

The Nottinghamshire Police and Crime Commissioner's response to the publication of Her Majesty's Inspectorate of Constabulary's (HMICFRS) - Disproportionate use of police powers - A spotlight on stop and search and the use of force (Feb 2021).

[The report can be found here](#)

This report was published on 26th February 2021 and draws on various sources of information obtained by HMICFRS including published national and force-level data on stop and search and on the use of force and the findings of its 2018/19 Integrated PEEL Assessments covering police effectiveness, efficiency and legitimacy.

In 2019 and early 2020, HMICFRS published 43 force reports on the findings of its 2018/19 inspections. Of the 43 forces inspected, 19 were inspected on how well they treated the public – HMICFRS assessed combatting unconscious bias and using communication skills to prevent interactions escalating into conflict. For stop and search and use of force, HMICFRS looked at training, monitoring use, understanding disproportionality and taking action, and external scrutiny. For all forces, HMICFRS revisited the national recommendation it made in 2017.

HMICFRS state that over 35 years on from the introduction of stop and search legislation, it has found that no force fully understands the impact of the use of these powers. When the police use their powers disproportionately – in differing proportions on different ethnic groups – it causes suspicion among some communities that they are being unfairly targeted. This can undermine police legitimacy, which is a fundamental aspect of the British model of policing by consent.

HMICFRS said that despite having more data on the use of force and stop and search, police forces are still unable to explain why these powers are used disproportionately based on ethnicity.

For some, particularly Black, Asian and Minority Ethnic people, it can reinforce the perception that there is a culture of discrimination within the police. And, now that we have some long-awaited data on the police use of force, similar concerns are arising about this area of practice.

The tragic killing of George Floyd in America in early 2020, and subsequent protests in the UK and globally, have highlighted once again the significant impact that police interaction can have – particularly on Black, Asian and Minority Ethnic, communities.

I agree with HMICFRS that the public rightly expects the police to protect them by using their powers in an effective and fair manner. However, unfair use of powers can be counter-productive if it leads people to think it is acceptable to not comply with the law. It may also make people unwilling to report when they are the victim of crime or come forward as witnesses.

The HMICFRS report identifies that in 2019/20, the proportion of drugs searches was greatest in Nottinghamshire and Merseyside, where respectively 80 percent and 79 percent of all searches were targeted at such offences. Lancashire and West Midlands are among the most similar forces to Nottinghamshire and Merseyside respectively in terms of demographic, social and economic characteristics related to crime, but a much smaller proportion of their stop and searches were for suspected drug offences (57 percent and 56 percent, respectively).

The HMICFRS report also indicates that nationally, the proportion of stop and searches that actually find drugs is very low, and the disproportionate use of these powers on BAME people is having a damaging impact on public trust and advises police leaders to consider if focusing stop and search on drugs possession is an effective use of these powers, and to better explain the reasons for disproportionality. It is clear that now is the time to have an evidence-based national debate.

In Nottinghamshire we have consistently had a level of positive outcomes of around 40% overall. The table below shows that in the year 2019-20 it was 41% and the most recent year 2020-21 it was slightly down at 39%. These figures provide some assurance that the grounds for the search were legitimate and are primarily associated with targeted intelligence led operations that derive from local Police commanders identifying a specific crime issue in a given location that can be addressed through on-street proactive policing activity.

The Force has for a number of years held regular meetings with a Stop And Search Scrutiny Group attended by members of the BAME communities where stop and search, use of force

and other statistics were presented by a senior Police Superintendent who received both feedback on any concerns and in response provided insight and an explanation of the various police activities.

	Aim	12 months to Mar 2020	12 months to Jun 2020	12 months to Sep 2020	12 months to Dec 2020	12 months to Mar 2021	Change over last year	
							%	Actual
Violent knife crime	Monitor	768	739	768	721	707	-7.9%	-61
Violent knife crime: Positive outcomes	Monitor	26.6%	26.9%	26.3%	28.0%	29.1%	+2.6% pts	n/a
Possession of weapons offences	Monitor	1,199	1,112	1,084	1,019	1,005	-16.2%	-194
Stop and Searches	Monitor	5,487	5,377	5,103	4,952	5,109	-6.9%	-378
Stop and Search: Positive outcomes	Monitor	41.0%	39.8%	39.6%	39.3%	39.0%	-2.0% pts	n/a

Whilst this has worked very well it is my intention to bolster the level of BAME community scrutiny further by establishing a number of new groups namely a Community Listening Group (CLG) and an Independent Community Scrutiny Panel (ICSP) both are two related projects but with distinct aims.


The CLG aims to improve service by listening to the views and concerns of people of colour in community settings. At present, the group is meeting monthly to draw attention to current and historical concerns such as hate crime, policing and victim support and generally to shape the future of such activities. It will also be supporting my commissioning process, equality impact assessment and development of my equality objectives in the Police and Crime Plan.

The Independent Community Scrutiny Panel (ICSP) is a small but structured group and members are currently being recruited to work more directly with me to help scrutinise policing. The group will replace the existing Force led Stop and Search Scrutiny Board which had its last meeting on 6th April 2021.

HMICFRS made eight new recommendations of which six were specific to chief constables.

The Force will continue to use its dedicated 4ACTION database for tracking and responding to all HMICFRS recommendations and areas for improvement overseen by the Deputy Chief Constable. The Force also provides regular HMICFRS update reports to my Joint Audit and Scrutiny Panel (JASP) who provide additional scrutiny in these important areas.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paddy Tipping'.

Paddy Tipping
Police and Crime Commissioner