those, 28.0% related to individuals aged between 18 and 25, and 23.0% to those aged 17 and under. 19.0% of stop-searches were recorded for those aged 26 to 35.

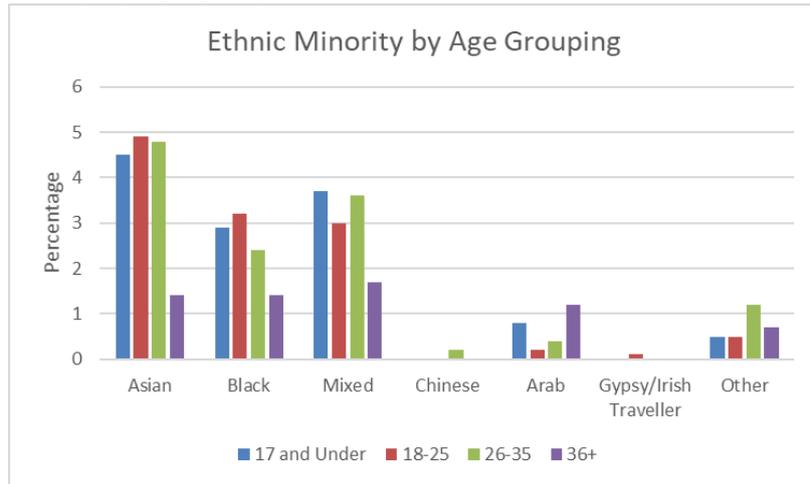
Reviewing all records, 13.3% of encounters involved individuals aged 17 and under, 30.7% involved the 18 to 25 age group, and 17.5% involved those aged between 26 and 35. In terms of Gwent's population (as per the 2011 Census), 24.3% were recorded as aged 17 and under, and 30.3% between 18 and 25. In a change to the previous scrutiny period, representation of the 18 to 25 age group is proportionate within stop and search activity in Gwent.

Table 8 provides a breakdown of ethnic minority groups by age. The highest proportion of encounters were recorded for Asian individuals aged 18 to 25. Of these, 83.7% were stopped on suspicion of drugs. 20.9% of the total proportion of encounters for this group resulted in a positive outcome. The majority of encounters took place in the Newport area.

For the 17 and under group, those identifying as mixed race experienced the highest number of stop and search encounters. Of these, 50.0% were stopped on suspicion of drugs. 7.0% of the total proportion for this group resulted in a positive outcome. The majority of encounters took place in the Newport area.

For individuals identifying as Black, the highest number of encounters occurred with those aged 18 to 25. Of these, 100% were stopped on suspicion of drugs, with all encounters resulting in a positive outcome. Again, the majority of encounters took place in the Newport area.

Table 8: Ethnic Minority by age group – all records



Further analysis regarding the location of stops across the whole data set for the top three age groups identified that:

- 7.7% of the 17 and under stop-searches were located within the Pillgwenlly ward, and 5.0% in the Stow Hill ward (compared to 13.8% and 6.0% respectively during the previous period). 4.8% were located within the Victoria ward (compared to 9.7% for the previous period).
- 8.0% of the 18 to 25 stop-searches were located within the Pillgwenlly ward, and 3.8% within Stow Hill (compared to 7.6% and 5.0% respectively during the previous period). 6.2% of encounters were located within the Victoria ward (compared to 12.7% for the previous period).
- 12.4% of the 26 to 35 stop-searches were located within the Pillgwenlly ward, and 4.6% within Stow Hill (compared to 11.2% and 6.5% respectively during the previous period). In addition, 6.2% of encounters were located within the Victoria ward (compared to 7.3% during the previous period).

Therefore, during the six-month reporting period, stop and search activity decreased across all 3 geographical areas for the 17 and under age group. However, activity increased slightly in the Pillgwenlly area for the 18 to 25 and 26 to 35 age groups. This may reflect a combination of the organised crime and targeted operational work continuing within the Newport area and the ongoing impact of COVID restrictions.

Gender

Within the dip sample, male subjects comprised 39.0% of Black, Asian and minority ethnicities and 35.0% of White ethnicities (compared to 44.4% and 34.4% respectively for the previous exercise). 3.0% of Black, Asian and minority individuals and 7.0% of White individuals were identified as female (compared to 6.5% and 8.2% respectively).

In considering the overall data set, 8.1% of Black, Asian and minority ethnic individuals and 51.6% of White individuals identified as male (compared to 11.8% and 65.9% for October), with 0.3% Black, Asian and minority ethnic and 7.7% White individuals identified as female (compared to 0.5% and 7.5% for the previous period). 0.5% of

entries were unknown, and 0.1% were 'indeterminate'. 22% of records related to vehicles and would not contain any person information.

Recording gender is not a statutory requirement under the current PACE recording requirements, and the data does not currently present any challenges or concerns for Gwent Police.

Purpose

Suspicion of illegal drugs remains the highest purpose for stop-searches in Gwent. Of the records dip sampled, 29.0% of stop-searches on individuals from ethnic minorities and 24.0% of those on White individuals were conducted on suspicion of drugs (compared to 41% and 27% respectively for the previous period). When reviewing all records for the period, this changes to 5.8% for Black, Asian and minority ethnic and 39.2% for White individuals (compared to 10.0% and 50.1% respectively for the last period). This represents a significant reduction in ethnic minority stop-searches for drugs during the scrutiny period, which may reflect changes observed for other purpose categories.

Searches for bladed articles and offensive weapons provided the joint second highest recorded purpose in the dip sample. Searches for bladed articles were recorded for 4.0% (previously 1.6%) of Black, Asian and minority ethnic and 2.0% (previously 2.4%) of White individuals in the dip sample. For all records, this changed for 0.8% of encounters for minority ethnicities, and 4.4% for White (compared to 0.4% and 4.2% respectively in the previous exercise).

Offensive weapons were recorded for 3.0% of ethnic minority and 4.0% for White subjects in the dip sample (compared to 1.9% and 0.0% respectively in the previous scrutiny period). For all records, this changed to 0.3% and 2.2% respectively (compared to 0.2% and 1.4% respectively in the previous scrutiny period). This suggests a greater focus on these types of searches by Gwent Police during the period, most likely linked to targeted operational activity.

Searches for stolen property accounted for 2.0% of encounters with ethnic minority individuals, and for 4.0% of those from White backgrounds (previously to 0.8% and 3.3% respectively). For all records, this was recorded for 0.7% of encounters for minority ethnicities, and 5.2% for White (compared to 0.5% and 6.0% respectively in the previous exercise).

Searches related to 'going equipped' (for the purposes of criminal activity, such as burglary) accounted for 2.0% of ethnic minority and 3.0% of White individuals (compared to 1.6% and 3.3% respectively in the previous exercise). For all records, this changes to 0.2% ethnic minority and 3.2% of White subjects (compared to 0.3% and 4.1% respectively in the previous exercise).

Ethnicity Proportionality - Purpose

Table 9 provides the stop and search rates for all minority ethnic groups compared to White ethnicities across the three main 'Purpose' categories. The figures in parentheses provide the disproportionality rates for the previous scrutiny exercise.

Table 9: Rate of stop-searches (all entries)

Rate of stop-searches compared to White ethnicities			
Ethnicity	Drugs	Bladed Articles	Offensive Weapons
Asian	1.5 (4.4.)	1.8 (0.7)	1.2 (1.3)
Black	0.9 (1.2)	1.2 (0.9)	0.4 (0.6)
Mixed	0.9 (0.8)	1.6 (0.2)	1.2 (0.6)

In considering these rates, Asian people were most likely to be stopped and searched across all 3 categories. However, searches for drugs significantly decreased while those for bladed articles increased compared to the previous period. Rates of searches for those identifying with Black ethnicities saw changes across the 3 categories, with a slight increase in the rate of bladed article searches. Mixed race ethnicities saw the largest increase in search rates for bladed articles. While the disparity relating to Asian groups has reduced across the 3 categories during the scrutiny period, these rates significantly increased for mixed race ethnicities.

The issue of proportionality for Asian individuals continues to be monitored by the Coercive Powers Scrutiny Board, along with that for all ethnic groups. It is acknowledged the increase in related, targeted operational activity has more than likely contributed the changes seen in this period. Therefore, no further recommendation will be made in this respect at this time.

Outcomes

No Further Action (NFA) remained the most common outcome within the dip sample, involving 33.0% of Black, Asian and minority ethnic and 28.0% of White individuals. (previously 38.5% and 27.9% respectively). Arrests occurred for 3.0% (previously 2.4%) of Black, Asian and minority ethnic individuals and 6.0% (previously 4.1%) of White individuals in the dip sample. Drug warnings were issued to 4.0% of ethnic minority individuals and 3.0% of White individuals (previously 2.4% and 3.3% respectively). 'No Outcome Recorded' was shown for encounters involving 1.0% of Black, Asian and minority ethnic individuals with all outcomes present for White entries (previously 1.6% for Black, Asian and minority ethnicities, with all outcomes present for White ethnicities).

Across all records, NFA outcomes were present in encounters for 6.6% (previously 10.0%) of Black, Asian and minority ethnic and 43.9% (previously 55.4%) of White individuals, decreases across both major groups compared to the previous exercise. 0.9% (previously 0.6%) of ethnic minority and 6.0% (previously 7.8%) of White individuals were arrested following their stop and search encounter. Drug warnings were

issued for encounters involving 0.6% (previously 0.7%) of Black, Asian and minority ethnic individuals and 4.8% (previously 0.4%) of White individuals, a significant increase for the latter compared to the previous exercise. We welcome the reduction in NFA outcomes as a potential indicator of more intelligence informed activity, leading to a greater number of positive outcomes.

'No Outcome Recorded' was present for entries relating to <0.1% (previously 0.3%) of Black, Asian and minority ethnic and 0.5% (previously 0.7%) of White individuals, a minor reduction for both ethnic groupings compared to the previous exercise.

Ethnicity Proportionality - Outcomes

Table 10 shows the proportion of Black, Asian and minority ethnic outcomes compared to White outcomes; previous percentages are shown in parentheses. There was a combined positive outcome rate of 17.0% for the current scrutiny period (compared to 19.4% for the previous period), which breaks down to 1.8% for Black, Asian and minority ethnic groups and 15.2% for White groups (previously 1.9% and 17.5% respectively).

Encounters with White subjects continue to yield a greater number of positive results than with minority ethnicities. In addition, a wider range of disposals continues to be used for White ethnicities, although the use of alternative disposals will depend on the type and severity of the offence being committed.

Table 10: Outcome by ethnicity (all records)

Outcome	White %	BAME %
Arrested	6.0 (7.8)	0.9 (0.6)
Caution	0.3 (0.4)	0.0 (0.0)
Community Resolution	0.1 (0.1)	0.0 (0.0)
Drug Warning	4.8 (0.4)	0.6 (0.7)
Item Seized	0.0 (<0.1)	0.0 (0.0)
NFA	43.9 (55.4)	6.6 (10.3)
Other	0.0 (<0.1)	0.0 (0.0)
Penalty Notice for Disorder	1.2 (1.6)	<0.1 (0.1)
Police Discretionary Resolution	1.4 (1.4)	0.1 (0.3)
Summoned	0.3 (0.6)	<0.1 (<0.1)
Voluntary Attendance	1.0 (1.6)	0.0 (<0.1)

For drug-related offences, Black people were arrested at 1.2 times the rate of White people (compared to 10.4 times the rate for the previous period), Asian people were arrested at approximately the same rate as White (compared to 1.5 times for the previous period), and mixed race people at 0.7 times the rate (compared to 4.5 times for the previous period). This shows significant reductions in the rates of arrests for drug-related offences across Black and mixed-race ethnicities for this period, which could be as a result of either increased use of alternative disposals, such as drug warnings, for White individuals (thereby reducing the RDR), or a general reduction in searches for drugs due to greater use of targeted police activity. Proportionally, however, Asian

individuals continue to be more likely to be stopped for drugs-related offences than any other ethnic category.

Narrative provided within the Stop and Search Performance Report for Q4 indicates that, for the first time in 2020/21, members of our ethnic minority communities were not statistically more likely to be stopped on suspicion of drugs than White individuals. This is a positive outcome for this quarter, which falls within the second half of the scrutiny period. However, arrest rates for members of our Black, Asian and minority ethnic communities were 10.9% higher in Q4 than the figure recorded for White individuals for the first time this year (9.9% of White individuals were arrested during Q4). It is recognised that this is driven by activity across the Newport area, where find rates between ethnic minority and White individuals are comparable.

Further analysis shows that Asian people were 1.7 times more likely to receive an NFA outcome (compared to 2.1 times for the previous period), Black people 0.8 times more likely (compared to 1.2 times for the previous period), and people of mixed race 1.1 times more likely to receive an NFA outcome (compared to 0.8 times for the previous period). As previously stated, the overall reduction in NFA outcomes is encouraging as it suggests more focused use of stop and search during the period.

Previous recommendations have been made in LSP reports regarding Gwent Police exploring the reasons for disproportionality in outcomes between ethnicities and provide feedback on the findings. This is now included within the Stop and Search Performance Report, albeit considering Black, Asian and minority ethnicities as an aggregate, and only in respect of find rates and positive outcomes as a whole, along with arrests. It does, however, provide additional narrative regarding find rates by ethnic group. The information provided with the reports now enables and supports greater internal challenge at the Coercive Powers Scrutiny Board, which is a welcome positive step in understanding the causes of disproportionality. As a result, no additional recommendation will be made at this stage.

Access to Copy Information

Following a stop and search encounter, the Police and Criminal Evidence (PACE) Act Code A (section 3.8 (e)(i)) requires that a copy of the stop and search or a receipt is provided to anyone requesting it. Officers are required to advise individuals that they are entitled to a copy of the search record and that this can be obtained on request at a police station. It is not possible to determine from record entries whether this information is provided; however, this is one of the specific requirements Panel members look for when reviewing BWV footage.

A previous recommendation was made for Gwent Police to work with communities to raise awareness of how to obtain copies of stop and search records, supporting activity to raise public trust and confidence in the use of police powers. This has been built into the both the OPCC and Gwent Police's respective Strategic Equality Delivery Plans and forms part of the engagement work being undertaken by the force's Diversity and

Inclusion Team. While still limited due to ongoing COVID restrictions, public engagement work has increased and plans are in place to hold a virtual stop and search event with members of our most affected communities, to increase dialogue regarding use of these powers and the outcomes, and to raise awareness of people's rights when they are stopped and searched.

Body Worn Video

The following section provides a summary of evidence of the BWV section of the exercise, including member feedback and observations. Where feedback is given, particularly in respect of concerns or possible points of learning, agreement will be sought for this to be provided to the force via the attending officer, and subsequently highlighted to the Coercive Powers Scrutiny Board.

Video 1: An officer attended a residential property in relation to missing person checks. Whilst outside the property, the officer engaged with 2 known offenders who had been observed smoking inside their vehicle, where a smell of cannabis was also present. The individuals exhibited outward signs of drug use. They were subsequently found to be in possession of the cannabis and drug paraphernalia with intent to supply. A weapon was also located within the vehicle.

Members were satisfied that the PACE requirements had been fulfilled. Positive feedback was given on the manner of the officer's engagement with the individuals, keeping them at ease during the encounter which encouraged their compliance with the search. However, members expressed some concerns over the perceived risk to the officer in searching multiple individuals and a vehicle, particularly when a weapon was also found during the search. It was noted that the officer's camera was not activated until engagement had already begun. Members also queried for their own understanding, in these circumstances, what the procedure would be in relation to the original call-out. It was agreed that the perceived weapon risk would be flagged for consideration as a potential learning point for officers.

Video 2: Officers detained an individual on suspicion of being in possession of drugs. Both the person and their vehicle were searched, and a large amount of cannabis and cash were found. The individual was arrested for possession with the intent to supply.

Members were satisfied that the PACE requirements had been met. Positive feedback was given on the manner of the officers' engagement with the previously known individual, keeping them at ease during the encounter which encouraged their compliance with the search. However, comment was made regarding the number of officers and vehicles that attended the incident, and whether this was an effective use of resources. It was agreed that this would be noted for feedback to the force.

Video 3: Officers detained a group of youths in a known drug use area and were seen to search one particular individual due to appearing under the influence of drugs. A slight smell of cannabis was also noted in the area. The search found the individual to

be in possession of grinders containing cannabis material. One of the officers located an additional small quantity of cannabis that had been hidden nearby.

Members were satisfied that the PACE requirements had been met. It was agreed that the officers built a good rapport with the individuals resulting in what was perceived to be a positive encounter. However, members felt that the lead officer could have been clearer when explaining the grounds for the search, and why that particular individual had been selected. In addition, the officer's camera was only activated once the engagement has started. It was agreed that these points would be fed back to the force.

Video 4: Officers conducted a search on an individual who was using a commonly used dealer phone in an area of high drug use. The individual appeared to be under the influence of drugs and a smell of cannabis was present.

Members were satisfied that PACE requirements had been met. The officers engaged with the individual in a friendly and positive manner. However, members commented that sometimes the conversation between both parties was a little too familiar and some comments were heard that could be perceived to be slightly inappropriate for the circumstances. Members felt that the grounds provided were a little weak and that opportunities to apply other related disposals may have been missed. It was agreed that this would be fed back to the force.

Video 5: An officer carried out a stop and search on the vehicle and owner based on information provided by a member of the public. The vehicle had been identified in a suspected drug exchange in the area on the previous day. A 'burner' mobile phone could be seen in the drivers' door pocket.

Members were not satisfied that all PACE requirements had been met, but acknowledged that under the circumstances, the officer may not have had opportunity to provide all GOWISELY information to the individual. Concern was expressed over the confused way the reasons for the stop were provided, without clarity over the grounds. This resulted in members feeling uncertainty over whether the final search undertaken was justified. Members were also concerned about the potential negative impact on future police engagement and relationships with the public. It was agreed that these concerns would be fed back to the force.

Conclusion and Recommendations

Gwent Police continues to keep a close focus on stop and search, and now has in place effective internal scrutiny mechanisms to support continuous improvement in the use and recording of these powers, as well as understanding how they are used across our communities. As a result of these improvements, fewer recommendations are being identified through the LSP process. There continues to be a focus on data quality, the recording of subject ethnicity, and effective BWV camera usage. The OPCC Policy Officer and Gwent Police's Head of Diversity and Inclusion continue to work together on

stop and search matters and provide support to the force's operational lead for stop and search as appropriate.

The gradual relaxing of COVID restrictions may stimulate an increase in stop and search activity nationally, and this will be kept under observation to identify any related concerns locally, including changes in the RDR.

The recommendations and observations provided in this report aim to support Gwent Police's transparency around use of stop and search, improve public confidence in its use, and promote a better understanding by the organisation of the causes of any apparent disproportionality for Black, Asian and minority ethnicities.

- 1. Gwent Police should consider whether the addition of year-to-date and year-end comparator RDR figures would enhance the level of scrutiny currently facilitated by the Quarterly Performance Report. This would enable a wider perspective on RDR performance across the year and an understanding of how the year-end rate compares to the previous year(s).**

The following concerns relating to the BWV review have been fed back to the force for consideration and action, as appropriate:

- Perceived risk linked to the presence of a weapon
- Use of multiple resources in attending an incident involving a single individual
- Providing more detail for the grounds when explaining this to the subjects
- Strength of grounds provided
- Use of intelligence when identifying the individual involved
- Timing of BWV use
- Not all GOWISELY information being provided during the encounter, but recognition that the officer may not have had opportunity given the circumstances.

Progress will continue to be monitored by the OPCC through future Scrutiny Panel exercises and via the Coercive Powers Scrutiny Board and other associated internal meetings as appropriate. Feedback on the learning points will be provided at the next LSP stop and search exercise to support members' knowledge and understanding of the Gwent Polices response to the report.

CONTACT OFFICER

Caroline Hawkins

Policy Officer, OPCC.