

Race Disproportionality in S1 PACE Stop and Search

20 September 2013

Karen Grayson

Equality and Human Rights Commission

The EHRC

- Non-departmental public body established under the Equality Act 2006
- Independent advocate for equality and human rights in Britain
- Promoting equality, eliminating unlawful discrimination, promoting good relations, and promoting and protecting human rights.
- Enforces equality legislation on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and encourages compliance with the Human Rights Act 1998 (HRA).

Stop and Think

- March 2010 publication by EHRC
- Examined S95 data
- Stops and searches under
 - section 1 of the Police and Criminal Evidence Act 1984 (PACE)
 - section 23 of the Misuse of Drugs Act 1971
 - section 47 of the Firearms Act 1968

Stop and Think conclusions

- A black person was at least six times as likely to be stopped and searched by the police in England and Wales as a white person.
- An Asian person was around twice as likely to be stopped and searched as a white person
- Current police use of PACE stop and search powers may be unlawful, disproportionate, discriminatory and damaging to relations within and between communities.

Working with forces

- EHRC applied criteria (extent of disproportionality, trends) to identify five forces for further inquiries.
- Initiated legal compliance action re Leicestershire and Thames Valley succeeded by formal agreements - programme of action over 18 months.
- Dorset and the Metropolitan Police implemented 'Next Steps' programme
- West Midlands drew together its own programme of measures

Formal agreements

- Revised policy
- Training for all officers
- Detailed statistical ethnic monitoring down to local level
- Scrutiny by senior management group meetings
- Community reference group
- Leadership by an ACPO rank officer

Results

- Reductions of up to 50 percent in overall usage and a fall for some in disproportionate usage against ethnic minorities
- Where firm action had been taken to reduce race disproportionality, and/or overall usage of the power, it had succeeded, without prejudice to falling crime levels.

Key Factors

- Targets for reduction, and for reducing negative drug searches
- Training in ‘reasonable grounds’ for, and proportionate use of, the power
- Steps to ensure intelligence-led practice rather than practice based on ‘hunches’ or generalisations about groups
- Micro-monitoring to identify local or individual racially skewed patterns and challenging them
- Senior level commitment and leadership

What's next?

- Finalising analysis of latest data set
- Assessing which forces we want to work with, and in what way
- Seeking to promote good practice - working with the College of Policing
- Bringing PCCs into the debate - accountability
- S60
- Schedule 7

Karen Grayson
Policy Manager

Karen.Grayson@equalityhumanrights.com

020 7832 7824

