



# Staffordshire Police Equality Impact Assessment



The purpose of this EIA is to ensure you consider any equality issues as part of your decision making when developing / reviewing your policy / procedure.

Please complete the sections below and send to the Equality and Diversity unit to be quality assured. New / revised policies cannot be published on the policy database until the EIA has passed the quality assurance process.

<b>Title of policy/procedure:</b>	Stop & Search
<b>Department:</b>	Operational Services
<b>Date:</b>	24/07/2012

## 1. Identify the aims and purpose of the policy

The primary purpose of stop and search powers is to enable officers to dismiss or confirm suspicions about individuals without exercising their power of arrest. Stop and search can play an important role in the detection and prevention of crime, and the powers should be used fairly to ensure they are effective.

Staffordshire Police are committed to keeping our communities safe and reassured and providing a service to all members of the community that is not discriminatory. The aims of this procedure are to ensure that the powers of 'Stop & Search' are used fairly, responsibly, with respect for people being searched and without unlawful discrimination. The Equality Act 2010 makes it unlawful for police officers to discriminate against, harass or victimise any person on the grounds of the 'protected characteristics' of age, disability, race, religion or belief, sex, sexual orientation or

transgender when using their powers. When police forces are carrying out their functions they also have a duty to have regard to the need to eliminate unlawful discrimination, harassment and victimisation and to take steps to foster good relations.

**2. Identify the individuals and organisations who are likely to have an interest in, or be affected by the policy.**

The Public, The Equality and Human Rights Commission and Staffordshire Police

**3. Data**

Summarise the findings of any monitoring data / information which you have considered regarding the impact of this policy on people from all or any of the protected groups. This could include national or local data.

**3.1 Age**

The data has not indicated issues regarding any disproportionality concerning age in the operational use of Stop & Search.

**3.2 Disability**

The data has not indicated issues regarding any disproportionality concerning disability in the operational use of Stop & Search.

**3.3 Race**

National view

It is a public perception supported by national data that black people in particular and Asian people to a lesser extent are subject to police stop and search to a disproportional extent compared to people of apparently white European ethnicity.

The Equality and Human Rights Commission's Stop and think report (2010) looked at police use of stop and search using the Police and Criminal Evidence Act 1994 (PACE). The report highlights that the police carry out a disproportionate number of stops and searches on black and Asian people compared to white people relative to the ethnic profile of the population. The report details that if you are a black person,

you are at least six times as likely to be stopped and searched by the police as a white person. If you are Asian, you are around twice as likely to be stopped and searched as a white person.

Earlier this year, the Equality and Human Rights Commission published a report which shows that people who are black, Asian or of a mixed ethnicity are also disproportionately stopped and searched when the police use the Criminal Justice and Public Order Act 1994. Section 60 of this Act gives the police the power to stop and search any pedestrians or vehicles for offensive weapons or dangerous instruments within a specified area and during a specified period of time (for example if an organised event such as a football match is taking place).

#### Local view

During the period 1<sup>st</sup> January 2012 to June 30<sup>th</sup> 2012 there was a 47% increase in the numbers of stop searches undertaken by Staffordshire Police compared to the same 6 months last year: from 7023 to 10351. In terms of ethnicity, stops of BME individuals saw a 31% increase from 738 to 964, whilst stops of White individuals saw a 49% increase from 6285 to 9387.

No significant change has been highlighted in the disproportionality rate (the likelihood of being stopped based on ethnicity). Currently within Staffordshire, a BME individual is 1.9 times more likely to be stopped than a White individual, taking into account differing population sizes.

The Staffordshire figure compares favourably with the national data highlighted above. The force was also cited nationally as having good practice in the use of stop search powers (Equality and Human Rights Commission 'stop and think' report 2010). Added to which the force has been piloting the use of PDAs (personal digital assistants – electronic handheld information devices) to record the seven items that need to be recorded for every stop and search (ethnicity, objective of search, grounds for search, identity of officer carrying out the stop and search, date, time and place). The pilot, which is being carried out in Stoke on Trent, has seen the disproportionality rate reduce to 1.5. (This means that a BME individual is 1.5 times more likely to be stopped than a White individual).

**3.4 Religion or Belief**

The data has not indicated issues regarding any disproportionality concerning religion or belief in the operational use of Stop & Search.

**3.5 Sex**

The data has not indicated issues regarding any disproportionality concerning males or females in the operational use of Stop & Search.

**3.6 Sexual Orientation**

The data has not indicated issues regarding any disproportionality concerning sexual orientation in the operational use of Stop & Search.

**3.7 Transgender**

The data has not indicated issues regarding any disproportionality concerning transgender in the operational use of Stop & Search.

**4. Research**

Summarise the findings of any research you have considered regarding this policy for all or any of the protected groups. This could include information you have obtained from other sources e.g. ACPO, Home Office.

**4.1 Age**

See section 3 above

**4.2 Disability**

See section 3 above

**4.3 Race**

See section 3 above

**4.4 Religion or Belief**

See section 3 above

**4.5 Sex**

See section 3 above

**4.6 Sexual Orientation**

See section 3 above

**4.7 Transgender**

See section 3 above

**5. Consultation**

Summarise the opinions of any consultation for all or any of the protected groups.

Who was consulted and how e.g. survey, discussion, forum.

If there was no consultation please justify why.

The procedure is not a new concept but a replacement for an out of date policy which did not reflect the change in law and new requirements concerning Stop and Search. As this area of police work is governed by legislation there was no specific consultation for any of the protected groups. It is known that race is an area of potential adverse impact. Consequently, stop search data is monitored on a regular basis. Stop search information (numbers of stop searches, disproportionality rates etc) is updated every month on an internal performance database. Stop and search information is also published in 'strategic updates' which are produced for the Police Authority. Stop search figures are also included in the Staffordshire Police Monitoring report which is published on an annual basis.

**5.1 Age**

As above.

**5.2 Disability**

As above.

**5.3 Race**

As above.

**5.4 Religion or Belief**

As above.

### **5.5 Sex**

As above.

### **5.6 Sexual Orientation**

As above.

### **5.7 Transgender**

As above.

## **6. Conclusions**

Taking into account the results of the monitoring, research and consultation, set out how the policy impacts or could impact on people from the following protected groups? (Include positive and/or negative impacts)

### **6.1 Age**

There is no perceived impact for this protected characteristic.

### **6.2 Disability**

There is no perceived impact for this protected characteristic.

### **6.3 Race**

As mentioned in previous sections, race has been identified as an area of potential adverse impact.

Staffordshire is one of two forces who by their intelligence led approach and fairer use of Stop and Search has not only seen reductions in crime rates in line with overall trends, but have also increased public confidence in the police. Policing which respects human rights is more effective and actually makes us safer. The disproportionality rate for Staffordshire is low, particularly when compared to the national data. Because there is no room for complacency a continual monitoring process is in place to ensure this position is maintained and if possible improved.

**6.4 Religion or Belief**

There is no perceived impact for this protected characteristic.

**6.5 Sex**

There is no perceived impact for this protected characteristic.

**6.6 Sexual Orientation**

There is no perceived impact for this protected characteristic.

**6.7 Transgender**

There is no perceived impact for this protected characteristic.

**7. Decisions**

If the policy will have a negative impact on members of one or more of the protected groups, explain how the policy will change or why it is to continue in the same way.

If no changes are proposed, the policy needs to be objectively justified.

Staffordshire Police is one of two forces whose operational practices concerning the use of Stop and Search are held as national best practice. The policy complies with legislation and is mainly concerned with the processes of recording the searches.

**8. Monitoring arrangements**

If the policy is new what consideration has been given to piloting the policy?

If monitoring is not already in place what arrangements have been made to monitor the effects of the policy on equality and diversity?

The procedure is not a new concept but a replacement for an out of date policy which did not reflect the change in law and new requirements concerning Stop and Search. As this area of police work is governed by legislation a pilot is not appropriate.

However, the force has been piloting the use of PDAs (personal digital assistants – electronic handheld information devices) to record the seven items that need to be recorded for every stop and search (ethnicity, objective of search, grounds for search, identity of officer carrying out the stop and search, date, time and place). The pilot, which is being carried out in Stoke on Trent, has seen the disproportionality rate reduce to 1.5, meaning that a BME individual is 1.5 times more likely to be stopped than a White individual. There are plans to introduce PDA recorded stop searches across the force.

It is known that race is an area of potential adverse impact. Consequently, stop search data is monitored on a regular basis. Stop search information (numbers of stop searches, disproportionality rates etc) is updated every month on an internal performance database. This information is also published in 'strategic updates' which are produced for the Police Authority. Stop search figures are also included in the Staffordshire Police Monitoring report which is published on an annual basis.

**This equality impact assessment will be published on the force website.**

EIA Form Dated  
24/07/2012