



# The Fife Division (Police Scotland) Stop and Search Pilot Evaluation *Findings and Recommendations*

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**June 2015**

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## ACKNOWLEDGEMENTS

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We would like to thank Police Scotland, especially the officers and staff of Fife Division of Police Scotland, for the opportunity to conduct this research and for their support and assistance in carrying out the evaluation. We appreciate all the efforts which were made to make us feel welcome and to provide us with all the information and documentation which we requested, as well as facilitating our visits to the case study sites.

We would especially like to thank the officers and staff at Fife Divisional Headquarters for all of their work to enable this evaluation to be as comprehensive as it was, and to the National Stop Search Unit for their guidance and support.

Thanks are also due to the Scottish Institute for Policing Research in supporting and enabling this evaluation project, and to the Universities of Dundee and Edinburgh Napier for backing our bid for this research work.

Megan and Liz would also like to extend a special mention of thanks to Agata Krause, our researcher for the project. Agata, on numerous occasions, has gone beyond the call of duty to complete the project milestones in time. She performed the majority of the data collection, the data analysis and wrote the initial drafts of most of the report's sections. This document is a better work for her efforts and insights.

# 1 EXECUTIVE SUMMARY

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In the context of increased attention and scrutiny regarding stop and search in Scotland, the introduction of Police Scotland's stop and search pilot, which aims to improve data recording practices, accountability and community confidence in the use of stop and search, is to be welcomed. Prior to this surprisingly little research or academic attention had been devoted to stop and search in Scotland, save some notable exceptions (see Background, Section 2 below). Police Scotland selected 'P' Division as the pilot site and the pilot was launched in Fife in July 2014, with support being provided by the National Stop and Search Unit. An independent academic evaluation was commissioned at the end of that month, with an expectation that the final report would be delivered in March 2015. Our tender was accepted in August 2014 and we began our work in September 2014, with our researcher arriving in mid-November 2014. We concluded our data collection period in February 2015.

The aims of the stop and search pilot in Fife were (see Appendix 1 for a complete list):

1. **Improving the data on which stop and search is based.** This relates to the use of the stop and search database, crime rates statistics for various relevant offences, and the use of various intelligence analysis software packages.
2. **Improving accountability.** This includes compliance recording checks, monitoring of crime trends, dip sampling of public satisfaction, learning from complaints against the police, and independent reporting to scrutiny boards.
3. **Improving confidence in the use of stop and search.** Included here are issuing letters to parents of children stopped and searched; providing advice slips to persons stopped and searched; quality assurance by lay advisory groups; use of local community engagement groups; working with schools, colleges and universities; enhanced training of staff and media and social media exposure.

The two main aims of our evaluation of the stop and search pilot in Fife Division were:

1. To assess the process of introducing and implementing the new methods for stop and search in Fife.
2. To assess the extent to which the desired outcomes for the stop and search pilot have been achieved.

It is important to note that this evaluation is of the Fife pilot only, and not on stop and search practice in Scotland in general. In order to achieve these aims, we employed both qualitative and quantitative methods (see the Methodology Section 3 below for details).

Overall, the changes introduced as part of the pilot approach to stop and search are to be welcomed and we have found that the officers and staff involved in the management and implementation of the Fife Pilot have invested a considerable degree of time, effort and resources into it. A wide variety of changes have been introduced through the pilot in an effort to make Police Scotland more accountable and to command greater confidence from the public in relation to stop and search. These changes are based on extensive external consultation. The Fife Division of Police Scotland is to be commended for these efforts.

Our findings suggest that some elements of the Fife Pilot can be regarded as good practice. These include systematic recording of all stop searches, compliance recording checks, engagement with external stakeholders (in its various manifestations), the advice slips, the aide memoires and enhanced staff training. Proposed changes were predominantly implemented as planned and there appeared to be some positive outcomes. However, it is suggested that it may have been unrealistic to expect the changes implemented during the course of the pilot to achieve the rather ambitious objectives (e.g. increasing public confidence, see point 1 below), certainly on their own and within a short period of time. It should also be acknowledged that the pilot was introduced at a challenging time for policing in Scotland and in a context of re-structuring and change. We will list our main findings and recommendations below.

## 1.1 MAIN FINDINGS

1. According to the Research Brief for the Fife Pilot Evaluation (Appendix 1), the three key outcomes of the pilot were to be:
  - Improved deployment of police resources with respect to stop and search in terms of addressing issues of concern to local communities;
  - Improved recording processes that will ensure that stop and search is being targeted, is intelligence-led, is executed with integrity, fairness and respect;
  - Improved confidence in the community that stop and search is an effective tool used by the police in an ethical and proportionate manner.

Objectives should ideally be 'SMART': Specific, Measurable, Achievable, Relevant and Time-Bound. Whilst the above intended outcomes of the Pilot are important goals to keep in mind, they have not been written as specific objectives that are achievable and could be measured in a

certain timeframe. This makes it difficult to evaluate the extent to which they have been achieved.

2. The analysis of stop and search data (Section 4.1 below) shows that: during the first three months of the pilot the total number of stop searches conducted in Fife Division was 42.1% higher than the volume during the same quarterly period of the previous year (July to September 2013). In addition, the rate of positive searches (where an item was found) had decreased (from 24% to 18.8%). Meanwhile over the same period in the comparator area (Forth Valley) there had been a 19.7% decrease in the volume of stop searches and the 'positive rate' only reduced by 0.3%.
3. Our analysis of the data in Section 4.1 also shows that during the Fife Pilot not only is consensual (a voluntary search not based on reasonable suspicion) stop and search the most common method of search (two-thirds of all stop searches were consensual), but that young people are more likely to be searched in this way than older age groups. Although the age group most likely to be stopped and searched overall is aged 16 to 25, stop searches of young people under the age of 16 are not insignificant and point to the need to have careful consideration of new and existing stop search methods used here.
4. Senior police officers and staff had more knowledge about the context and the aims of the pilot than local partners and police officers on the beat (Section 4.2). Participants were unclear as to the events that led to the development of the pilot, which was linked to uncertainty over its aims (Section 4.2 and 4.3). Police officers and local partners were limited in their ability to recall the aims of the pilot. There was a perception that with the introduction of the pilot there had been a focus on increasing the use of stop and search. This is an unintended outcome of the pilot. There was also a clear perception that the pilot was largely the result of political and media pressure.
5. While senior officers were clearer about the links between aims, new processes and intended outcomes of the pilot, other officers were not. There was some confusion between the pilot's processes and outcomes, with many police officers considering *processes* implemented in the context of the pilot to be *outcomes* of the pilot (Section 4.3).
6. In relation to the first aim of the pilot, Section 4.4 explores the extent to which the analytic methods employed were novel and were used to inform use of stop and search. Changes introduced with the pilot included the stop and search data analysis reports being shorter, produced more frequently (bi-weekly as well as monthly), and the format and content being altered slightly. Any changes in the use of data analysis software, specifically, Geographical and Temporal Alignment Tool (GTAT), Recency Frequency Gravity (RFG), Ward Tracker and Datazone Tracker, did not appear to be as a result of the Fife pilot, but were part of the stop and search enhancement programme being carried out nationally. The stop and search analysis (in itself) in Fife is more comprehensive than that in Forth Valley (our non-pilot comparator area) as it covers a longer time frame and considers events from the same time in the previous year. However, stop and search analysis in Forth Valley is not done as a separate report but as one element of a larger Key Performance Indicators report.
7. The police staff analysts described (Section 4.4.) how, when compiling their reports on stop and search they look at the areas and times in which stop searches are occurring and how these

relate to levels of crime and disorder for those places and times. This is in order to establish whether stop and search is targeting 'the right time and the right place'. This is difficult to fully establish without additional contextualisation, such as seasonal trends, changes over time for more than a year, the impact of large events and the additional data provided through other analytical products. These useful contextual analyses are done within Fife, but as separate analysis reports which are to be considered in any management tasking and deployment decisions alongside the stop and search report. These reports are not disseminated to the level of police constables as they are detailed products.

8. The stop and search reports (discussed in Section 4.4.) include a section which reflects on the proportionality of the percentage of stop searches conducted in the area relative to the percentage of charges/incidents but this lacks an explanation of what should be considered 'proportionate'. Instead, discussions with management officers about the proportionality of stop and search are conducted verbally in weekly and monthly meetings.
9. The police staff analysts extract the stop and search data for Fife from the national database prior to constructing the final Fife stop and search report (Section 4.4). They then re-formulate this data with local events in mind which may otherwise produce misleading findings. It is this re-formulated data which is then analysed as described above.
10. Findings relating to 'improving accountability', the second aim of the pilot (Section 4.5), begin with the compliance recording checks. These involve staff from Police Scotland's Information Management (Data Protection Unit) randomly selecting one in every six stop and search entries each week and sending an email to the relevant police officers with a request to complete an audit form. Supervisors then check the content of this completed form and compare it with the stop and search record in the officer's notebook and the official database. However, the results of the audits were not made available to us due to data protection issues. Interviews reveal mixed opinions from officers on this process.
11. The dip sampling process (Section 4.5) involves a police officer phoning people who have been stopped and searched to assess their level of satisfaction with the experience. A number of issues are raised based on our observations: (i) the manner in which the dip sampling is carried out (e.g. questions asked); (ii) the selection of participants for dip sampling, (iii) the timing of calls; (iv) the representativeness of the results; and (v) the sensitivity of the topic being discussed.
12. No complaints towards the police (Section 4.5) appear to have been made in relation to stop and search since the pilot commenced. However, the way in which the complaints are handled is unclear (as these are addressed outwith Fife) and we were not given access to files which include complaints about the police as these also fall under data protection constraints.
13. The police were further held to account (Section 4.5) by the Safer Communities Committee from Fife Council and through the Equality Impact Assessment (EIA) on stop and search in Fife. Again, there was insufficient data for us to fully assess the level of scrutiny applied to the police in these contexts and the manner in which they were conducted (or data gathered in the case of the EIA). As the evaluation was not commissioned until after the pilot went live, we were unable

to assess the design phase where much of the scrutiny occurred. In addition, our field work fell outside the period of consultations with schools and other groups.

14. Improving confidence was the third aim of the pilot (see Section 4.6). The Fife Pilot involved a key change in practice whereby the police send a letter to the parents or guardians of children under the age of 16 who have been stopped and searched. These letters are sent out within 48 hours of a search taking place. Stakeholders and some senior officers felt that the letters to parents are very formal and do not provide sufficient details about the exact circumstances of the stop and search of a child. The tone of the letters appears to emphasise building a positive image of the police and of stop and search as being important in the prevention of crime, rather than providing more information for parents about what the possible repercussions might be for their child from this search. Concerns were also raised by the Police Scotland Children and Young Persons Reference Group about repercussions from the letters for how parents see their children.
15. A very welcome change introduced as part of the pilot is the practice of issuing advice slips to anyone who is stopped and searched (Section 4.6). The advice slip includes information about the grounds on which one may be stopped and searched. However, it does not explain the premise for a consensual search, and the description of a legislative search does not explain what 'reasonable suspicion' may entail. The advice slip mentions the values of honesty, respect and transparency, requests for feedback, provides the name of the police officer who carried out the stop and search and a postal address for the police in case someone wants to make a complaint.
16. Further developments towards improving confidence (Section 4.6) were quality assurance and consultations with the Local Lay Advisory Group and many community engagement groups. The Fife Division has contacted and engaged with a very large number of groups, organisations and individuals with a view to making the processes and mechanisms of the pilot transparent and open to scrutiny, as well as incorporating their feedback on the design of the pilot. The Division is to be commended for these efforts. While their aim to achieve transparency may have been achieved to a degree, our research found that the collaborative process of development and implementation of the pilot also played a role in legitimising stop and search. It would seem that engagement with external organisations served a dual purpose: 1) to consult on the development of the pilot so that the pilot methods would be robust enough to build public confidence and 2) to build public confidence through the consultation process itself by promoting the merits of stop and search to key groups.
17. Engagement with young people is a clear priority for the Fife Pilot in improving confidence (Section 4.6) and many schools, colleges and one university were visited for this purpose. Our assessment of the available evidence on these consultations shows a mixed response from young people. In addition, there is little contextual information which we were able to access about the visits to schools and the influence the presence of a police officer may have had on the views openly expressed by young people. As with the engagement events noted above with adults, there seemed to be a dual purpose to these visits: taking on comments about the design of the pilot but also promoting stop and search itself.

18. A further initiative to improve confidence (Section 4.6) was an enhanced training programme developed through the Fife Pilot for stop and search. We found a great deal of variation in terms of how PCs recall their experiences of the training which suggests that it did not have the level of impact on them which was intended. It would appear that while there were various training methods introduced through the pilot, the largest impact of these was on senior and management officers, with a very mixed impact on police constables, some of whom could not recall this training at all. The aide memoire introduced for police officers as a guide on stop and search procedure is a positive development and Fife Division is to be commended for it. The mandatory statement on the card explaining the right to refuse a consensual search which officers are to read aloud is good practice. Some PCs seemed to appreciate the aide memoire, although many did not have an opinion about it one way or the other. Internal discussion and feedback about the pilot, when it occurred, was usually informal and often not noted in a standardised way.
19. Media and social media were also used to address issues of public confidence (Section 4.6). We have found that the use of social media in the context of the pilot was designed to and indeed was used as a way of promoting the positive outcomes of stop and search as seen by the police (items recovered, fewer dangerous articles 'on the streets', people kept safe). Reports of stop searches which yielded a negative outcome (in terms of no items found) were not reported and indeed the use of social media as a promotion tool for stop and search was reined in to prevent the area from appearing too violent. It was thus used primarily as a promotional tool.
20. When considering the extent of change brought about by the pilot (Section 4.7) police officers did recognise some change to their practice. However, many PCs felt that the pilot had not had a major influence on their existing practices with regards to selecting whom to stop and search. While police staff are using several sources of data to provide management officers with information about the best *times* and *places* for stop and search to inform tasking decisions, PCs tend to prefer to use information on specific *individuals*. They will gain this information from the electronic briefing system, their experiential knowledge, and checks with the police database, all of which are methods that pre-date the pilot. There is currently no mechanism in place to track if the same people are being stopped and searched repeatedly.
21. Section 4.8 considers the extent to which the stop and search encounter itself has changed through the processes introduced by the Fife Pilot. One of the primary changes has been increased attention to the systematic recording of stop searches, which is to be welcomed. Our research found that measures such as giving out advice slips and requesting phone numbers for the dip sample survey were not done consistently in all local areas: some officers did not give out the slips, did not have any with them, neglected to request a phone number or did not explain for what purpose the phone number would be used. Police officers did show a consistent understanding of the protocol in relation to not stopping and searching children under the age of 12. However, there was some differing opinion as to when to escort a young person home after a search and what protocol exists in relation to searches involving alcohol.
22. One clear unintended outcome in the context of stop and search practice (Section 4.8) which seemed consistent across the case study sites was a perceived pressure to conduct more stop searches than was the case prior to the pilot. There was a sense among PCs of 'targets' for stop and search, although they did not have detail on any specific metrics that they needed to

achieve. There was some indication that this pressure was worse for response officers, although officers from all the teams we interviewed mentioned it. Linked to this pressure to undertake more stop searches we found confusion over what exactly constitutes a stop and search for some officers in certain situations.

23. The issue of public accountability in light of the pilot is addressed in Section 4.8, and includes issues of procedural justice with stop and search and consensual searches. While police officers are aware of the importance of treating people fairly and politely in a stop and search encounter and may on many occasions have the support of the public in conducting stop and search, concerns remain especially in relation to consensual stop and search. With a sense of increased pressure to conduct more stop and search (an unintended outcome of the pilot, likely to have resulted from the focus on stop and search) they may resort to consensual searches to achieve this. That being said, there was a good awareness in the pilot of the change in policy in relation to consensual searches of children under 12.
24. Section 4.9 explores the degree of change to stop and search as a result of the pilot through the eyes of police officers and staff. Police officers have many views on what is useful and valuable from stop and search. However, the extent to which that has been enhanced in some way or made more transparent for the public through the mechanisms of the pilot was not clear to them. They struggled to identify any clear outcomes which were as a result of the pilot. This applied to officers of all ranks, not just constables in local areas.
25. In general, we found in our interviews with adult members of the public who were stopped and searched during the live phase of the pilot (discussed in Section 4.10) that they significantly diverged in the way they view the work of the police. Some of them argued that the police are doing a good job in their area or in Scotland as a whole and stressed that it relates to police visibility or to prior experience with the police. Others did not have any opinion about police's work or could not articulate if they consider the work of the police to be good or bad. However, individuals who felt that the police carry out random searches (which suggests a lack of reasonable suspicion) or multiple searches for no reason were more inclined to be critical towards the police. A few people mentioned how being stopped and searched is embarrassing, even if the police officers are polite when doing it.

## 1.2 RECOMMENDATIONS

1. The pilot is based on the premise that effective use of stop and search depends on targeting the 'right people, at the right time and in the right place.' However, it should be acknowledged that this creates a problem in that if the police continue to have a presence in the high-crime areas to which the analytical products used in the pilot direct them for the purpose of stop and search, then these areas are likely to remain as 'hot spots' for crime or anti-social behaviour. More stop and search, even with the good practice identified in the pilot, is not going to change this situation on its own. Other methods, based on problem-solving and partnership approaches, would be more effective in these areas and would better help the police to achieve the pilot's aims of public confidence and accountability. The focus of this research was on the stop and search pilot, however, it should be acknowledged that the police do not use it in isolation, but in conjunction with other, often multi-agency interventions.

2. The effectiveness of stop and search overall was not within our remit and requires further and more detailed research. When implementing the pilot on a national scale, we would encourage Police Scotland to reflect on the intended objectives of stop and search and consult evidence regarding its effectiveness and any unintended outcomes, such as those we have identified in the pilot. Stop and search is an invasive power (members of the public stopped during the pilot mentioned being embarrassed when searched) which the police can use to recover illegal items and the current academic evidence base does not support the idea that it is suited to crime prevention in general (one of the perceived benefits of stop and search which our police respondents identified in the evaluation). We would recommend that stop and search, including the pilot approach, should be used as a last resort in any encounter with a member of the public, but especially with young people. Young people need to be engaged in non-coercive ways whenever possible, as do other vulnerable groups, even considering the good practice identified in the pilot.
3. As is already documented elsewhere (see HMICS 2015), the stop and search database is problematic. While systematic and detailed recording of all stop searches as was done in the pilot is welcomed, officers need a much better understanding of how to input the data correctly to reduce errors and improve its use.
4. A further enhancement to the stop and search database would be to track whether the same individuals are being stopped and searched on multiple occasions. If this were to happen, these individuals should be flagged by the system in some way for alternative interventions.
5. Police Scotland should consider recording refusals of consensual stop and search in the main database to give a more complete and transparent picture of the practice.
6. Related to number 2 above is the need for officers to be much clearer on what constitutes a stop and search. We found confusion on this point more than once, for example, if a search after an arrest is a 'stop and search' and the difference between a search and an intervention. Confusion remains about police powers in relation to alcohol.
7. We would suggest producing one monthly data report which embeds the stop and search analysis within the other relevant contextual data (such as seasonal trends, major events, how 'proportionality' is determined, etc.) including the current six-week and one-year historical views of crime trends. This report would be even more robust if it also included a five-year historical view to mitigate against year-on-year fluctuations. This would improve the strength of the report as a standalone product as it would make the necessary context in which to understand the data fully apparent and would position stop and search within the broader range of police activity (as it is one option among many). This could help reduce the unintended emphasis that our interviewees perceived among their managers to highlight stop and search as a priority method and thus drive up its volume.

8. Related to Recommendation 7 is the work needed at a local level by the staff analysts to prepare the crime and disorder data for processing with the various analytical products available. There can be local circumstances or stand-alone events which may render the raw data inaccurate. Police Scotland should keep in mind the local work needed to produce the information which enhances the stop and search reports when rolling the pilot method out nationally, to ensure that there is sufficient staffing to do this.
9. Some members of the public who had been stopped and searched during the live phase of the pilot complained about 'random' searches, in that there was no stated reason for the search. This suggests that even with the pilot's methods of making the option to refuse a consensual search explicit and the advice slips, a misunderstanding remains about the purpose of consensual searches. In light of this, we would suggest Police Scotland move to a position of using legislative searches only. Only these can truly be 'targeted' at 'the right people, right place and right time' thereby enhancing accountability and public confidence, two key aims of the pilot.
10. Police officers in our study expressed a clear impression that there are targets for stop and search, especially once the pilot launched, and as such they should do as many as possible. Therefore, we welcome the recent announcement from Police Scotland that they will be ending the target of 20% positive stop searches and the stop and search Key Performance Indicator (Police Scotland 2015). This unintended outcome of the pilot (raising the rate of stop and search) should be kept under consideration when rolling out the pilot nationally.
11. Training for officers on stop and search should initially be delivered in a face-to-face way, in sessions that are interactive (not online and not in the context of a briefing) and that illicit their feedback on the procedures. This training should take into account current research on the effects of stop and search in various populations. Anonymous systems of feedback should be considered if officers feel hesitant to provide feedback face-to-face. It may be helpful to use an external organisation to provide this training if officers would be more willing to speak openly in that context.
12. While the Fife Division was involved in an extensive amount of consultation with external groups and organisations (which is to be commended) we have concerns that the messages given to external stakeholders about the *progress* of the pilot were inappropriately positive. This was not necessarily deliberate – as we reveal about the dip sampling, the 'complaints' feature on the advice slip and the letters to parents, these did not illicit reliable or extensive feedback to the police about views of the public on the pilot methods, which they could then pass on to stakeholders and officers when updating them. We would suggest that Police Scotland reduce the level of self-promotion in these meetings when possible.
13. Police Scotland should consider employing an external agency to assess the level of public satisfaction and confidence in the police in relation to stop and search (such as through the dip sampling phone calls). The fact that there were no complaints towards the police during the pilot does not mean that everyone is satisfied with stop and search. It is difficult for some

people to tell the police directly what they think of them, even anonymously, especially if the police hold their personal details (name, address and phone number) or are standing in front of them in uniform. External assessors would remove the level of threat that can come with communicating with the police directly.

14. Should Police Scotland decide to continue with its own dip sampling method, there are issues with this which need to be addressed. These include the accuracy of the database, obtaining a representative sample of respondents, time of day in which to ring, the ability of any police officer to get a reasonable assessment of someone's views of their experiences with the police, the closed nature of many of the questions, the use of the comment box and to what use the findings are put (how widely to disseminate them and how often). Social science researchers with expertise in questionnaire methods would be best placed to advise on these and provide the necessary training to officers conducting the calls.
15. In relation to obtaining phone numbers from members of the public, there are some concerns here in terms of data protection and privacy. When members of the public are asked for their phone numbers for the dip sampling process, this needs to be stated by the police officer in question as the sole purpose for having that number. Police Scotland should also make a commitment to destroy these numbers once the dip sampling is completed for that month.
16. The advice slips given to members of the public when they are stopped and searched are good practice. However, these need to be given out as a matter of course in every stop and search, and a system should be devised to check that this is happening. These documents also need to be amended (or an alternative version produced) to use language more suited to young people, to provide more information on consensual searches and officers should routinely ask if the person might have any difficulty in reading the advice slip (for example, because of vision problems or dyslexia). The Police Scotland Children and Young Persons Reference Group also suggested pictures and font that is easier to read for people with dyslexia. Officers should always carry copies of the advice slips with them, as well as copies of those in alternative formats (such as the Polish language version).
17. The aide memoires are also good practice, especially the mandatory statement on the card explaining the right to refuse a consensual search which officers are to read aloud. However, they also need more information on consensual searches such as when it would be inappropriate to do them, for example, on people who are intoxicated or vulnerable in some way and thus unable to give informed consent (in addition to not conducting consensual searches of children under the age of 12).
18. The letter to parents is a difficult area. There are good suggestions which would make them more useful for parents. These include more detail on the circumstances of the stop and search, details of what brought the police officer to conduct a search, what possible outcomes or repercussions there might be for the child from the search and the use of less formal language. However, there is also a concern that the letters could have negative consequences for children

in some households where contact with the police is seen as problematic. Careful consideration should be given to this and whether the letters in some cases might do more harm than good.

19. Once a final format for a revised approach to stop and search is developed in Scotland, this should be communicated effectively with the public to help improve confidence in the new method, along with the regular production of publicly accessible reports on progress in changing stop and search and data analysis of the rates of stop and search for local areas.

## 2 BACKGROUND TO THE EVALUATION

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### 2.1 STOP AND SEARCH IN SCOTLAND

Over the course of 2014, stop and search in Scotland increasingly became a focus of attention and scrutiny. In this context, the introduction of Police Scotland's stop and search pilot, which aimed to improve data recording practices, accountability and community confidence in the use of stop and search, is to be welcomed. Prior to this surprisingly little research or academic attention had been devoted to stop and search in Scotland, save some notable exceptions, for example: Reid Howie Associates' (2001) report, Kathy Murray's doctoral research (Murray 2014), and the Scottish Police Authority's (2014) report on their scrutiny review.

In contrast there has been a significant amount of research on stop and search in England and Wales, for example Bowling and Phillips (2007), Delsol and Shiner (2006), Miller (2010), and Quinton (2012). The Police and Criminal Evidence Act (1984) required that stops and searches in England and Wales are recorded and are based on reasonable suspicion. However, despite this, controversy in England and Wales has continued. Although this has predominantly focused on the disproportionate searching of ethnic minorities, a recent HMIC inquiry (HMIC 2013) also found that a proportion of searches were not lawful.

The concerns raised in Scotland prior to the introduction of the stop and search pilot, in July 2014, related to a number of different areas, some of which are discussed briefly here. The Reid Howie report (2001) found that stop and search can have a negative impact on some young people e.g. in relation to anxiety, and there are concerns that children as young as six have been searched (Reid Howie 2001). Proportionality is important, although Reid Howie (2001) concluded that there was no evidence that minority ethnic groups were being targeted (Reid Howie 2001). Other points to note about stop and search include the lack of publically available data (Murray 2014), and the lack of understanding among members of the public of stop and search powers (Reid Howie 2001). The variation in use of statutory and non-statutory searches (also referred to as legislative and consensual/voluntary in this report) in different areas has also been raised (Reid Howie 2001, Murray 2014). According to the Scottish Police Authority (2014), Fife saw the largest (414.1%) increase in use of stop and search in the nine months

following the establishment of Police Scotland<sup>1</sup> so this is an interesting area in which to carry out a pilot and conduct an evaluation.

More recently stop and search has continued to attract political attention and various issues have been raised since the introduction of the pilot. The Justice Sub-Committee on Policing ran evidence-taking sessions on stop and search in June 2014 and February 2015. The Official report<sup>2</sup> of the 19<sup>th</sup> of June 2014 shows that the committee were interested, for example, in the recording of legislative and consensual searches, targets, and the searching of young people, particularly under the age of criminal responsibility. At this meeting Police Scotland made a commitment not to use non-statutory (i.e. 'consensual' or 'voluntary') stop and search on children under the age of 12. However, there has subsequently been controversy with regards to both the continued use of this practice and the reliability of the data (HMICS 2015). On Friday, 13<sup>th</sup> February 2015 the SPA held a Special Board Meeting<sup>3</sup> to discuss the use of non-statutory stop and search on children under 12 years old and explore the possibility of ending the use of consensual stop and search as a whole. During the same month (19 February 2015) Police Scotland explained to the Justice Sub-committee on Policing that the corruption of over 20,000 stop and search records in their central database was down to a computer programming issue<sup>4</sup>. In addition Police Scotland said that they will review the use of consensual stop and search and set up a 'short-life' stop and search Working Group for this purpose. (HMICS 2015, Police Scotland 2015) Whilst the Fife Pilot has been running and we have been conducting our evaluation, HMICS have undertaken an inspection of stop and search activity. They have found, amongst other issues, that police officers in Scotland do not have a common understanding as to what is to be recorded as a stop and search, that there is a general assumption of targets in place for stop searches and that the stop and search database is unreliable. Their recommendations include moving towards a presumption that stop and search should be conducted on a legislative basis whenever possible, improved training and

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<sup>1</sup> At least some of this number will be due to the change in recording practices from that of the legacy Fife Constabulary.

<sup>2</sup> Justice Sub-committee on Policing, 'Official Report, Session 4', 19 June 2014.

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9281&mode=pdf>. (Last viewed on 1 April 2015)

<sup>3</sup> Scottish Police Authority, 'Stop and Search Special Board Meeting', 13 February 2015,

<http://new.livestream.com/accounts/5307060/events/3799986>. (Last viewed 1 April 2015)

<sup>4</sup> Justice Sub-committee on Policing, 'Stop and Search', 19 February 2015.

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/82844.aspx>. (Last viewed on 1 April 2015)

recording practices for stop and search, a removal of the target for positive searches and the Key Performance Indicators (KPIs) for stop and search and an enhancing of Police Scotland's IT systems.

Whilst some of what is outlined above and in the SPA report (2014) is beyond the scope of this pilot and evaluation, it is apparent that the pilot expressly sought to respond to some of the political and media pressure it was experiencing (see HMICS 2015 for a timeline) as well as the subsequent SPA recommendations, in particular, the use of analytic tools to improve targeting of stop and search activity, improved recording of stop and search, and increasing the transparency of stop and search data. In conducting research on stop and search it is important to acknowledge the centrality of both discretion and accountability to policing. In addition, the distinct Scottish legal context must be taken into account, along with human rights laws at a European level. In line with the Police and Fire Reform (Scotland) Act 2012, Police Scotland has developed a new code of ethics for policing in Scotland. This is a positive step and the code emphasises a commitment to human rights and embeds a values based approach to policing, setting out what the public can expect, i.e. integrity, fairness and respect.

## 2.2 PUBLIC CONFIDENCE AND POLICING

Whilst it is acknowledged that levels of public confidence in justice institutions in Scotland are high, and have increased slightly for the police (Scottish Government 2014), improving public confidence remains an important priority. A review of the literature (Scottish Government 2012) concluded that personal experiences are the most important driver of people's attitudes and there is strong evidence that perceptions of procedural justice influence satisfaction, confidence and perceived legitimacy, which improves compliance and cooperation with agents of the justice system. The review (Scottish Government 2012) states that procedural justice involves four elements of fairness: having your say, neutrality (requires openness), being treated with respect, and feeling that the police have the interests of the public at heart (motive-based trust). There is a growing literature applying theories of procedural justice (or fairness) to policing research in the UK (e.g. Bradford 2012), Europe (e.g. Jackson et al. 2011) and internationally (e.g. Mazerolle et al. 2012; Tyler 2004).

Most adults (86%) surveyed as part of the Scottish Crime and Justice Survey (Scottish Government 2014) agreed that local police would treat them with respect if they had a reason to contact them. However, responses relating to attitudes to the police and confidence in the police were less favourable amongst those living in the 15% most deprived areas. In improving cooperation with the police and compliance with the law, National Policing Improvement Agency research (Myhill and Quinton 2011) emphasises the

importance of fair decision making and positive public interaction. This evaluation provides a valuable opportunity to look at changes introduced as part of the stop and search pilot in Fife, which aims to make improvements to the data used to inform the deployment of stop and search, an area in which there has been limited research. Centrally the pilot sought to make improvements in terms of transparency, meeting public expectations and to enhancing public confidence -fundamental to policing by consent.

## 3 METHODOLOGY

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The two main aims of our evaluation of the stop and search pilot in the Fife Division of Police Scotland were:

1. To assess the process of introducing and implementing the new methods for stop and search in Fife.
2. To assess the extent to which the desired outcomes for the stop and search pilot have been achieved.

In order to achieve these aims, we developed a research structure which included both quantitative and qualitative elements. We will describe each in turn.

### 3.1 QUANTITATIVE METHODS

The intention of this evaluation in terms of a quantitative analysis as outlined in our tender document was to explore the following areas:

1. The extent to which information and intelligence available to the police through their data systems is being operationalised in stop searches (pilot objective 1, see Appendix 1).
2. The outputs of stop and search as recorded by police systems (pilot objectives 2a and 2b).
3. The extent to which the processes and methods used now in relation to police information systems differs from that in Fife prior to the development of the pilot.

#### 3.1.1 Operationalising intelligence and information:

The exploration of how information and intelligence has been operationalised (number 1 above) was undertaken using qualitative methods instead of quantitative ones (see Section 3.2 below for a description). These findings are also presented in Section 4.4 below, 'Improving the data on which stop and search is based'. This section also covers the extent to which the processes and methods for information and intelligence analysis were used in Fife prior to the development of the pilot (number 3 above) and a timeline of the implementation of the changes.

#### 3.1.2 Stop and search outputs

In relation to number 2 above, stop and search data as provided by Police Scotland was analysed and is presented in Section 4.1 below (however, see Section 4.4.5 for a discussion of accuracy problems with this data). The intention was to review stop and search data for the number of legislative and consensual stop searches, how these are distributed amongst the population (by age, gender and

ethnicity), and the number of positive and negative stop searches. A comparison was made between Fife data and data collected in another comparable area in Police Scotland (Forth Valley, see below) in order to provide an indication of the impact of the stop and search pilot on these metrics.

Data from the same period in the previous year was reviewed and compared in order to see whether there were any differences between the current year, i.e. reflecting the practices involved in the pilot, and the same period during the previous year. The total number of stop searches, the number of searches per 10,000 of population, the volume of legislative and consensual searches, and the percentage of positive searches conducted in Fife and Forth Valley (the comparison area) were reviewed over three quarterly periods (July to September 2013 and 2014; October to December 2013 and 2014; and January to March 2014 and 2015), in order to look at percentage changes comparing the period during the pilot with the same period the previous year. We also consider in Section 4.1 the distribution of stop searches in Fife during the life of the pilot by gender, ethnicity and age.

### **3.1.3 Selection of comparator Division**

In order to compare Fife stop and search data with data from another geographic division in Police Scotland we selected a comparable area. In order to do so we requested data relating to areas which may be similar in relation to: demographics of the population (population size, Scottish Index of Multiple Deprivation, age of population and urban/rural mix); crime /ASB rates and stop and search per head of population as of the final quarter of 2013 (October to December 2013). We were presented with data relating to 61 indicator similarities (relating to population profile, economic activity, SIMD, crime, incident and stop and search data), for three areas (Ayrshire, Forth Valley and Tayside). As the data demonstrated, the report produced by the Police Scotland analyst concluded that 'Overall, Fife is consistently analogous with Forth Valley in relation to key indicators such as population size and composition, deprivation and recorded charges/incidents/stop and searches per head of population'. The number of stop and searches per 10,000 of population in Fife (443) was more similar to Forth Valley (405.6) than to that of the other areas (Ayrshire 4,393.7 and Tayside 1,020.7), for year end 2013/14. Therefore, on the basis of the evidence presented we decided that Forth Valley provided the best comparison area for the pilot evaluation.

### **3.1.4 Selection of case study areas**

For the qualitative element of the evaluation we planned to explore stop and search practices in two case study areas in Fife: one large town, and one small town or village. The intention was that the large town would have a broad mix of population types (income, ethnicity) and areas with different rates of

crime and ASB. As there is a concern about stop and search being used disproportionately on young men, for the second case study area we felt that it would be useful to find a small town where there was a high proportion of young men, and for this to be a low income and/or high crime/ASB area. Data analysts were asked to provide key information in order to inform the selection of the case study areas. In order to preserve the anonymity of the police officers we interviewed and observed in these areas, we will not name the selected towns and have modified some of the data below in order to obscure their identity.

With a population of more than 30,000 people, Area 1 was selected as the 'large town' as it had a broadly similar age profile to Fife as a whole. The area has slightly higher levels of unemployment than Fife, with a third of its SIMD datazones classified amongst the 20% most deprived in Scotland. Economically there is a disparity between areas across the town, and the town as a whole had a higher number of charges of ASB and disorder, reports of public nuisance /disturbance, and stop and searches per 10,000 of population than Fife Division as a whole.

With a population of approximately 10,000 (representing about 3% of Fife's residents), Area 2 was selected as the second case study area. This area had a slightly higher percentage of people under the age of 16 than Fife as a whole, but a similar proportion of those aged 16-24. The area was selected as it had a higher percentage of the population who were unemployed (about 8% as compared to 4.4% for Fife), with two thirds of the SIMD datazones being classified amongst the 20% most deprived in Scotland. The rate of ASB and disorder charges, reports of public nuisance/disturbance and stop and search per 10,000 of population were higher than for Fife as a whole.

Between the beginning of July 2013 and the beginning of January 2014, over 200 stop searches per 10,000 of population were conducted in Area 2, over 150 in Area 1 and 122.8 in Fife as a whole.

Although our intention had been to compare the practice of stop and search in these two differing geographic areas of Fife, in practice it turned out not to be possible. Due to the time constraints we had in which to do this evaluation, we were not able to observe and interview sufficient numbers of police officers to make sound comparisons between the two areas. In order to provide some additional interview material, our researcher also spoke to officers from a third area in Fife. It was decided that this should be another large town in order to increase the chances that officers would have experience with stop and search and to increase the anonymity of those officers.

## 3.2 QUALITATIVE METHODS

The period of qualitative data collection was from 2 December 2014 to 4 February 2015. These methods include observations of officers and staff in Fife divisional headquarters and in two local police stations; interviews with police officers, staff, police managers (sergeants, inspectors and those with a management role in the pilot) and senior officers (chief inspectors and above) at headquarters and in three local area stations; as well as analysis of relevant documentation (such as the advice slips, letters to parents, dip sampling questions, emails, the Equality Impact Assessment and other internal correspondence about the pilot, etc). These methods will be described in more detail below.

### 3.2.1 Observations and interviews

Our primary data collection involved visiting and carrying out observations in multiple sites. These were the divisional headquarters in Glenrothes and two local police stations in Fife, which for purposes of anonymity will not be named (as explained earlier in this section). Observation of the pilot's implementation processes in Glenrothes was carried out between 6 January and 4 February 2015. Data collection through observation at the two local police stations took place over eight visits (15, 16, 17, 21, 22, 23, 26 and 27 January). The visits were two or three days long, usually including a weekday and a weekend. They included observations with front line officers of various teams: the community team, the response teams, the community investigation unit and the retail crime unit and observations of three meetings (the Gold Group meeting on 17<sup>th</sup> December 2014, the NSSU unit visit on 15<sup>th</sup> December 2014 and the Officers' Safety Training on 4<sup>th</sup> February 2015).

Our next method of data collection was interviews. Interviewees were selected based on a number of factors, such as their role in developing the pilot, documentary sources relating to the pilot, availability for interview due to shift patterns in three local stations or the random sampling of relevant databases. The interviews were semi-structured, conducted face to face, in the natural setting of interviewees. For police officers this was in their workplaces and for members of the public the interviews were conducted over the phone. Seven interview schedules were developed for: (i) the senior police officers who play particularly important role in the pilot, (ii) police staff, (iii) police officers on the beat, (iv) people who were stopped and searched, (v) parents of young people who were stopped and searched, (vi) police staff from the comparison division (see above in the section on quantitative methods, Section 3.1) and (vii) local stakeholders. Interview schedules are included in Appendix 2.

During data collection, interviews and observations were carried out with 42 police officers and police staff (six senior police officers, five management officers, 27 PCs, four police staff) across three different

locations. Thirty-seven interviews were also carried out with various pilot stakeholders and members of the public. This included four senior police officers, five management officers, 12 PCs, three members of police staff and 13 members of the public (three local partners and ten people who were stopped and searched on a previous occasion). During data collection, 11 instances of stop and search involving 19 people in two different case study sites were observed.

The general approach to data collection through interviews included tape recording and taking notes. The interviews were preceded by providing information to the interviewee about the purpose of the evaluation and the interview, and the ethical principles underpinning this study. Interviewees were then asked to provide written or verbal consent prior the interview commencing. The outcomes of the observations and the overall impressions of the interviews were captured through note-taking. The notes were typed up after the event in order to reduce loss of detail. The interviews were then transcribed by an independent transcriber, who has signed a confidentiality agreement.

### 3.2.2 Documentary analysis

For the purpose of this evaluation a considerable number of documentary sources were collected. These include documentation on the Business Intelligence Toolkit, which provides the overview of Ward Tracker, Datazone Tracker, Recency Frequency Gravity (RFG)<sup>5</sup> and the Geographical and Temporal Alignment Tool (GTAT); the advice slips given to people who were stopped and searched and the aide memoire; the minutes of Safer Communities Committee meetings; various police agenda papers and presentations regarding the pilot; the Equality Impact Assessment; records from Twitter and Facebook posts; e-briefing presentations; various poll results (e.g. after the Gold Group workshop and the dip sampling phone calls); the stop and search database and related datasets; the bi-weekly and monthly stop and search reports; monthly analyses of anti-social behaviour, disorder and minor assaults; documentary and email accounts regarding engagement with schools; internal correspondence about the pilot; and available updates about the pilot.

### 3.2.3 Coding

All data collected was then subject to coding. The research employed a mixed coding strategy – deductive and inductive (Bazeley 2007; Creswell 2009). The data analysis procedure was deductive in the sense that the research design included a particular focus on the processes of developing and

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<sup>5</sup> The Recency Frequency Gravity (RFG) tool has a more indirect link to stop and search in that the outputs from this product will inform the deployment of a variety of operational responses, one of which might be stop and search.

implementing the pilot and with regard to our two theoretical approaches: the theory of change approach and the procedural justice approach. The theory of change approach studies *how* (the mechanisms by which) the methods introduced by the Fife Pilot are expected to achieve the anticipated outcomes. The procedural justice approach considers the impact of police officers using procedurally just dialogue on the public's perception of police legitimacy. This includes elements such as, in the context of a stop and search, speaking in a polite manner, explaining the reasons for a search and listening to an individual's concerns.

The inductive elements involved a bottom-up strategy of meaning construction as suggested by Keller (2011). Data was analysed in a sequential, extensive and detailed way, in a line-by-line manner, with a care to not prejudge meaning. The purpose here is to allow the data to reveal systems, meanings and processes that had not been anticipated by the deductive methods. Nvivo software was used for the purpose of efficient data management, especially storage and analysis (Bazeley 2007).

#### 3.2.4 Execution of data analysis

In line with the theory of change approach and the procedural justice approach, data analysis focused on three main issues:

- (i) **Views of police officers** who developed the pilot about the objectives introduced by the pilot; the (perceived) outcomes of the pilot; knowledge and awareness of police officers and police staff about the objectives of the pilot and the 'route' which allows the objectives to be met, including statements about the expected outcomes of the project (perceived outcomes); and communication of the objectives of the pilot (*based on interviews and documentary data*).
- (ii) **Management of the pilot** within and outside police offices, especially with regard to the division of roles and responsibilities among police staff, police officers and other project stakeholders (local partners); the dynamics of social interaction between police managers and officers, police staff and other project stakeholders; practices of police managers and police officers in the context of the pilot, especially the comparison between how they handled stop and search data prior to the pilot and how they handle it now; how they manage 'new' data (about stop and search); the extent to which new data underpins the intelligence-led approach to stop and search in general; and the way stop and search data/intelligence is handled within the various subdivisions (*based on interviews, participant observation, and documentary data*).

- (iii) **Decision-making of police officers on the beat** about who to stop and search; the reasons behind it (perceived fairness); the nature of their interactions with people who were stopped and searched; the outcomes of these practices with regard to police legitimacy and accountability; whether and to what extent the pilot has induced changes in police practice; and views of the members of the public on stop and search (*based on interviews, participant observation, and documentary data*).

### 3.3 LIMITATIONS OF THE EVALUATION

Although great care was taken to ensure that this evaluation is as robust as possible, there were some unavoidable limitations to our research. The first of these relates to the timeframe in which this evaluation occurred. The invitation to tender for the evaluation of the Fife Pilot was not made available until after the pilot had already commenced. Therefore, it was not possible to establish a baseline of police practice in stop and search in Fife before the pilot changes came into effect. To compensate for this we have conducted the quantitative data analysis comparisons as discussed above in terms of considering the rates of stop and search in Fife from before and after the pilot, as well as considering the rates of stop and search between Fife and the comparator area from before and after the pilot. Although this can provide some useful information, we do not have a way to assess the qualitative changes to police practice brought about by the pilot, other than by asking officers and staff what has changed in their view.

As will be discussed below, the timescale available to us for the fieldwork component of the evaluation was short. Most fieldwork was conducted in December 2014 and January 2015. This was due to our researcher starting work with us in November 2014, allowing time for coding and analysis in February 2015 prior to writing the first draft of the report in March 2015 to keep to the requested report delivery date of early April 2015. We were thus limited in the extent of the data we could collect and analyse in this timeframe.

Another limitation is that our research was conducted entirely on adults. As we were working to a very tight timescale, we did not have time to seek the necessary ethical approval from the University of Dundee's Ethics Committee for this purpose, obtain the appropriate criminal record checks to enable research on young people under the age of 18, as well as locating appropriate young people to interview and getting informed consent from them and their parents. We have used the reports from the visits to schools as best we can and the reports from the consultations with young people's groups to assess the

views of young people on stop and search. We also tried to speak to the parents of young people who have been stopped and searched to gather their views on the letters the police sent to them and their child's experiences of stop search. However, due to data protection restrictions we were unable to phone parents directly. Instead, a letter inviting parents to participate in a telephone interview were sent out (117 in total), with a web link to a Survey Monkey questionnaire where they could indicate their consent to be phoned back by our researcher. Parents were also provided with a telephone number they could ring, an email address they could write to or a postal address where they could send a completed consent form. Only one parent indicated that they would be willing to be interviewed, but our researcher was unable to make contact with this parent despite repeated attempts.

Our intention had been to attend as many of the consultation and scrutiny groups as possible during the course of the pilot. In the end, due to the time it took to recruit our researcher and the limited period we had in which to conduct the research, there were not many consultation events left during our data gathering period. We were able to attend one Gold Group meeting and the multi-agency National Stop and Search Unit workshop held over a day at Fife headquarters (14<sup>th</sup> November 2014). We were also unable to attend (as an observer) any visits to schools or colleges as no more of these were held after our researcher was recruited. Ideally the independent evaluation would have commenced prior to the introduction of the pilot in order to facilitate a 'before and after' design and allow the research to focus on the development of the pilot as well as its outcomes. However, the research was limited due to time and resource constraints.

Our plan had also been to assess all the mechanisms related to the Fife Pilot as they are listed in the invitation to tender (see the 'Research Brief', Appendix 1). To this end, we requested sight of the compliance recording checks reports and forms. Due to data protection issues, these were not made available to us. We had also hoped to better understand the processes by which the various analytical products and intelligence reports are compiled, filtered and communicated to senior officers, management officers and police officers. This proved to be a very complex process of knowledge exchange and decision making which we did not have time to fully assess. The analytical products devoted to stop and search are part of a much larger package of intelligence and information sharing from central teams out to local decision-makers (usually Chief Inspectors and Inspectors). To tease apart the influence of the stop and search reports alone would be a time-consuming process. However, these reports do have an important role to play in local decision-making and tasking, and so will be discussed below in Section 4.4, keeping in mind the broader context in which they are produced and read.

The databases from which we have drawn our quantitative analyses are problematic. As has been widely discussed in the media and other public fora recently (HMICS 2015), the accuracy of the stop and search database for Police Scotland has been called into question on a number of accounts. This was apparent to us as well, even prior to this public discussion. Although we did not have the capacity to analyse the database in depth, even a cursory glance through it revealed errors. For example, we found on more than one occasion the same search being recorded twice due to errors such as the person's name being misspelled. The statistical information we do have was provided to us by police staff at our request (see Section 4.1 below for our analysis). This was agreed with Police Scotland when we designed our evaluation methods.

Some of the documentation and databases we consulted during the course of the evaluation were only available to us on site at Fife divisional headquarters, due to data protection concerns. In order to keep the material secure we could not remove it from Police Scotland premises. Our researcher was based in Glenrothes from December 2014 to early February 2015 and could consult the material then. We did not have direct access to this material after this period, however, due to data protection issues around removing the material from police premises and thus some of the detail may have been lost.

Despite these limitations, however, we have been able to produce a comprehensive assessment of the development, implementation and workings of the Fife Pilot on stop and search. It is to these findings that we now turn.

## 4 FINDINGS

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### 4.1 STOP AND SEARCH DATA

In order to provide a context for the rest of the report this section presents a brief analysis of stop and search data extracted from the stop and search database for Fife. This involves reviewing the number of legislative and consensual stop searches, how these are distributed amongst the population (by age, gender and ethnicity), and the number of positive and negative stop searches. A comparison has been made between Fife data and data from a comparator area in Police Scotland (Forth Valley, see Section 3.1.3 above), in order to provide an indication of the impact of the stop and search pilot on these metrics. Data from the same quarterly periods in the previous year has been compared in order to see whether there were any differences between the current year, reflecting the pilot methods, and the same period during the previous year. This involves exploring, for example, whether there were more positive stops and searches than was the case prior to the pilot.

#### 4.1.1 Analysis of overall stop search data<sup>6</sup> during and pre-pilot in Fife and a comparison area:

For the first three months following the implementation of the Fife pilot (July to September 2014) the total number of stop searches conducted in Fife was 42.1% higher than the volume during the same quarterly period of the previous year (July to September 2013), i.e. prior to the introduction of the pilot. This comprised an increase from 2,382 to 3,380, and an increase from 64.9 to 92.12 in the number of stop searches per 10,000 of population. Comparing data from this quarterly period in 2013 and 2014 the volume of both legislative and consensual searches had increased in Fife, the former by 49.3% and the latter by 38.9%. However, whilst there had been sizeable increase in the volume of stops and searches, comparing data between July and September 2013 and the same period in 2014, the rate of positive searches had decreased from 24% in 2013 to 18.8% in 2014.

Meanwhile in Forth Valley, comparing the same quarterly period (July to September) in 2013 and 2014, there had been a 19.7% decrease in the volume (from 2,165 to 1,739), and a reduction from 72.2 to 58 in the number of stop searches per 10,000 of population. This involved a 31.4% reduction in the volume of consensual searches. Despite a sizeable decrease in the use of stop searches in Forth Valley the 'positive rate' only reduced by 0.3%.

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<sup>6</sup> For data see Table 1 in Appendix 3.

It is interesting to note that the use of stop and search in Fife increased dramatically (as compared to the same period previous year) during the first three months of the pilot. Given that the opposite was the case in the comparison area it would appear likely that this may have been as a result of the pilot focusing on stop and search. This is explored further in Section 4.8.4 below, 'The pilot effect'.

For the next quarterly period (October to December) the 2014 stop and search rate in Fife was very similar to the 2013 rate (1% increase), and the same was true for Forth Valley (4% increase).

For the final quarterly period of the evaluation, January to March 23<sup>rd</sup>, the number of stop and searches in Fife per head 10,000 of population had decreased from 66.4 in the same period in 2014 to 32.7 in 2015. The volume of stop and search for this period in 2015 was 50.8% lower than in 2014, having reduced from 2,436 to 1,199. This was primarily as a result of a large (63.8%) reduction in the use of consensual searches, although the use of legislative searches had also decreased (11.6%). A very similar pattern was to be found in the comparison site, with the number of searches per 10,000 of population having decreased from 74.8 in 2014 to 36.6 in 2015 (for this quarter). The total volume of stop and search had reduced by 51% and consensual and legislative searches had decreased by 65.1% and 23.6% respectively. Whilst the use of stop and search had decreased dramatically in both areas between 2014 and 2015 for this quarterly period, the rate of positive searches had increased slightly, by 1.5 % in Fife and 5.5% in Forth Valley, which suggests that the police were engaging in fewer but more evidence-based stop searches.

The dramatic decrease in the use of stop and search between 2014 and 2015 for the period January to March coincided with a period of political pressure around the use of stop and search in Scotland, primarily consensual searches of children 11 years old and under (HMICS 2015). Our analysis of the overall patterns of stop and search in Fife suggest that the arrival of the pilot brought with it a sense of increased pressure to conduct stop and search. This seems to have retracted as the pilot embedded and was reduced significantly following the media reports around consensual stop and search of children.

#### 4.1.2 Analysis of stop and search data<sup>7</sup> for Fife during the pilot by gender, ethnicity and age

During the life of the pilot (July 2014 to March 2015), the vast majority of stop searches were conducted on males (82%). Within this group, males aged 16 to 25 had the largest number of searches (33%), closely followed by those aged 26 to 35 (21%). While not the largest category to be searched (at 7.64%), males aged 12 to 15 also experienced a large number of searches (519) in Fife. Females of this age group

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<sup>7</sup> For data see Table 2 and Table 3 in Appendix 3

were searched 198 times, for a total of 717 stop searches of people aged 12 to 15 (10.5% of all stop searches in Fife during the pilot). This figure is mentioned to demonstrate that the interaction of police officers with young people in the context of the pilot is significant, and thus the impact of measures related to them (such as the letters to parents or reports to the Vulnerable Persons Database, see Sections 4.6.1 and 4.8.3) are important to consider.

In terms of ethnicity, the majority of stop searches are conducted on 'White Scottish' individuals (89%). The next two largest categories, 'White English' and 'White British' comprise 4.46% of all stop searches during the pilot. 'Other White' (1.46%) and 'Unknown' (1.36%) come next. After this, the only ethnic category who was stopped and searched more than at least 1% of the time was 'White Polish' at 1.28% (87 stop searches). While in the context of all stop searches during the pilot this is not a large number, it is important to note that this identified ethnicity is the most prominent after Scottish, English and British and thus more prominent than Gypsy Traveller (0.29%), Northern Irish (0.24%) or Welsh (0.12%). We return to this issue in Section 4.8.2 when we examine police practice in relation to the advice slips given to people who have been stopped and searched.

#### 4.1.3 Analysis of legislative and consensual stop and search data<sup>8</sup> by age for Fife during the pilot

We noted above the overall levels of legislative and consensual stop and search rates in Fife during the life of the pilot. Here we will consider briefly how these rates compare by age. Consensual stop searches were the most common method of stop and search, taking place two thirds of the time (66.73%). Of these, 42% were of young people aged 16 to 25 and 23.5% were of people aged 26 to 35. For legislative searches of these age groups, 16 to 25 year olds comprise 33% of these searches and 26 to 35 year olds represented 31% of legislative searches (higher than their proportion of consensual stop and search). Young people aged 12 to 15 comprised 13.2% of all consensual stop searches during the pilot, and only 5.2% of all legislative searches. By contrast, individuals aged 36 to 45 were 13.5% of all consensual searches and 20.7% of all legislative searches. This data shows that not only is consensual stop and search the most common method of search, but that young people (12 – 15 and 16 – 25 years old) especially are more likely to be searched in this way than older age groups.

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<sup>8</sup> For data see Table 4 in Appendix 3

## 4.2 DEVELOPMENT OF THE PILOT AND ITS AIMS

The two main aims of our evaluation of the stop and search pilot in Fife Division were:

1. To assess the process of introducing and implementing the new methods for stop and search in Fife.
2. To assess the extent to which the desired outcomes for the stop and search pilot have been achieved.

This section of the report will begin to examine the data related to the first of these two aims in terms of how the pilot was developed and how this process was communicated to police officers and staff. This will be continued in Section 4.3 (to follow below) in relation to the process of implementing the pilot approach to stop and search.

### 4.2.1 Awareness regarding the development of the pilot and its aims

The data analysis revealed two main issues with regard to awareness about the aims of the pilot, as expressed by various stakeholders. Firstly, police managers and senior police staff have more knowledge about the context and the aims of the pilot than do local partners and police officers on the beat. The analysis of the interview scripts revealed that majority of PCs across various teams and local areas had little or no recollection of the circumstances that led to the development of the pilot.

In addition, police managers and senior police officers diverged about the extent to which the pilot was driven locally (by local/regional headquarters), as opposed to nationally, by Police Scotland. To elaborate, a few intertwined issues with regard to local and national interests were raised, and will be discussed below.

### 4.2.2 Perception of the pilot as a response to political and media pressure

The first finding from the interviews with regards to the development of the pilot was the feeling that it resulted from considerable political and media criticism over police stop and search practice, especially the consensual searches of thousands of children, which may lead to a decrease in public confidence in the police. Senior police officers, police managers and a few police officers on the beat shared this view. Police officers and police staff acknowledged public concern over whether the use of stop and search is proportionate with regard to targeting young people, which was conveyed in the form of criticism from members of the Justice Committee as well as through media outlets.

What is interesting in this matter is that some police officers diverged in how much they acknowledged this being an actual phenomenon. Few senior police officers were inclined to assume that the political and media pressure was valid. Some senior police officers and police staff questioned whether members

of the public are really concerned over the rightfulness of police practices with regard to stop and search and stressed that policy-makers make exaggerated claims about the scale of the phenomenon in order to criticise the use of the consensual stop and search.

One management officer argued:

The circumstances were purely political and media pressure. There had been a lot of political comment, mainly from the key members that sit on the Justice Committee and senior officers of Police Scotland had been called before them to give evidence at evidence gathering sessions and they had obviously raised concern about our stop and search.

Another management officer argued:

Interestingly, there is – my perception is that there is very little – there's very few issues amongst the community, the public, around about stop and search and it has been very politically driven and I think it depends again on what political party you're sitting on as to who is being more critical about it as a tactic.

Similarly, one management officer questioned the extent of public concern regarding stop and search:

Interestingly, at one of the briefings we were at, a very prominent elected member for Fife said that the next person who spoke to him and made a complaint about stop and search from his community would be the first person, you know. So, you know, basically, what we are saying is the communities don't see it as an issue, you know. Politically, they very much do... I don't think there were too many issues around about public confidence and the use of stop and search.

In the similar vein, the study reveals conflicting claims about why the pilot took place in Fife specifically. Some management officers did not know why Fife was chosen but others stated that they had volunteered to carry out the pilot.

This uncertainty over the events which led to the development of the pilot continues into uncertainty over the aims of the pilot for some officers, which is discussed next.

#### **4.2.3 Knowledge of pilot aims**

This section focuses on exploring how police officers, police staff and other project stakeholders make sense of the aims of the stop and search pilot in Fife. Data analysis revealed that police officers and local partners were limited in their ability to recall all three themes of the pilot scheme. The majority of the PCs and one management officer (who did not have awareness about the dynamics that led to the development of the pilot) were also unable to recall its aims. This can be illustrated based on an interview with a PC:

[Interviewer]: To your knowledge, what were the circumstances which led to the development of the pilot?

[Interviewee]: Do I know the circumstances? Not really. I'm guessing. Was there a fear that maybe certain parts of the community were being targeted more than other parts maybe? And they wanted to make it more accountable.

[Interviewer]: Do you know what are the objectives of the revised approach to stop and search?

[Interviewee]: No...No.

This research also found that police officers' knowledge of the aims of the pilot is bound with their proximity and their access to the key decision-makers in the pilot. This means that the majority of PCs, one police manager in a local area, one member of the police staff and one local partner, when asked about the aims of the pilot, stressed the role of stop and search in general in preventing crime and disorder and the issues of public trust. For instance, one PC referred to the aims of the pilot as deterring crime and improving public perception of stop and search.

At the same time, however, senior police officers could recall the aims of the pilot in full during interviews. The police managers, senior police officers and police staff members who were able to describe some of the aims of the pilot argued that it aims to enable public confidence and reassurance. A senior manager pointed out that in the context of the pilot the police aim to demonstrate that they carry out their duties in 'as professional, discreet, respectful way as possible'.

Around half of the PCs, police managers and police staff made sense of the aims of the pilot with regard to their operations. The data revealed that this (operational) aim of stop and search is embedded in the often-cited phrase: 'Right People, Right Place, Right Time'. Police officers argued that this links with the issue of having relevant intelligence (and/or analytical products) or being intelligence driven – going to the areas, which are known (in various ways) to attract crime and disorder. That being said, the data analysis further revealed that the operational objective 'Right People, Right Place, Right Time' (and the intelligence driven approach to stop and search) can be contested. It concerns a perception among police officers regarding what they feel is an unintended outcome of the pilot relating to the volume of stop and search, to be addressed in the following section.

#### **4.2.4 Volume of stop and search: an unintended outcome of the pilot**

Interviews with police officers, especially police managers who had limited influence on the development of the pilot, revealed a perception that the relative importance of the original aims of the pilot had been eclipsed in light of concerns over the management of the volume of stop searches. Most police officers argued that prior to the introduction of the pilot there was a sudden focus on the volume of stop and search, i.e. in the spring and summer of 2014 (coinciding with the alleged media and political

concerns over the use of consensual search by the police) and this has continued since the introduction of the pilot. They stated that over this period of time (i) stop and search was portrayed as an important power used by the police and that (ii) they had a perception that management officers' considerations about the aims of the pilot were dominated by a concern regarding the volume of stop and search (i.e. that officers needed to be doing more of them).

With regard to the second matter, the PCs on the beat said that this was particularly apparent in the context of a question relating to what stop and search was like prior to the pilot. A PC stated that prior to the pilot: 'you were [stopping and searching], but it was not your priority, you weren't told to go out and stop and search people'. Another PC pointed out:

I think at first when the pilot just got started, I think they were a bit shocked because suddenly you had – because there was such a drive – like a drive on it to start with – you know, suddenly everybody's getting searched and it's obviously calmed down a bit now but they are getting searched a lot more than they used to, I would say.

At the same time, however, the issue of managing the volume of stop and search does not exist among the official aims of the pilot, and senior police officers and a few PCs argued against the primacy of this issue relative to the official aims of the pilot. Senior officers stressed that the focus on stop and search in the pilot was to improve the methods which are used, and not to increase its use. For instance, this senior police officer said a number of times during an interview that:

It doesn't matter about how many is getting done or whether they're positive or negative. It's actually just about the manner in which they're done because we don't measure how many cars we stop, we don't measure how many doors we kick in, we don't measure how many members of the public we stop down the town centre and ask if they're gonna have a Merry Christmas. We just seem to record this for stop and search.

A PC argued that: 'We've not got a target. Like, we don't go out – our sergeant doesn't give us a target of, say, 10 but it's just, you know, like it's Friday night, have an awareness, make sure you're stop searching and I think we've always done that'. It is worth noting in this context that the focus of the pilot on stop and search may have resulted in a perceived pressure on police officers on the beat to alter their practices, which is investigated in detail in Section 4.8.4 (below).

In summary, data analysis revealed a multiplicity of ways in which the aims of the pilot can be interpreted and redefined by police officers, police staff and local partners. This research now proceeds to explore whether those police officers, police staff and local partners who have an idea of what the pilot aims to achieve, understand how these aims translate into the emergence of new practice or an alteration to existing practice, and what the anticipated outcomes of these practices are.

### 4.3 PROCESS OF IMPLEMENTING THE NEW APPROACH TO STOP AND SEARCH

The research brief for the Fife Pilot Evaluation (Appendix 1) states that: 'It is hoped that the actions taken under the three aims [improving data, accountability and confidence] will yield three key outcomes:

1. Improved deployment of police resources with respect to stop and search in terms of addressing issues of concern to local communities;
2. Improved recording processes that will ensure that stop and search is being targeted, is intelligence-led, is executed with integrity, fairness and respect;
3. Improved confidence in the community that stop and search is an effective tool used by the police in an ethical and proportionate manner.'

Before examining in detail whether these outcomes were realised through the pilot and its methods (discussed in Sections 4.4, 4.5 and 4.6 below), we will consider here whether a clear link can be found in the views of the officers and staff involved in the pilot between its aims, the new processes introduced and the resulting outcomes. The data reveals that while senior officers were clear on these links, other officers and staff were not and demonstrated some confusion between the pilot's practices and its outcomes.

#### 4.3.1 The aim – process – outcome relationship

Interview findings presented in this section focus on the perceived relationships between the pilot's aims, processes and anticipated outcomes. The data analysis reveals senior police officers and police staff make a clear link between the aims of the pilot, the changes introduced by the pilot, especially new processes and practices, and the expected outcomes of the pilot with regard to all three of its aims: improving data, accountability and confidence in the police.

With regard to the aim of improving data, one management officer claimed that the new processes brought about by the pilot, such as collecting and re-using intelligence from the stop and search reports, allow the police officers to better target individuals and locations (with the 'Right Place, Right People, Right Time') and then to (i) do more proactive searches (in that police officers are patrolling the right areas and looking out for opportunities for legislative stop searches) and (ii) do them more efficiently.

With regard to improving public confidence in the police, a member of police staff argued:

So again, they've really tried to address that in Fife by providing the little aide memoir cards and really explaining the difference between a legislative and a voluntary search and the fact that you do have the right to refuse and you have contact details on there and an email address and you'll have, I believe, the officer's shoulder number on there if you want to contact the police if

you have any further questions about the stop and search that's been conducted or the stop and search process and you have the email address for the feedback etc.

Senior police officers, PCs and police staff linked giving out advice slips, carrying out dip sampling phone calls and sending letters to parents with improving accountability and public confidence in the police (discussed in Sections 4.5 and 4.6). For instance, with regard to advice slips, this senior police officer pointed out:

The advice slip, so there's – it's not just kids we stop, its people like you and I that are walking that get stopped. So, you know, we need to tell these people and allow them to reflect on it, you know, tell them why we're doing it and what authority and what powers we've got ... they get the advice slip cos a lot of these people when they're – if we're stopping the right people, they are under the influence of alcohol, drugs, they're aggressive, they're violent, they're anti-police, they're looking to commit antisocial behaviour. So they're not gonna be listening to the cops but if they get a leaflet – some of them, not them all clearly but may actually take it away and read at it and they may actually reflect on it and think, well I actually know what the police have done.

Similarly, a senior police officer argued:

We need to go out there and we need to ask the people what they want and we need to raise the awareness, so the letters was one way of raising the awareness. So if my kids get subject to a stop and search, they might not tell me but actually, if I send a letter to their parents if they're under 18 if they're a looked after child or if they're 16 – if I tell their mums and dads or their guardian that they have been subject to a stop and search, that can only do one thing. Well, it can do more than one thing but it can certainly raise awareness of stop and search (...) and I think that we have a moral responsibility to tell parents (1) that we've stop and searched their child, (2) where we've done it and (3) why we did it.

In this context, however, it is important to note that drawing assumptions about how a particular practice or process leads to a particular outcome can be problematic. The research reveals that the processes introduced by the pilot are fragmented and do not necessarily align fully with all the aims of the pilot which, in turn, raises the question of how likely they are to lead to the anticipated outcomes (this will be discussed throughout the 'Findings' section of this report).

The difficulties which police officers had in linking the aims of the pilot, the processes introduced in the context of the pilot, their practices, and the expected outcomes of the pilot are signified by the fact that many police officers considered *processes* implemented in the context of the pilot to be an *outcome* of the pilot. This was particularly apparent when some police officers, mainly the PCs, attempted to answer the question: 'looking back to the three goals of improving data, accountability and confidence, to which extent do you think the pilot has achieved this?', they were unable to discuss any actual outcome of the pilot. In the context of the question, one police manager argued:

I think without the pilot, we could not have achieved that very bold statement [improving data, accountability and confidence]. The stop and search programme before wasn't good enough - didn't have the governance, didn't have the improved intelligence products, didn't have the communication or consultation with our communities (...). What the pilot's allowed us to do is build up relationships with our partners and work with them to develop a whole range of products and processes that now meet policing in the 21<sup>st</sup> Century, and in terms of meeting with public approval to make us accountable. So I think absolutely we could not have achieved those outcomes unless the pilot had been put in place.

Finally, some police officers, who could not recall the aims of the pilot, considered a relationship between their practices (and the processes introduced in the context of the pilot) and the perceived advantages of using stop and search in police operations. Stop and search was seen by them to work as a prevention measure, in that it enabled the detection of crime and diminished the likelihood of the occurrence of crime and social disorder. These insights, however, do not include any reference to the alleged novelty of the processes and practices introduced in the context of the pilot. As one management officer stated:

I would like to think that stop and search is a direct influence on that [improving confidence in the police] because we stop and search someone, we recover a knife from him, they get arrested, they go to jail. We highlight that in the media, so people are absolutely clear that we will have a zero tolerance approach to it. So they know our expectations of them and what they will and will not be arrested for.

In summary police officers appear to have difficulty in contextualising their practices within the aims of the pilot and its expected outcomes. While some officers did see the processes of the pilot as means to an end, others focused mainly on these new methods as the being the end product of the pilot. Concerns regarding 'change' and considerations about the extent to which the pilot introduced processes (and practices) which are new and the effects they may have had are addressed in Sections 4.7, 4.8 and 4.9.

## 4.4 IMPROVING THE DATA ON WHICH STOP AND SEARCH IS BASED

The first of the three aims of the Fife Pilot is ‘improving the data on which stop and search is based’. This aim is designed to enable the first intended outcome of the pilot, ‘improved deployment of police resources’. This section of the report will examine the methods used to achieve this aim, the extent to which these were novel (i.e. unique to the pilot) and the issues which arose with these methods. It should be noted that this period of the evaluation field work predates the media reports, the Justice Sub-Committee on Policing and the SPA scrutiny of Police Scotland’s stop and search database over questions about its accuracy (see HMICS 2015 for more on this series of events).

### 4.4.1 The analysis process

Police staff in Fife produce regular reports on stop and search activity within the division over a defined period for the purpose of informing future use of stop and search. A member of police staff expressed the new methods introduced by the pilot in the following way:

[There were] three changes [in how stop and search data is handled in the context of the pilot], I would say [they are the] frequency of analysis, the format of the bi-weekly and monthly documents and the addition of the context, monthly context probably. That’s through that – what did I call it? – ASB [Anti-Social Behaviour], disorder, minor [assault report], so it’ll be at level review, which basically ties in to the Ward Tracker type stuff.

As the member of staff mentions at the end of the quote, the monthly stop and search report is produced in the context of a wider range of analytical products (e.g. Ward Tracker and the ASB, disorder and minor assault monthly report). Recalling the same issues, another member of the police staff summarised in the following way: ‘So that’s a new thing, as is the change to the more frequent document plus the slight tweaks to the format.’

Police staff and management officers suggested that the development of data analysis software, specifically the Geographical and Temporal Alignment Tool (GTAT), Recency Frequency Gravity (RFG), Ward Tracker and Datazone Tracker, were not as a result of the pilot in Fife, but were part of the data analysis enhancement programme carried out nationally (as not all of these products directly refer to stop and search) which is being piloted in Fife. According to the police presentation from 20 June 2014 that introduces the Business Intelligence Toolkit,

RFG origins go back to Strathclyde 2009. Numerous UK Forces using RFG, particularly for Domestic Abuse perpetrator management (...) [and] GTAT was piloted earlier in the year [2014] in several parts of the country, including Aberdeen, Inverness and North Ayrshire.

They were produced by a Strategic Development Manager of the Licensing and Violence Reduction Division in Glasgow. A member of police staff also argued that there is continuity with regard to the

analysis of the stop and search incidents against the incidents of violence of crime, ASB and disorder by using maps:

The GTAT thing is kind of similar to what we did before with the map and it's got a kind of temporal alignment of stop and search. The same as what we do but we kind of do it in a graphical form rather than I think it's like a little dial the way that it's presented there but it's a similar thing.

With regard to the stop and search data analysis reports, which are produced on a bi-weekly and monthly basis, police staff pointed out that the previous stop and search report (which was produced on a monthly basis) was built around a mapping system, whereas the current ones are based on Excel tables. The tables (in the new reports) include statistics with regard to gender, age, ethnicity and search type versus search result. The new reports are also shorter. One staff member pointed out that there was a tendency for the report to grow in the past. The 'new' version is more compact, which is a deliberate attempt to make it as concise as possible, as people who read the report do not have time to look at a '40 page long' document, as one of the staff members expressed. The purpose of the new document is to be a management 'health check' to keep the use of stop and search in line with current rates of crime, anti-social behaviour and disorder.

It is also worth noting that the stop and search reports being currently produced reflect a change with regard to the administrative divisions of Fife. Prior to the pilot, Fife was divided into seven sub-local areas, whereas now there are three main areas: West, East and Central. The analysis does also include a beat level of analysis (there are 79 beat areas). Police staff stated that currently there are two kinds of reports being produced – a monthly one and a bi-weekly one. They consist of three main parts: the stop and search overview, beat area comparison and historical analysis. The new monthly and bi-weekly reports also include forward looking elements (based on a historical analysis).

The description of the aim and methodology used in the two forms of reports is standardised. However, it is followed by an extra paragraph in the monthly reports only. This paragraph includes two more lines of explanation with regard to the analysis. The monthly reports then present the 'stop and search overview', which include statistics about the total nominal values of alcohol, drugs, firearms, fireworks, property and weapons searches in Central, East and West areas of Fife as well as grand total numbers. Both monthly and bi-weekly reports include analytical and recommendation sections. The analytical

sections embed explanation of the statistics about stop and search incidents, whereas the recommendation section focuses on action that should be taken based on the analysis.

Our research has found several areas of note in relation to the data analysis of stop and search figures in Fife. Based on a comparison between the old and new tools used for this data analysis, we will assess (i) the regularity of stop and search data analysis (ii) the degree of novelty in practices of handling stop and search data by the analysts (iii) the various issues relating to the accuracy/quality of data produced in these contexts.

#### **4.4.2 Regularity of stop and search data analysis**

The study found that the practices of handling stop and search data have changed considerably since 2013. Prior to the launch of Police Scotland in April 2013, the legacy force, Fife Constabulary, did not produce regular reports on stop and search activity. With the creation of Police Scotland a new national database on stop and search was developed, and with it came the production of regular reports on this activity (the format of which was developed over the summer of 2013). This version of the report used data from four weeks prior to the report, considering stop and search activity as well as violent crime and anti-social behaviour information in local hotspot areas. In May 2014, the stop and search reports were redeveloped to consider data from six weeks prior and to project forward by six weeks using an analysis of crime trends from the same period in the previous year. In this context, police staff argued that the stop and search reports were a subject to significant changes in spring and summer 2014, although this was due in part to a the mapping system which had been used previously being no longer compatible with the stop and search report (to be discussed in the next section).

Also according to the members of the police staff, previous stop and search reports were prepared on an irregular basis while the new ones are prepared more on a regular basis. In a similar vein, the police staff were in agreement that although there were few changes to the kind of analysis they do, this analysis is now more detailed and contextualised (this point will be discussed in more detail below in Section 4.4.6). Our research found that the stop and search reports of late are not produced as regularly as what was initially the case. Since the beginning of the pilot in July 2014, there have been five bi-weekly and four monthly reports produced. The reports were produced consistently until the beginning of October 2014 (the last available report is from 4 October 2014) and then they were not produced until January 2015. During this time, it was felt to be more worthwhile to have less frequent analysis

reports due to competing demands on management, to enable the continued contextualisation of the stop and search data within the anti-social behaviour, disorder and minor assaults data. These are used together, along with other analytic products to direct deployment of police resources. We are told that the stop and search products were available during this time in other formats and analysis continued twice weekly.

#### 4.4.3 Continuity in the format of stop and search reports

Our research found that the processes the police staff use in the context of the stop and search reports are fairly similar to the ones that were in existence prior to the Fife pilot. This was overtly expressed by the members of the police staff. When asked about the degree of change in data management in this area, one member of the police staff argued that:

There hasn't really – it hasn't changed much in the way that we approach stop and search ... because it's the same skill set that we're using, it's the same data that we're using that we'd use for anything else really. With the exception of the fact I suppose that we're looking at – we're maybe a bit more – we're focusing on a particular crime type.

Staff argued that there has been continuity with regard to the nature of the analysis they do. They argued that for instance, the current analytical report for GTAT includes the same information as former versions of the stop and search reports. The previous stop and search reports addressed the issue whether stop searches are carried out in the right places, i.e., where crime and disorder took place over the same space and time which allows identifying 'hot spots'. One staff member said:

What we used to do was overlay the crime and disorder geographically on an actual map and then overlay the stop and search onto that and look at hotspots for activity and then – so you could say – right, well this is our hotspot for activity here, and this is our 70% contour, for example.

It is worth noting that although there was a change in the structure and content of stop and search reports (from maps to excel tables), it was not brought about by the pilot but because of problems with the mapping software. The changes gradually emerged in Fife as a result of learning from Police Scotland Headquarters (prior to the pilot) rather than in the context of the pilot itself. It includes for instance, the idea of carrying out a historical analysis, which was introduced at the beginning of 2013 and came from Police Scotland Headquarters. The larger change here is that the stop and search reports are now read within the context provided by the other analytical products discussed above.

#### 4.4.4 Comparison with Forth Valley

Data analysis reveals a range of similarities with regard to the processes of stop and search data analysis in Fife and Forth Valley, our non-pilot comparator area. Our interview with police staff from Forth Valley who carry out stop and search analyses found that the processes of management of stop and search data in both locations (Forth Valley and Fife) focus on spatial and temporal analysis of stop and search incidents. It involves looking at 'the date, time and location of the searches, and we'll produce what we call a hotspot map showing that area' (according a member of police staff from Forth Valley) and on the profile of individuals that carry out criminal offences and cause social disorder (this latter element is different from the procedure in Fife where a separate intelligence report will discuss named individuals). The analysis also focuses on violence, disorder and antisocial behaviour in order to understand whether stop searches are carried out in the right place and at the right time. In this context, a member of the police staff from Forth Valley stated:

What we [in Forth Valley] produce is basically where our stop search activity is taking place and how does that correlate to where our violence is occurring (...) So we just focus it on where it's in a problem location and where can we direct – best direct the resources and it's not purely for stop search activity, you know, it's just for where can we best direct the resources to police.

In both locations the analysts use Business Objects and Microsoft Excel packages to make sense of the stop and search data. A staff member from Forth Valley mentioned using GIS as a primary mapping system that was also used in Fife prior the emergence of GTAT. Stop and search data analysis in both areas includes the beat level and provides insights into occurrences of stop and search, crime and disorder in specific locations, addresses and streets, if possible. The influence of future events on stop and search is considered in neither of these locations in these reports, but will feature in separate intelligence and analysis products considered together with the stop and search report. The stop and search analysis in both locations is disseminated primarily to senior police officers, including three area commands and is discussed during performance meetings.

Stop and search data analysis carried out in Fife and Forth Valley differs with regard to a few matters. Staff members from Fife produce a report dedicated to stop and search specifically, whereas the analysts from Forth Valley carry out stop and search analysis as a part of the Key Performance Indicators report (called the 'Priorities report') for each command area (there are three command areas in Forth Valley).

The stop and search analysis in Forth Valley is produced monthly, whereas it is produced bi-weekly and monthly in Fife. The analysts from Fife look back 6 weeks with regard to the patterns of occurrence of

the stop and search incidents, crime and disorder and carry out historical analysis by looking one year back, whereas the analysts from Forth Valley look 3 months back. In this context a staff member from the Forth Valley argued that:

We look at – to give us a kinda decent data set, we'll go back to 3 months from the date that we're looking at and we'll look at 3 months' worth of stop search data but we wouldn't go any further back than that and I wouldn't look at anything in the past.

A more detailed comparison of the stop and search analyses in the two areas was difficult as the KPI report from Forth Valley was not made available for the purpose of this research.

In both areas, information on stop and search is considered within the context of a range of information sources to direct police resources. No one report covers all elements of potential police deployment. Within the stop and search analyses themselves, it would appear that the stop and search analysis in Fife is more comprehensive than that in Forth Valley as it covers a longer time frame and considers events from the same time in the previous year. Forth Valley does not produce a report specifically dedicated to stop and search, as Fife does. However, questions of accuracy of the data will be an issue for both areas and it is a consideration of these to which we now turn.

#### 4.4.5 Accuracy of stop and search data

This section of the evaluation report will explore issues relating to the accuracy of the stop and search data produced through the analytical products described above. It refers to the processes performed by police staff, explanations stemming from statistical analysis, especially with regard to the contextualisation of the data, as well as the overall quality of the master database the analysts use. These issues are important in understanding the limits of the analytical products produced in Fife.

Staff members emphasized that they make all efforts in order to provide high quality, ready-to-use data. In this context, one staff member stated that that they filter information to be included in stop and search reports in order 'to be focusing or ensure that we're focusing on the right data and being as accurate as we can with that'. Another staff member explained the relevance of filtering stop and search data in relation to the 'Right People, Right Place and Right Time' pilot objective in the following manner:

We'll look at the amount of stop and searches that have been conducted in those areas and it's just to make sure that the areas that are experiencing the highest volumes of crime and disorder are the ones that we're focusing our resources on with regard to stop and search (...) So again trying to make sure that it's in the right place. What we also do with that six weeks of data is look at the days and the times of crimes and incidents occurring and overlay the days and times of stop and searches occurring and put them in a graph to see if we're essentially conducting

them in the right time. So that's your right place and your right time hopefully covered as far as possible.

The accuracy of data analysis produced by the staff members is bound with the accuracy of the master databases they use (e.g. STORM, CRIME FILE and the central stop and search database). Police staff and police officers pointed to a range of issues with the quality of information in these databases, such as double counting (e.g. disorder incidents that are later also included as crimes). Also, the observation of the dip sampling phone calls (addressed in detail later in Section 4.5.3) revealed issues such as misspelled first names or a lack of contact phone numbers<sup>9</sup> in the master stop and search database. In this context, however, one should note that (i) members of police staff pointed out that they assume the degree of errors in the databases to be minimal, (ii) and that they are not in a position to make necessary improvements as the databases are dealt with centrally (by Police Scotland). Finally, PCs pointed out that people who are stopped and searched on a consensual basis do not have a legal obligation to provide their phone numbers to the police, however they do have an obligation to provide their address and first name, surname, and date of birth when stopped under statutory powers. Input errors will of course restrict the accuracy of the information produced.

As noted above, there is a limit to the degree of control officers and staff in Fife have over the accuracy of the databases as these are managed at the national level. The internal audit of officers' notebooks, which was introduced by the pilot, could potentially bridge the gap between the actual and desired quality of the stop and search data. The results of these audits were not made available for the purpose of this evaluation due to data protection restrictions and so the benefit of these cannot be assessed here (this is further explored in Section 4.5.1).

Observations about the accuracy of the data used by and produced by police officers and police staff include the process of contextualising the statistical work carried out by staff members, which influences the way analytical work can be interpreted by police officers. This is to be discussed next.

#### 4.4.6 Contextualisation of stop and search data

Both types of stop and search reports (bi-weekly and monthly) include a section where there is a brief reflection on the proportionality of the stop searches conducted in the area over the stated time frame.

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<sup>9</sup> These are not a legal requirement in a consensual stop and search.

This is worded as the ‘% of charges/incidents is proportionate/disproportionate to % of stop and searches’, which is based on a simple comparison of volume of each activity. There is no explanation about the level or extent of that ‘(dis)proportionality’ and what would make the level more proportionate. In particular, the reports do not state in detail how ‘(dis)proportionality’ is measured through a consideration of the volume of each activity. In our discussions with police staff about this they have stressed that proportionality is discussed verbally with senior managers, rather than featuring in detail in the report itself.

The stop and search reports also include a comparison with the data from the same time period in the previous year. The assumption here is that this will allow a more informed prediction of what crime and disorder might be like in a particular area in the upcoming six weeks. However, it does not reflect on the extent to which such predictions can be statistically sound (e.g. year-on-year comparisons do not allow for annual variations in figures). In the interviews, police staff did acknowledge these shortcomings and agreed that as the historical analysis is an important part of stop and search activity it is considered in a separate report.

Additionally, in spite of the fact that one police staff member stated that an important part of the decision-making process of police managers is the ability to reflect upon seasonal trends, the stop and search report itself does not include explicit references to this matter. There is an expectation that the level of disorder, and therefore level of stop searches, will increase in the summer months and decrease in winter months. These issues were not, however, reflected in the recommendation section in the monthly and bi-weekly stop and search reports. All the reports (covering the months between June and October) repeatedly include a recommendation to increase or sustain the volume of stop and search with no clear demonstration of how this recommendation was derived. Police staff gave the impression that the recommendation section is not as important as the analysis itself (perhaps because the recommendations are discussed in more detail verbally in regular management meetings).

The stop and search reports also do not include the occurrence of large sporting or cultural events which may have a significant bearing on the incidents of crime or disorder as well as the volume of stop searches conducted. Although they fall outside the report, the police staff members pointed out that they produce relevant separate analyses on these events which management officers and senior police use when tasking their officers.

The monthly stop and search reports which include an overview of the various kinds of stop and search incidents taking place in Fife exclude searches for wildlife. This is surprising given that police officers have legal powers to search for wildlife and there have been several searches for wildlife since the beginning of the pilot in July 2014. We have been informed that the wildlife officer conducts this work independently.

Finally, the staff members were in agreement that carrying out statistical analysis in general needs to be understood in the context of a particular police practice (in order not to be misinterpreted). One analyst provided the following example:

I see a particular street and ... there might be say 35 charges in a particular area and looking at the kind of – the average, you think, wow, that's really high but when you go into it, it might be that it's down to one offender and they've maybe had a spree of vandalisms or something or it's maybe been a number of – not so much for the stop and search cos it wouldn't be something like this we'd look at – but, for example, if it's maybe somebody that's just gone along somebody's street and broken into sheds or something like that.

The staff members feel that they put considerable effort into contextualising the stop and search data and that the Trackers are particularly good in enabling them to do so. They find that the stop and search reports to be best understood should be read in conjunction with other crime and disorder related reports, such as the report relating to seasonal variations of the levels of crime and disorder (e.g. Analysis of Historic Crime in P Division; 2009 to 2013). One staff member pointed out that the analysis they produce in the context of the stop and search report is:

...complemented by other analysis that we're doing (...) and also the Ward Tracker and the GTAT and the RFG stuff. It's not really meant to be looked at in isolation, it's all meant to be – all complement each other and looked at in conjunction with each other. So I would say that's another strength is the products that we do – well, they can stand alone, you know they gain more weight if you look at them collectively.

Our concern here is that the value of the stop and search report as a standalone product is somewhat limited, perhaps even misleading, if the contextual information needed to fully understand its findings are produced separately and/or verbally. This leads to another important aspect of the data analysis in Fife, considered next, which is the way in which the analytical products are disseminated and the feedback of police officers to these reports.

#### 4.4.7 Dissemination of the reports

The staff members were in agreement that the stop and search report is disseminated among senior police officers in Fife and that they received positive feedback from these police officers. They pointed out that the positive feedback to the stop and search reports they produce is however, irregular (which is discussed further in this section) and that they are happy to receive any kind of (positive or negative) feedback. One staff member commented:

I know that the feedback (...) from senior – more senior officers has been very positive with regard to the stop and search products (...) So yeah, overall, very positive feedback. But I like – you know, I like any feedback, positive or negative. I think that it's very important that if you are producing something and it's just not working, I'd rather people let you know rather than producing something that's not gonna be – or if people think, well, that's good but it would be better if you did this.

The same staff member also recalled a situation whereby the feedback changed the analysis:

We were trying to align with kind of SCOMIS [a performance management system] and I think for like one report, we had included disorder as it's defined under SCOMIS. So as we said about the noisy neighbours disputes and stuff. And we kind of discussed it with one of our police colleagues and we thought, no, that's not going to work.

The police staff also expressed their hopes that the stop and search report and the other analysis reports they produce are being used to inform the tasking and deployment of police constables and sergeants and that it is a responsibility of higher ranking police officers to 'filter [knowledge from the stop and search reports] down appropriately through community inspectors, sergeants, to the officers at the bottom end'. Our interviews with management officers found that they either do not have access to the stop and search reports or that they are not aware of having access to these documents. A member of police staff mentioned that the outcomes of the stop and search reports are discussed in-depth between senior police officers and staff members during the Divisional Tasking Performance Board once a month and also in the Divisional Performance Meeting. The latter meeting takes place twice a week and covers various issues, stop and search being one of the agenda items. However, since the emergence of Police Scotland and the increasing media and political attention around stop and search it became an important aspect of these meetings.

Another staff member also pointed out that specialist analyses, produced using the Trackers (e.g. Ward Tracker) usually serve a specific purpose and are produced when needed and disseminated accordingly. The various data systems are updated nationally and then passed to the local staff analysts who

contextualise the information. The Fife intelligence office then adds these to the electronic briefing system for managers to access.

When discussing the dissemination of analysis reports, the police staff also reflected on the issue of the police officers having the required specialist knowledge to understand the claims embedded in the analytical products. Our research found that there was training provided to police officers to understand how the software (e.g. GTAT) works, which could aid their understanding of the analytical products relevant to stop and search. That being said, the extent to which the stop and search data is understood by police officers (including the relevance of the training) and the extent to which it influences the decision-making of management officers and police officers on the beat is discussed in more detail in Section 4.7.2.

Overall, our research has found that while the members of police staff who prepare the stop and search reports are attentive to their task and have an excellent understanding of the benefits and limitations of the data they are using, there are areas of improvement in this process. For example, it could be more beneficial to produce one monthly data report which embeds the stop and search analyses within the other relevant contextual data (such as seasonal trends, major events, how 'proportionality' is determined, etc.) including the current six-week and one-year historical view of crime trends. This report would be even more robust if it also included a five-year historical view to mitigate against year-on-year fluctuations. This would improve the strength of the report as a standalone product as it would make the necessary context in which to understand the data fully apparent and would position stop and search within the broader range of police activity (as it is one option among many). It would appear that in terms of innovations brought about by the pilot for data-informed practice, the main changes here are in terms of the frequency of the stop and search reports, the format and time span which they cover and the additional contextual information.

## 4.5 IMPROVING ACCOUNTABILITY:

This section of the evaluation report will examine the various processes and methods introduced in the pilot to improve the extent to which police in Fife can be held to account for their use of stop and search. Not all of these were available for us to assess, and this will be noted in the relevant sections below. The five methods introduced to improve accountability are compliance recording checks, monitoring of crime trends, dip sampling of public satisfaction, learning from complaints about the police and reporting to scrutiny boards. The intention behind these is that they will facilitate the second intended outcome of the pilot, which is to improve recording processes and ensuring that stop and search is operating in a targeted way.

### 4.5.1 Compliance recording checks

During our interviews, senior police officers and management officers discussed the compliance recording checks as important new mechanisms which emerged in the context of the pilot in Fife. The compliance checks are managed centrally by the Information Management (Data Protection Unit) of Police Scotland and locally by PCs' supervisors. The staff from Information Management (Data Protection Unit) of Police Scotland select one in every six entries of stop and search every week and send an email to the relevant police officers with a request to complete an audit form. Supervisors then check the content of this completed form and compare it with the stop and search record in the officer's notebook and the official database and assess the justification for the search.

A management officer felt that the compliance recording checks are important part of public accountability. He argued:

So I think that, as well as the improved governance, undoubtedly gives public confidence. Our dip sampling, as I've already went on about, the compliance checks, the whole governance around the police management scrutiny of it, I think gives the public confidence that we have now improved this and it's part of our strict auditing and inspection regime.

A senior police officer argued that the results of the checks are good. He stated: 'compliance recording checks that have been done with notebooks and or the people, the officers have acted absolutely appropriately and recorded it properly'.

However, we were limited in the extent to which we could evaluate the compliance checks due to data protection issues. The stop and search working group task log indicates that development of the compliance checks took place in early May 2014 and that the checks were inspired by the Police National Computer and Criminal History System (PNC/CHS) audits. A management officer in the stop and

search working group task log noted the following: 'Develop processes in respect of compliance checking. Obtain details around the PNC/CHS auditing and put similar process in place for Stop & Search'. Further notes from the stop and search working group task log prepared by a local management officer discuss how the process was meant to be commented upon by 'the head of Criminal Justice asking them to facilitate this audit to ensure an element of independence from the divisions' and that the Information Management section of Police Scotland should 'provide independent examination by completing the compliance checks'. We were unable to assess the extent to which these have happened as the data came after our information-gathering phase had ended.

The compliance checks audit form is designed to check the accuracy of a stop and search entry put into the database. The document points out that the selection of this stop and search entry is random. The form contains the number of the officer who carried out stop and search, the divisional reference and the date of the search. The police officer then provides information about the person who was stopped and searched, such as their name, date of birth, address, telephone number, ethnicity, any corroborating officers, location of the search, the type of search (legislative vs consensual) and the outcome of search (positive, negative, any items recovered).

The document must be countersigned by the supervisor carrying out the audit and when completed it should be returned to the stop and search mailbox at the data protection unit. The role of the police supervisor or manager is to (according to the form) 'personally verify that the information submitted by the officer on this compliance form is an accurate reflection of the stop search details recorded in the officer's police notebook'. The compliance checks process chart reveals that if the police officer's report includes inaccurate data, a supervisor has a responsibility to ensure that a stop and search in fact took place and then 'consult with local managers/data protection regarding informal/formal action required'.

The results of the audits were not made available to us for the purpose of the pilot evaluation. The email correspondence which was made available for this research indicates that on 1 August 2014 there was an email sent to the pilot management in divisional headquarters with a pilot update. It involved a statement that since the beginning of the pilot (7 July 2014) there were 'No issues with first months of checks. 15 checks completed'. Other updates about the pilot sent to the management in HQ do not include any follow-up in this matter.

In our interviews with senior police officers and some management officers they considered the audit mechanisms introduced by the pilot an important and very much needed change with regard to handling stop and search data. This feeling was shared by other management officers and most of the PC on the beat. For example, a management officer argued:

I think the changes have clearly made the process more auditable and certainly, if you look at what officers were recording in their notebooks before and now during this pilot, it's night and day. The quality of information recorded in their notebooks is so much superior to what was in their notebooks before ... That's not to say that they weren't doing the procedure correct before but they probably weren't recording it correctly in their notebooks.

However, not everyone was in agreement that the new audit mechanisms were valuable. One management officer reported that:

Again, for me, it all comes down to administration purposes. We always – we always add an extra layer of administration, which is always dealt with by the same people. It's not – the administration always seems to be fed down to the people who are the busiest and who are out there having to get on with stuff. So the bit about filling out forms and handing over forms to people and then doing an audit later on, it's – for me, it's too much, you know.

A PC noted: 'there's now quite a lot more audits coming through when you submit your stop and search, maybe say 4, 5 weeks later, you might find that you get 3 or 4 audits sent to you (...) Now, that takes a little bit of time for us to complete those forms'. This suggests that while the audits may have brought about a change in recording practice, there is a clear demand on officers' time to do them.

#### **4.5.2 Monitoring of crime trends**

In relation to the second aim of the pilot, improving accountability, the pilot planned to introduce several new processes, including 'monitoring of crime trends', in order to direct resources according to those trends. The intention here is that stop searches (and other police methods) will be directed towards areas that are likely to have a high crime or disorder rate at a particular time. This appears to overlap with the first aim of the pilot 'improving the data on which stop and search is based'. Findings relating to this element of the pilot are covered in Section 4.4 of this report.

#### **4.5.3 Dip Sampling of Public satisfaction**

The dip sampling method involves a police officer phoning individuals who have been stopped and searched during a specified time frame to assess their level of satisfaction with the experience. Based on our observations of PCs conducting dip sampling phone calls (46 phone calls in total were observed on three separate occasions), a number of issues were found. These relate to the (i) the manner in which the dip sampling is carried out (including the kind of questions asked and the way in which they are asked), (ii) the randomness of the selection of participants for dip sampling phone calls, (iii) the timing of

dip sampling phone calls, (iv) the representativeness of the results of the dip sampling phone calls, (v) the sensitivity of the topic being discussed. We will explore each of these in turn.

With regard to the manner in which the questionnaire is administered (see Appendix 4 for the complete list of questions and Appendix 5 for the results from July – October 2014), the police officers involved mainly follow a standard procedure established by the managers of the pilot (with the exception of question eight, discussed below). The questionnaire, which was designed by senior police officers, management officers and reflects consultation with external stakeholders (see Section 4.6.3 for more on the consultative process of the pilot in general), includes a considerable amount of closed questions. This, according to the PCs carrying out the survey, is to prevent people who were stopped and searched from disputing the rightfulness of the stop and search incident (as this should be handled as an official complaint if there was wrongdoing) and compels them instead to focus on the experience of the stop search (this is an interesting area in itself and it will be analysed in detail in Section 4.10) This includes questions such as: ‘When you were stopped, did the officer explain to you why he/she wanted to search you? Were you searched using legislation or was it a consensual search (consensual search is when you have agreed to be searched)? Did the officer treat you with respect?’ The only open-ended question in the interview schedule was question eight, which is: ‘Do you have any other comment you wish to make?’ and was only asked some of the time by the police officers. Some police officers tended to write their own general reflections about issues emerging from that particular phone call in the box for question eight.

Police officers who were observed conducting the dip sampling calls carried them out in a polite manner and the conversation was usually short – around five minutes long (this issue is addressed in greater detail below). PCs who carried out the calls acknowledge the importance of carrying out a conversation via phone as opposed to for instance, in an email. They felt that people are inclined to delete emails and but will not only answer the questions when on the phone, but will also tend to open up a little bit more. At the same time, some of the PCs were not reflexive about the outcomes of the phone calls, especially the extent to which a person was happy or not happy with the treatment by the police during the stop search, and focused on following the template provided. This, however, may relate to the fact that all of the PCs who were observed were new to this task.

The second issue with the dip sampling phone calls relates to the selection procedure and the randomness of this process. There is a purposeful selection of participants in that only those people whose phone number is provided (or can be tracked down using the person's name and address) are called. However, there are further restrictions to the sample if the phone number is inaccurate or if no one answers (these matters are discussed in more detail below).

With regard to the timing of the phone calls (the third issue), police officers felt that it is difficult to predetermine whether one will be able to get through to a person who was stopped and searched. This is related with the quality of the stop and search database (discussed in Section 4.4.5) and the ability of a person to answer a phone call. In relation to the latter, phone calls are carried out during business hours, when individuals are often at work. This affects the processes of data collection in so far that a person may not be able to fully and overtly express his/her feelings about a stop and search incident, if they even answer the phone at all. Another important issue with the timing is that there was a considerable delay in implementing the dip sampling phone calls process. It started in September 2014, which is two months after the pilot was introduced. Police officers observed in January 2015 were using the database from October 2014, which is likely to lead considerable loss of detail about one's stop and search experience as it took place three months ago.

The fourth issue with the dip sampling process is perhaps the most significant as it relates to the representativeness of the sample who is contacted. Observations of dip sampling phone calls revealed that there is little chance that a police officer will get through to a person and gather feedback about the performance of police officers on the beat. The quality of the stop and search database (e.g. missing data) and people's availability in relation to answering phone calls lead to a situation where only 5% to 7% of all stop and search entries in particular month are assessed using the dip sampling method. Observations with one police officer, who carried out dip sampling phone calls based on a database from October, found that there were 630 entries (instances of stop and search) in this particular month (October 2014). Only 25.87% of the records had phone numbers (163) and the police officer was unable to speak to 82% of the people who actually provided a phone number (due to voice mail responses, the wrong phone number being provided or input errors).

A management officer and PCs carrying out the calls confirmed that there is a general goal to complete 60 dip sample questionnaires over the phone with each month's data set. This number was selected

because based on the previous year's stop and search figures, it should represent 10% of the instances of stop and search for the month. However, we found that the 60 surveys carried out in July 2014 mean that 4.5% of the 1318 persons stopped and searched completed the survey for that month ( $60/1318=4.552\%$ ). In August 2014 the police officers carried out 71 surveys based on a total of 1028 persons stopped and searched, which means that they received feedback from 6.9% of the cohort ( $71/1028=6.9066\%$ ). In September 2014 it was only 5.8% of people stopped and searched who were called ( $60/1034=5.802\%$ ).

The fifth and final issue of the dip sampling method relates to the sensitivity of the phone call subject matter. The observations revealed that the quality of data gathered through dip sampling phone calls is closely linked to this sensitivity. All PCs carrying out this task were aware that the majority of the people they speak with may be embarrassed to talk about being stopped and searched if they are in a work place and indeed in general. One PC indicated that the people spoken to are often not willing to talk about their experiences and at the beginning of the conversation and they may pretend not remember a stop and search instance. However, after reassuring them that there is nothing to worry about, they are more willing to engage in the conversation. While the PCs ask 'Have you got a few minutes to answer some questions please?' they did not enquire (when faced with a reluctant respondent) if the respondent would be able to move to a quiet place and the caller's willingness to wait while they do this.

#### **4.5.4 Monitor and learn from complaints about the police**

Our research found that since the pilot commenced there were no complaints towards the police in relation to stop and search. One management officer, on multiple occasions, pointed out that there was only one instance of feedback (at that time) whereby a member of the public called the police to thank them for informing him or her about a stop and search incident of a child. That being said, a discussion was observed during our research between PCs in one of the case study areas about a complaint of a parent who was not happy about his child being stopped and searched the night before. This raises a question about the way in which police complaints are handled. Due to data protection constraints, we did not have access to the complaints system, where complaints about stop and search would be lodged.

#### **4.5.5 Independent reporting to scrutiny boards**

An important element of the pilot is engagement and consultation with external groups and organisations. The first of these to be considered is The Safer Communities Committee (SCC) which is part of Fife Council and includes several of the local councillors for Fife. It was used as the independent 'scrutiny board' for the pilot as its remit includes (according to a management officer from Fife police

headquarters) the power to hold the Fife Division accountable for their actions. A management officer argued:

We then have our safer community committee that falls under the improving confidence theme ... So they'll test the information that they're given to make sure that Fife Division of Police Scotland are using stop and search proportionately, ethically, responsibly and transparently and making sure that we're not trying to hide any figures etc.

Our evaluation of the SCC meetings minutes' found that members of Fife Division consulted with the SCC prior to the pilot launch on 24 April 2014 and on 5 June 2014. During these meetings, a senior police officer from Fife was asked to provide regular updates about the development of the pilot. In the SCC meeting on 28 August 2014, the SCC was provided with an overview of stop and search activity within the Fife Division from 21st April 2013 to 31st March 2014. The minutes of the meetings from 16 October 2014 do not show stop and search on the agenda. However, on 27 November 2014 a senior police officer delivered a quarterly report covering April to September 2014 about the work of the police. It included statistics about the volume of stop searches, detection rates and other issues. However it was just one of many topics addressed in the report.

According to the management officers prior to the introduction of the pilot every councillor was invited to visit Fife Division for a one-day briefing. In addition to which, a member of the SCC was also part of the Gold Group (discussed in 4.6.3 below) and provided feedback on the pilot design. However, we were not able to observe this or to attend an SCC meeting during the course of our evaluation so do not have first-hand knowledge of the workings of this group or the extent to which the Fife Division was scrutinised about its stop and search activity. We also do not have any data regarding the exact outcomes of these meetings for the pilot.

#### 4.5.6 The Equality Impact Assessment

Although not part of the official list of actions to take in the context of the Fife Pilot, the Equality Impact Assessment (EIA) is another mechanism by which Fife Division can address issues of accountability in their use of stop and search and was mentioned in interviews with management officers and senior police officers. The EIA is produced to capture the impact of stop and search methods on various vulnerable populations and individuals with protected characteristics, for instance, age, gender, ethnicity, disability and sexual orientation. According to a management officer, the preparation of the document is a response to legislative requirements, which apply to all police policy and processes and it is a 'living' document (meaning it should be regularly revised and updated). The version in place during the evaluation period was produced on the 4<sup>th</sup> of November 2014. It was stated that the document is

updated by a police officer once a relevant piece of information occurs and that police officers make considerable efforts to discuss issues relevant to the EIA on various occasions and events, such as in community engagement meetings, Lay Advisory Group Meetings (see Section 4.6.3 for more on these) and others. This converges with evidence included in the EIA, where the final section of the document is specifically dedicated to listing these groups and the consultation events. This section includes information about date and place of data collection and details of evidence gathered. That being said neither the document itself nor police officers could indicate the premise or principles guiding the data collection on the impact of stop and search on individuals with the protected characteristics. We were unable to assess how this data was collected, by whom, and in what exact contexts due to the short timeframe of the evaluation as the EIA was not part of the official pilot outputs.

Through the pilot approach to stop and search, Fife Division have introduced a great number of new methods and processes to improve accountability to the public and to various scrutiny groups. Through the course of our evaluation we have either not had sufficient data to assess how these methods work (compliance recording checks, complaints against the police, independent scrutiny boards, the EIA) or found them to have significant problems (monitoring of crime trends and dip sampling). This will have a bearing on the extent to which they have improved police accountability, and this will be considered in Section 4.10 below.

## 4.6 IMPROVING CONFIDENCE

The third aim of the Fife Pilot is to improve confidence among the public in terms of how the police in Fife conduct stop and search. There are seven methods listed under this aim, which will be discussed in turn. These are linked to the third intended outcome of the pilot, which is to improve confidence in the community that stop and search is effective and used ethically and proportionately. As before with 'Improving Accountability', not all of these methods were available for us to evaluate, this will be highlighted where appropriate.

### 4.6.1 Issuing letters to parents/guardians of children stopped and searched

The first method introduced in the Fife Pilot to improve confidence among the public in relation to stop and search is the letters issued to parents or guardians of children aged 15 and under (children under 12 will be searched only under legislative powers) when they have been the subject of a stop and search (see Appendix 6 for the templates used). Documentary sources, interviews and observations were employed to assess this method. Relevant data about children aged 15 and under who have been stopped and searched is managed centrally by Police Scotland and is sent to the Fife Stop Search email account daily, apart from data from weekends, which is sent through on Mondays. It consists of an Excel spreadsheet split into two tabs, one for young people and the other adults, and includes the following information: stop and search reference number, child's name and address, date of search, if the search was legislative or consensual, primary reason for the search, the time of the search, if it was a positive or negative search and what was recovered (in the case of positive searches). Based on this, a police officer conducts a mail merge of the relevant details into the template of letters for parents or guardians. The pilot's aim is to send out the letters less than 48 hours after a stop and search incident took place during weekdays and each Monday (providing that stop and search took place over a weekend).

The letters consist of seven paragraphs. The first three paragraphs are dedicated to the principles of equality and fairness with regard to the practices of the police in general and a statement that the police have a right to stop and search an individual. The last three paragraphs provide an overview of standard police practice regarding stop and search and handling the relevant stop and search data. The templates of the letters to parents or guardians include a statement that if someone wishes to discuss the incident, they can call the police or send an email to specific email address.

Only one paragraph provides any detail of the stop and search of the child. It does not, however, state in detail why the young person was chosen to be stopped and searched in the first place, as the database

does not capture this information. One can find references only to: the nature of the search, the date of the incident, what the young person was searched for, and whether the outcome of the search was positive or negative. This issue also was also mentioned by two senior police officers, who raised a question about who the letter supposed to serve more, a parent or a police officer? One of them pointed out: 'this letter in particular is very formal. It appears to have been written for us and the SPA [the Scottish Police Authority] rather than a parent'. Another one argued:

As a parent, the first thing I would expect to see in the first line of the letter is "Chris was stopped and searched at ??? because ??....." and then the strategy and legislation information part can kick in. To start with the Police Scotland blurb reads more like a marketing letter and parents will see through that.

There is evidence that some stakeholders who were consulted about the letters did not have any particular concerns over the content and construction of them. For instance, a representative of faith-based group said that a central aspect of their faith is to support the law and therefore they did not see an issue with the letters.

At the same time however, members of the Police Scotland Children and Young Persons Reference Group (CYPRG) and the Lay Advisory Group (LAG) were in agreement with the senior officer mentioned above that templates of letters to parents do not provide sufficient details about the circumstances of stop and search of a child. According to the CYPRG it is an important issue that may have repercussions on how parents see their children (this was also mentioned by a senior police officer in Section 4.8.3). These stakeholders also argued that that the need for explanation of the circumstances in which stop and search took place may be particularly important in the consensual searches. One senior police officer argued:

For me the letter doesn't explain what a consensual search is in layman's terms... i.e. "Martin [pseudonym] was found by police officers in an area in which there have been issues with under-age drinking and disturbance and the local community have raised these issues with us. In view of this my officers spoke with Martin, and although not suspecting him of any offence requested his permission to search him for alcohol/drugs/ whatever and he agreed." Or similar may be better wording.

Two senior police officers stressed the importance of using informal language and eliminating grammatical issues in the templates of letters to parents. Insights into email correspondence between a representative of LAG and a management officer suggested that parents may want to be reassured that

children's' engagement with stop and search will not affect Criminal Records Bureau checks and, therefore, their children's' job prospects.

Data analysis however revealed that the feedback from stakeholders with regard to the content of the letters was only partly adopted by key decision makers in the pilot and, as mentioned above, although the current templates of the letters are relatively personalised, they provide very limited explanations about the circumstances in which a young person was stopped and searched. There is no information as to why the stop and search happened and what the repercussions of this incident are (if any). Senior police officers, management officers and PCs who acknowledged that the content of the letters was discussed on various occasions expressed that they were happy about the final versions of the letters. One management officer, when asked whether the letters provide sufficient details about the circumstances of a stop and search incident with a child to a parent, answered that he does not see any issues with it. He suggested that the lack of contact or complaints from parents supports this as parents are provided with the ability to do so through an email address and a generic contact telephone number (see Section 4.5.4 for more on complaints).

As was mentioned in Section 3.3 above, we were unable to speak directly to children about the letters and despite efforts to the contrary, to reach any parents for interview who had received letters. Based on data we have been able to access, however, we feel the letters to parents or guardians strike a very specific tone: there is a strong emphasis on building a positive image of the police and of stop and search as being important in the prevention of crime. The police position themselves in effect as civil protectors. We would suggest that this language is perhaps not entirely appropriate and that parents would instead prefer more detail on the actual incident in question and any possible outcomes or repercussions of this for their child, even when no crime has been committed.

#### **4.6.2 Providing advice slips to all persons stopped and searched**

The second new method introduced by the Fife Pilot to improve accountability in stop and search is the advice slip (see Appendix 7). This document is issued to people who have been stopped and searched and it includes information about the grounds on which one may be stopped and searched. The advice slip explains that a person can be stopped on a consensual or a legislative basis. A legislative search is described as one where a police officer can stop a person only if the officer has a reasonable suspicion for doing so (for example, that a person is carrying a prohibited weapon). It does not provide an

explanation as to what 'reasonable grounds' may entail. The leaflet also does not explain the premise for a consensual search. The leaflet further points to the values which underpin the police's use of stop and search: honesty, respect and transparency; and how these values correspond to the practices of the police officers. For example, the following is an extract from the advice slip:

What can you expect when being stopped & searched? Honesty – Our Police officers will explain why you are being stopped and searched and will provide you their details on request.

The advice slip has a request for feedback from persons who were stopped and searched and provides the name of the police officer who carried out the stop and search. There is also a postal address for the police in case one would like to make a complaint. Some police officers discussed with us their feeling that by giving out this leaflet that they open themselves up for scrutiny, especially in complaints towards the police. This does not seem to have been the case, however, as (according to the pilot managers) there were no complaints made against the police in the context of the stop and search pilot (see Section 4.5.4).

External stakeholders were asked to comment on the advice slip and Police Scotland did make amendments to the document based on these. Our assessment of the email correspondence between senior police officers, local partners, Police Scotland Children and Young Persons Reference Group (CYPRG), and the police officers who organised the consultations revealed a range of minor issues relating to the construction of the leaflets (such as that a QR code did not lead to the stop and search survey but to a burglary survey – this has since been corrected) as well as broader issues regarding the clarity of information included in the leaflet. There was a consensus among the external stakeholders that there was a change needed with regard to language used in the leaflets. For example, one local partner pointed out that language used to explain the meaning of the stop and search incident is not young-person friendly and gives an individual an impression of being (unlawfully and unfairly) targeted. A local partner pointed out:

With the information that is given on the back of the form, there is too much focus on legislative searches. There should be more information given on the consensual searches as this is where the new initiative lies.

Similarly, in the email to the pilot managers a member of the Police Scotland Children and Young Persons Reference Group, argued that the content of the leaflets was too detailed and that it includes specific vocabulary such that young people may have to read it a few times to understand. This was referred to as 'off putting and intimidating' for someone under 16. It also included a suggestion to use

colours and pictures in the leaflet and to change the font so that it is easier to read for dyslexic children. Our analysis suggests that the changes proposed by the young persons' group were incorporated minimally.

The police officers managing the pilot requested members of the Migrants Forum to translate the leaflets into the two most often spoken minority languages in Fife: Polish and Russian. A representative of the Migrants Forum carried out the translation and these translated leaflets have been available since the beginning of August 2014, a month after the pilot commenced, along with a telephone translation service which officers can access (for this and any other policing situation with the public). The translated versions are meant to be used alongside the leaflets written in English in everyday practices of the PCs. The extent to which this is current practice is discussed in Section 4.8.2 below. There are also versions of the leaflets in large print and a British Sign Language video available online.

We would argue that the advice slips are a positive development for stop and search practice as they help to increase its transparency. However, we feel there needs to be more information included about consensual searches, such as why a police officer might want to conduct a consensual search, for example, that is it not 'random' but may be based on intelligence related to the geographic area. The suggestions from the Police Scotland Children and Young Persons Reference Group (CYPRG) should also be considered for inclusion again.

#### **4.6.3 Quality assurance by local lay advisory group and community engagement groups**

The next two elements of improving confidence in the public in relation to stop and search in Fife involve discussion and consultation with various external groups. One element concerns scrutiny of the pilot by the Lay Advisory Group (LAG) and one is a more general consultative process with a variety of community groups. These two elements will be discussed together as the findings from these aspects of the evaluation are interconnected.

Police officers, especially management officers and senior police officers, stated that they engaged with considerable number of individuals and organisations for the purpose of consultation. They stressed that the purpose of this exercise was to understand how stop and search may affect various groups in society, especially the most vulnerable. They also pointed to the importance of understanding the needs of potentially disadvantaged groups and minorities in the context of the pilot. When asked about the development of the pilot, a senior police officer pointed out that: 'everything that we put – every letter,

every piece of documentation went into our independent advisory group which is the members of the minority communities in Fife'. The local Lay Advisory Group (LAG) is a group of individuals who provide the police with advice on various matters and it existed prior the commencement of the pilot. In the eyes of the police officers, the group is particularly important to:

...ensure the pilot does not unintentionally alienate or exclude any protected groups within the community, the local lay advisory group has and will continue to oversee the pilot's developments and progress including scrutiny of associated documentation (Equality Impact Assessment 2014, p. 2).

Email accounts indicate that the group was used to provide comments on the processes introduced for the pilot, for example, the issues relating to the equality impact assessment, the letters to parents and guardians, and the advice slips that are given to a person before they are stopped and searched. It meets irregularly, but with a broad aim to meet every three months. It is chaired by the detective superintendent for crime in Fife Division and is comprised of the following members: a representative of a local branch of the Soroptomists (an international NGO dedicated for 'women working together to make a difference') a representative of the university of St. Andrews, a representative of Fife Arabic Society, a British sign language Interpreter, a representative of Fife Elderly Forum, a representative of Fife Migrants Forum, a representative of Fife Interfaith Group, two representatives of Ladies Probus (an interest group for retired professionals), a representative of Jewels of Islam (Young female Islamic group promoting women's rights), a representative of Sense Scotland (a national NGO acting as a healthcare provider for disabled persons and their families), a representative of FRAE Fife (a race awareness and equality NGO in Fife).

The interviews with senior police officers revealed that the LAG is not a structured, formal group. The membership can vary so that some people attend the LAG meetings while others do not. However, a police officer close to the LAG could not specify the premise upon which membership of the LAG is decided and how the members of the LAG are representative of their communities. He confirmed that the police have no input into how these representatives and groups correspond to their respective communities. He also agreed that as the LAG is not a scrutiny group, it does not hold the police to account and as such the police can decide how they interpret and apply the advice given by LAG.

The community engagement groups with whom the police officers in Fife consulted over the course of the pilot in an individual manner are numerous and it is not possible to list them all here. For example, a senior management stated:

We also – we have – I mentioned before – 77 community engagement meetings across Fife every 2 months which there's a mixed representation of elderly, young and children, you know, it's anybody from the public can come in, speak to the local community officer and at every one of those meetings, stop and search has been on the agenda as a discussion point.

These community engagement meetings are not specifically for the purposes of the pilot, but as the officer indicated, they can be used for this purpose. We do not have any detailed data of the content of these meetings and what the feedback to the police was from communities at these events, nor how this information was passed back to the pilot managers.

There are a variety of other groups whom the Fife Division consulted in the context of this pilot. For example, there is an evidence of engagement with the Deaf Club in one local area. It took place between September and November 2014. The email exchange concerned the issue of Deaf people in the area understanding stop search. In this context, a police officer attended a Deaf Club meeting about stop and search and discussed the difference between a consensual search and a legislative search, as well as other issues.

With regard to the involvement of young people, police officers argued that they made deliberate attempts to include young people in decision-making about the pilot. When asked which organisations the police specifically consulted for this purpose, a senior police officer stated:

Just the schools and the Lay Advisory Group, the independent advisory group, we've been working with them and they obviously have a network of young people. On the independence of the lay advisory group there is a member from the Young Scot Parliament who represents the Fife area, is a young parliamentary member. He sits on that group.

Managers of the Fife Pilot also consulted with the Police Scotland Children and Young Persons Reference Group (CYPRG) on a number of occasions, for example, to illicit feedback on the advice slips and letters to parents. More detail on the police's consultations with schools will be included in the next section below, Section 4.6.4.

Over-arching all of these groups and processes is the Fife Pilot Gold Group. The purpose of this group is to meet on a regular or semi-regular basis to, initially, help design the pilot and more latterly, to assess the progress of the pilot in terms of the proposed timescale and the various meetings and mechanisms it is meant to hold and instigate. It reviews any available evidence on the impact which the pilot is having. This is the only group which was convened specifically for the purposes of the pilot. Its membership

includes external partners but the majority of the members are drawn from within Police Scotland. The group is chaired by the divisional commander for Fife Division and includes a representatives from the Police Federation, the Association of Scottish Police Superintends, the Education service in Fife, the Safer Communities Committee, the Fife Community Partnership, Custody Division, three representatives of the Licensing and Violence Reduction Unit, a representative from the National Stop and Search Unit, a representative of the Safer Communities Division, a representative of the Professional Standards Department, a representative from Divisional Intelligence, two representatives of IT services, two police analysts, and a representative from the Communications Department.

Our intention was to attend every possible Gold Group meeting upon commencing our evaluation. However, although the Gold Group was meant to meet on a semi-regular basis, only one meeting was held during the course of the evaluation (in December 2014). Many members were absent on this occasion and the meeting was more of an informative event, rather than a consultative one or comprising a great deal of scrutiny of the pilot. The police have emphasised that the main consultative work of the Gold Group took place prior to the introduction of the pilot, at a time when various documents were being developed in the design phase.

As mentioned above in Section 3.3 a limitation of our evaluation is that it did not commence until after the pilot had gone live and therefore it was not possible to observe interactions that took place during the development phase i.e. when stakeholders were being consulted with regards to the various documents produced (e.g. letters to parents) as part of the pilot approach. Gold Group meetings focused around a task log and were not minuted. However, where possible we have commented on the complexities of interaction among the members of these groups, committees and the various interests at stake in the following sections.

Our research found that the collaborative process of development and implementation of the pilot played an important role in legitimising decisions taken by the police officers in relation to stop and search. For example, police officers have been the leaders and key decision-makers in the arrangements convened in order to consult with partners for this pilot and therefore they have tended to demonstrate an instrumental approach to their partners. A management officer argued that: 'So whilst the police are the lead and ultimately we will put in place and make the final decisions, it's been very much a partnership approach to it in reaching these decisions is my understanding of it'. Local partners

interviewed generally expressed that they were quite impressed about the level of the engagement of the police in the consultations. They noted that the police were making clear efforts to reach out to external groups and partners.

With regard to the local community engagement groups, the police approached the consultations with these groups on an individual basis. For example, in the case of the Migrants Forum, the police officers contacted its members to discuss the templates of proposed letters to parents and the advice slips given to people stopped and searched. We were unable to research the development phase and therefore do not have any evidence regarding further contribution of this particular group to the discussion about the pilot or the police coming back to the group to update them about the progress of the pilot.

In relation to engagement with schools and universities, the subjects discussed were the aims of stop and search and children's and young peoples' experiences in these matters. The memo from a management officer to the police officers who carry out the engagement meetings points out that the purpose of the exercise was to educate children and young people about stop and search. We will examine these consultations further in the section below, Section 4.6.4.

Overall, not having observed the pilot design process, and in the absence of detailed documentation, it is difficult for us to have a clear sense of what 'engagement' and 'consultation' meant in the context of the pilot with external groups and stakeholders. While the quantity of groups and organisations who were involved in the pilot to varying degrees is indeed impressive and commendable, there is not a clear account of what these meetings were like and how consultative they were. While Fife Division does seem to be making clear efforts here to reach out beyond the organisation, many of these events also seem to have been grasped as opportunities to promote the merits of stop and search, especially in the latter phases where meetings were mainly for the purpose of updates on progress. This matter is taken up again in the following section on schools.

#### **4.6.4 Work with local schools, colleges and universities**

Consultation with young people was another priority area for the Fife Pilot in terms of improving confidence in the public. To this end, we read through the email exchanges between management officers and PCs about their consultations with schools. These suggest that support of young people towards stop and search is mixed. The evidence is, however, ambiguous as the police officers who carried out the consultation suggested many pupils did not have a particular opinion about stop and

search (and in the majority of cases, had no experience of it). Many of the records from these consultations with schools suggest that the police officers present used this as an opportunity to educate young people about what stop and search is and why it is an important task for the police to conduct. It is unclear from these records the extent to which the educational institutions requested this and whether the format was intended to be an open debate on the matter, one from which the police could learn lessons from the young people. This can be illustrated using the following two extracts from police notes on the consultations as examples. The first comes from a high school consultation (24/11/2014), which involved 5 pupils aged 16 and 17 years old:

All of the group had very little concern regarding stop/search. None had been searched by the Police. They were all supportive of stop search. Their concerns in the community are people carrying knives or other weapons.

The second comes from a second high school consultation (24/11/2014):

The very few who held negative views, did so on the grounds that they were of the opinion that the Police were “harassing innocent people”. Following a discussion, most of these people then changed their views and understood the reasons why the Police could use the stop and search powers.

The notes and emails relating to the consultations with schools include little or no detailed contextual information (such as what format the discussion took, what questions the police asked, if the police officer there was in uniform, if teachers were present, what role teachers played, what sort of room it was in or the time of day). There does not appear to have been any reflection on the dynamics between the participants and the police officers or a consideration of any influence the police might have had on the opinions the young people expressed. Questions can be raised about the extent to which the presence of a police officer could be seen as a source of authority, especially for young people, which might generate a particular kind of reaction from them. This makes it difficult to assess the reliability of the information provided by the police on the school consultations. Although our intention had been to attend these consultations in the company of the police officers leading them, no school consultations took place while our researcher was engaged in the qualitative analysis component of the evaluation. We invited representatives from one of the schools to be interviewed about their stop and search event, but did not manage to make contact during the timeframe we had available.

#### 4.6.5 Training of staff

Senior police officers and management officers argued that the pilot brought about a range of changes to the way the police conduct a stop and search and suggested that enhanced training was an important part of this. A management officer stated:

The key milestone was working around that with our key internal and external stakeholders on the local Gold Working Group and trying to obtain all the information, all the problems that people perceived or the improvements that people perceived that we could do and then making those by, for example issuing leaflets to make sure people know their rights, issuing training to front line officers so they knew what was expected of them.

The Equality Impact Assessment for stop and search in Fife includes a statement that:

The delivery of stop and search can only be effective with trained and knowledgeable personnel. The pilot will re-train staff in the use of stop and search and Police Scotland expectations and will involve personal briefings for all Constables, Sergeants and Inspectors (this this be done by an officer at least of the rank of Chief Inspector), e-briefings and updates/reinforcement during annual Officer Safety refresher training (OST). Training sits across all three of the themes and its successful delivery is fundamental to delivery of the pilot's outcomes (p. 3).

In general, police officers stressed that the most relevant training for stop and search is delivered at the Scottish Police College (during their initial intake) and an annual OST training at Fife headquarters in Glenrothes. Both training sessions address the physical searching of people and the relevant recording mechanisms. The OST training puts more emphasis on the relevance of legislation and what it means for police practice. A management officer pointed out:

What we do there is as part of the input when we talk about searching people, we go over the policy about stop and search and make sure that the front line officers have complete buy-in to it and again, they're unequivocal in terms of the expectations of its use.

Our research found that in the context of the pilot there were various training events. One was a training session for senior police staff and management officers which took place in Fife headquarters and involved one management officer delivering a PowerPoint presentation. Some senior police officers and management officers also mentioned that they delivered face-to-face training to police staff and that senior police officers in local areas were responsible for delivering face-to-face training (a briefing session) to police officers within their localities. Interestingly, it was argued that stop and search training was a big commitment for senior police officers considering that there are 750 police officers in Fife and on multiple occasions they stressed that their officers are fully trained. This training was referred to as a 'compulsory briefing' and was delivered on 26 June, 30 June and 4 July 2014 and lasted up to one hour. There was also a standalone training session for senior police officers, management officers and police staff about how to use the new Business Intelligence Toolkit (Trackers, GTAT, RFG) in the context of the

pilot. The training on Trackers was based on the PowerPoint presentation and delivered shortly before the pilot commenced, on 24 June 2014.

In addition to this, management officers at the local level pointed out that they were also involved in delivering training to their police officers in the form of a ready-made PowerPoint presentation. One management officer was quite happy about the content of the presentation. He argued: '[it was a] PowerPoint presentation to others and it was quite – it was actually quite well laid out, it was pretty clear, so there wasn't a lot of ambiguity towards it'.

Police constables with whom we spoke had a mixed opinion about the training, whereby some of them could remember it whereas others could not. For example, some police officers argued that the training they received from senior police officers at the beginning of the pilot lasted around half an hour. They said the training addressed the pilot in general. One PC argued: 'It was just to let us know obviously that we were part of the pilot and why we were doing the pilot. That was all really'. Others recalled the training as being more in-depth than this.

Our interviews with police constables suggests that their training in the context of the Fife Pilot was not consultative or interactive as the PCs told us that either they were not asked to provide feedback or that they were asked and did not provide any during these sessions. This was different from the interaction between senior police officers and management officers in the early stages of the pilot, as senior police officers had more opportunities for interaction and discussion about the pilot at their meetings.

Some PCs acknowledged that there was also an online training package. One PC pointed out:

But I think there was some kind of package that we went into and had to click our way through and I think it was a PowerPoint presentation and we basically clicked our way through and answered questions and at the end of it, [and it] sent an email to say that we had played that training PowerPoint. I think it was actually that, rather than sitting in a room being spoken to (...) I think the presentation itself or the online sort of training thing was – you kinda had to fit it in in your work day, so it was kinda rushed, probably not a lot – not everything has kinda sunk in, you don't take all of it in.

Many PCs felt that they are overloaded with emails and various kinds of training tasks, whereas several PCs across the three case study areas could not remember undertaking any training to do with the pilot.

Other officers mainly just recalled being reminded by their management officers to record stop searches in line with the new standard procedures. One PC pointed out:

It's just been a case of (...) it's part of the sergeant's briefing or whoever's briefing and remember to record your stop and searches. As I say, 'cos before the pilot, we weren't recording them certainly. So yeah, that's the only thing that I can really think of in the briefings and stuff where it's just, remember and record your stop searches.

This variation in terms of how PCs recall their experiences of training in the context of the pilot suggests that it perhaps did not have the level of impact on them and their working practice which was intended. It would appear that while there were numerous training methods introduced through the pilot, the largest impact of these was on senior and management officers, with a very mixed impact, if any, on police constables.

#### 4.6.6 Aide memories

Although not a formal item on the list of methods for the Fife Pilot, the 'aide memoire' for staff in relation to stop and search was an additional step taken in this context (see Appendix 8). An important element of the aide memoire is that it states when conducting a consensual search officers must read the following statement verbatim prior to searching: 'You can refuse to agree to this search as it is purely being done on a voluntary basis, do you understand and are you still content for this voluntary search to go ahead?' This 'script' was not previously in use for consensual stop searches in Scotland.

The aide memoires are also meant to serve PCs on the beat as a reminder of the premises upon which they should take decisions on who to stop and search. This was particularly stressed by management officers but by only a few PCs. When making a comparison with regard to stop and search prior to and after the pilot, a management officer argued:

We have what we call an aide memoire, a small card that again sets Police Scotland's expectations and has been issued to every front line officer but on the back it also gives them a reminder of key legislation that's in place within Scotland that they can use to legislatively search people. So again, that's an improvement.

The aide memoire stresses key issues relating to stop and search in general. These are: the matters of consensual versus legislative search, the notion of reasonable suspicion and the importance of recording of stop and search data accurately. The aide memoire includes the legislation relevant to stop and search: Misuse of Drugs Act 1971, Civic Government (Scotland) Act 1982 (with regard to stolen property), Criminal Law (Consolidation) (Scotland) Act 1995 (with regard to offensive weapon, bladed weapon and

sporting events), Firearms Act 1968 and Wildlife and Countryside Act 1981. This reminder was explicitly appreciated by one PC who stated:

It's hard to remember everything and if you've got that bit of paper that says, have you done this, this and this? And you can say, oh well, I've done that and that but I've maybe missed that, then at least it's just jogged your memory. So I don't have a problem with aide memoirs at all. I think they're pretty useful.

The aide memoire also mentions the values particularly stressed in the context of the pilot, especially that the police should be unambiguously asking for consent prior to a stop and search. The leaflet points to the importance of officers reading the statement, whereby he/she informs the person being stopped and searched whether or not it is a voluntary search and what it entails. There is a specific instruction to ask whether the person understands and gives consent to be stopped and searched. A few of the PCs stressed that the purpose of reading the aide memoire card is to avoid any confusion with regard to the grounds upon which a stop and search is carried out. One PC stated:

I mean, like I said before the pilot came across, a stop search for me was a case of, like I said, if you knew them or if you had intelligence on them, you'd carry out a person's check and you'd either detain them under the relevant Act or you'd basically just say to them, listen, have you got anything on you? Do you mind if I search you? Whereas now, you've got a kinda dos and don'ts and you've got that – your little statement that you read out to them, so that everybody's clear on what's actually happening.

While the introduction of the aide memoire is a positive development in stop and search methods, it is worthwhile noting that the majority of police officers on the beat did not have specific reflections about the aide memoires during interviews. The management officers felt that the PCs seem to be relatively happy with the aide memoires. Observations of the practices of the police officers on the beat point to the fact that although not all police officers actually read the note regarding consensual stop and search in the aide memoire, they (where appropriate) did request consent for a stop and search.

#### **4.6.7 Internal feedback on the pilot**

Although not an explicit aim of the pilot, some effort was made to gather opinion from within the organisation as to how the pilot was developed and progressing. Senior police officers' attempts to invite feedback internally about the enhanced approach to stop and search brought about limited results. Management officers discussed their practices of gathering feedback from lower ranking police officers. One argued that he encouraged a debate among his staff. Another management officer described how he witnessed a senior police officer being asked a number of questions about potential ambiguities of the pilot. However, findings from interviews and the analysis of email correspondence reveal that police officers' interaction during briefing and consultation meetings was rarely recorded.

Management officers acknowledge that the feedback given by the PCs was mainly oral and it was not usually noted down. A similar issue concerns the meetings among senior police officers or between senior police officers and police staff in that conversation about the pilot is often informal or not recorded in a standardised way.

Data analysis revealed that police officers could not remember the subjects that were discussed at meetings in relation to stop and search and the results of the discussions. Interviews with management officers revealed that they discussed the objectives of the pilot with senior police officers and that management officers supported the work of the senior police officers in the pilot. Management officers were specifically asked for feedback; however they had little recollection of the issues that were discussed at the meetings. For instance, one management officer noticed that during one briefing some questions were raised by his colleagues about the pilot, however, he could not remember what exactly was said.

In this context, police officers pointed out that many of the discussions about the stop and search pilot were quite general. A management officer in argued:

[A senior police officer] would often ask at morning briefings, at command team meetings and in general conversation. So whilst (...) there maybe wasn't any formal written feedback, there was always that – you know, there was always the sort of general discussion around about it.

As such we do not have robust data to assess the extent to which officers were supportive of the aims and methods of the pilot.

#### **4.6.8 Media and social media exposure**

This element of the pilot project is designed to improve accountability of the police by communicating with the public the dangers of carrying illegal items and what powers the police have to address this. To this end, the Fife division has posted various messages relating to stop and search on their Facebook and Twitter accounts. These reports do not occur on a regular basis aside from several messages in November and December 2014 and a 'stop and search week' when stories regarding stop and search were posted every day for five days between 20 October 2014 and 24 October 2014. These posts are usually success stories which stress the role of stop and search in contributing to the reduction of crime and disorder of Fife. The messages posted mainly include information about where the stop and search

took place, a general overview of the individual involved (e.g. age, gender), and an item recovered. For instance on 5 December, the Fife Police Division posted the following information:

Kirkcaldy Police Officers Stopped and Searched 32 yr old male yesterday evening & found him in possession of this knuckle duster. Man arrested & appearing at Kirkclady Sheriff court today! Another dangerous weapon taken off the streets! Our officers will do absolutely everything to KEEP PEOPLE SAFE.

On different occasion, on the 14 October, there was a message posted on Facebook about a knife being recovered as a result of a stop and search. The message attracted considerable number of comments from the members of the public. All of the comments were highly positive, praising the practices of the police officers on the beat. It attracted 139 'likes', 26 comments and 25 'forwards'.

During the stop and search week on Facebook (October 2014) the photos of various items recovered through stop and search were posted. For instance, the message posted on 24 October 2014 relates to the recovery of yet another knife from stop and search. The message had 2003 reaches, 13 shares and 6 comments. While the stop and search week on Facebook was felt to be a success it has not been repeated since then. A management officer pointed out that the reason why it was suspended was not to worry the public and raise controversy about Fife being a dangerous place. The latest Facebook message explicitly referring to stop and search was posted by the Fife Police Division on 5 December and 2576 people viewed this post. The same messages that are posted on Facebook are also posted on Twitter. The message regarding the knuckle duster being recovered attracted 8 retweets and 3 'favourites' (which is an equivalent to a 'like' on Facebook). Management officers and senior police officers have reused the information from Facebook and Twitter in presentations delivered externally.

In order to understand the way the police manage their social media engagement, it is important to note that they have an obligation to comply with the Media Engagement Strategy prepared by the media department in Edinburgh. The document 'provides advice and guidance on how Fife Division, Police Scotland (P Division) can proactively communicate the benefits and successes of Stop and Search tactics in the region'. It states that Fife Division should stress the following key messages:

1. Police Scotland is committed to keeping people safe by addressing the specific issues affecting our communities
2. Stop and search allows officers to search for and seize a number of dangerous or illicit materials before they can be used to cause harm to our communities.
3. Officers strive to be engaging and non-threatening during any search
4. No profiling is used during stop and search

## 5. Building public confidence through promotion stop and search successes.

We have found that the use of social media in the context of the pilot was designed to and indeed was used as a way of promoting the positive outcomes of stop and search as seen by the police (items recovered, fewer dangerous articles 'on the streets', people kept safe). Reports of stop searches which yielded a negative outcome (in terms of no items found or upset caused to a member of the public who was stopped) were not reported and indeed the use of social media as a promotion tool for stop and search was reined in to prevent the area from appearing too violent. While this may be a way of improving confidence among the public to a degree, it cannot give them a complete picture of police practice in stop and search.

The Fife Division have clearly put a great deal of effort and resources into the improving confidence strand of the Fife Pilot. Some of these measures, such as the advice slips and the aide memoire are welcome initiatives. However, concerns remain about the wording used in the letters to parents, the advice slips and in terms of the context and content of the engagement and consultation sessions with external and internal groups and stakeholders, although we acknowledge that there was an extensive amount of external and internal engagement in the design and execution of the pilot. It would seem that engagement with external organisations served a dual purpose: 1) to consult on the development of the pilot so that the pilot methods would be robust enough to build public confidence and 2) to build public confidence through the consultation process itself by promoting the merits of stop and search during these opportunities with key groups.

## 4.7 THE EXTENT OF CHANGE TO POLICE AND STAFF PRACTICE: DATA-INFORMED STOPS

This report has so far considered the three main streams of the Fife Pilot (improving data, improving accountability and improving confidence) and has analysed the processes, procedures and methods introduced in each strand to achieve the intended outcomes of the pilot. We will now turn to a further analysis of these, by examining the extent of change to police practice which we observed, views of officers and staff about the pilot and its methods, and views of members of the public about the pilot and stop and search. We will begin by considering the degree to which stop and search was data-informed. Although the police recognised that some differences had come about as a result of the pilot this research found that many PCs felt that the pilot had not had a major influence on their existing practices with regards to stop and search.

### 4.7.1 'Business as usual'

Results presented here suggest that the intention of the pilot was not to introduce major changes with regards to police practice. Senior police officers and management officers agreed that the pilot was meant to be as un-invasive as possible with regard to day-to-day duties of police officers on the beat. Interestingly, one senior police officer stressed that the reason behind keeping the practices of the police officers on the beat as stable as possible was to protect them from political and media pressure. He argued:

I don't think it's had – you know, it's been a culture change. This is – what we've been trying to do certainly in my area is make it business as usual. Right? So because of the amount of publicity and press and media that stop and search got, because of the suspicion amongst staff at times around about performance, we've had to very carefully manage the messaging around about stop and search.

The data suggests that the pilot did not intend to result in change with regard to relationship between police staff and police officers, and with the practices of police of officers on the beat. When asked to compare what stop and search was prior to the pilot and after the pilot, a few police officers and police staff expressed the view that the pilot had not changed much with regard to relationships within and outside the police organisation.

It is worth noting that the attempt to consider the aims of the pilot within the notion of 'business as usual' may have led to the implicit redefinition of the aims of the pilot and to uncertainty about the key premises of the pilot, as highlighted in Sections 4.2 and 4.3 above. Examples of this include a perceived pressure to conduct more stop and search and confusion between the processes and the outcomes of the pilot.

#### 4.7.2 Intelligence driven decision-making

Data analysis revealed conflicting evidence about the contribution of the stop and search intelligence reports and other analytical products to tasking and decision-making, with regard to when and where beat patrols should be sent. It proved difficult to trace the processes by which stop and search data is integrated into tasking. This is partly because it involves routine interaction between various members of police staff, and the ways in which they exchange knowledge and information about crime and disorder. At the same time, questions can be asked about the multiple ways in which intelligence can be filtered in order to make it to the briefing presentations. These issues were acknowledged by police staff and although they could broadly indicate the pathway they believe the data they produce follows, they also stressed that the process is complex, with multiple actors involved. One member of police staff also acknowledged that ultimately it is senior police officers and management officers who take the final decision about the relevance of data and intelligence to local needs and assess available resources (explored in detail in Section 4.4.7).

Police staff, senior police officers and management officers from headquarters emphasised that the most important function of the stop and search intelligence reports is that they are intended to represent an intelligence-driven approach to the use of stop and search and aid tasking by management officers. The stop and search report includes a statement about its aim, which is:

to assist in the allocation of resources over the next two weeks to help ensure that deployment of stop and search activity is aligned to those areas experiencing the greatest proportion of violence and disorder (...) [the Historical analysis] aims to assist with proactive deployment of operational resources in future weeks (p. 2).

Similarly, according to one member of the police staff, the role of the report is:

to inform senior management about crime trends, crime patterns and give them the tools that they need to be able to make decisions on deploying resources in the right place and the right time.

The usefulness of the stop and search reports was however only partly acknowledged during interviews with the management officers and police officers on the beat. When asked about the meaning of the stop and search reports, the management officers pointed out that one of the most important parts of the monthly and bi-weekly reports is the presentation of historical analysis, whereby streets where violence and crime occurred in the same time frame in preceding year are named. At the same time, however, they argued that the information included in the reports is not new to management officers and police officers on the beat. This, in turn, has an impact on the extent to which the analytical products, such as the stop and search reports and the reports based on Ward Tracker, Datazone Tracker,

RFG and GTAT which provide a wider context in which to view the stop and search reports, make a difference in themselves with regard to the decisions about where and when stop searches should be carried out.

It was also unclear the extent to which the pilot made a difference to how the daily e-briefings are compiled for presentation to officers in local areas. There are various sources of information which are compiled for this purpose in addition to the stop and search report (such as SCOMIS, STORM, etc). A detective inspector prepares this briefing in consultation with police staff. Although we were unable to study this process in detail, current practice here seems to be implicit in terms of what is included and what is not.

The interviews with management officers and senior police officers in the three case study areas revealed that the analysis reports had very limited influence on decision making of police officers on the beat. These products and the training needed to understand them are only provided to management officers who use the products in tasking decisions. The workshops organised by the National Stop and Search Unit also found that PCs are not exposed to the 'new' intelligence emerging in the context of the pilot in the form of maps or analytical reports, as these are retained for management use to avoid over-complicating briefing sessions at the start of shifts for front-line officers.

In contrast, a senior police officer and the majority of the PCs with whom we spoke acknowledged the importance of having some sort of intelligence about a person in order to pursue a stop and search. A senior police officer stated:

We attend youths hanging about a disused building or an area of wasteland or if we're going there, you know, who are the youths, are they known to us, are they criminal, you know, do they have offending history, are they – is there intelligence regarding them, you know. So even just by attending the call and starting to think in these ways, there's the potential that we could be carrying out a stop and search activity, you know.

This would suggest that while police staff are using several sources of data to provide officers with information about the best *times* and *places* for stop and search, PCs tend to prefer to use information on specific *individuals* and will resort to their experiential knowledge in this regard, as well as intelligence provided from the Fife intelligence office through the electronic briefing system and the police records system. This type of knowledge is explored further below. While the pilot in general includes many measures to make stop and search more accountable, there are no systems in place to monitor how many times a particular individual was stopped and searched. Repeated stop searches of

the same individuals (especially if they are often negative) will create ill-feeling and distrust towards the police (Jackson et al 2012).

#### 4.7.3 Experiential knowledge about stop and search

Our research suggests that the intelligence PCs use on the beat is primarily linked to the prior experiential knowledge of those constables, to that of their management officers and senior police officers about local areas and communities, and this is bound with the various tactics available for the police to address a particular issue. The PCs on the beat admitted that they chose people to stop and search because they act suspiciously and/or are known to the police (either personally or through a police records check). Therefore PCs primarily stop and search people who, for example, have dealt drugs in the past or committed other kinds of offences. As a PC stated: 'we're really stopping and searching the persons who are known to us and we think they're worth speaking with. Other than that, we leave everyone else to get on with their daily business'. This suggests that the various analytical products on offer are not the only source of information open to police officers and while they may be used in tasking, in the decision-making on the 'ground' police officers rely on their previous experiences, the police records system or intelligence from the electronic briefing system. These do not capture the information specific to stop and search as provided in the dedicated report and are all methods which existed prior to the pilot.

PCs present at the NSSU workshop argued that they already have information about hot spots at hand as it comes from their experiences and they know their communities well. The same statements were made by the PCs in all three case study areas. When asked: 'has the pilot helped you in directing you to the right people in the right places or in any new way that hasn't been in place before?' one PC responded: 'I don't think so'.

Members of the police staff, management officers and senior police officers agreed that the importance of the analytical products to tasking and decision making is related to the usefulness of other police methods which can address the same issue. One member of police staff argued:

I would say that stop and search is only one tactic as well. So it might not be appropriate in all situations. So it very much depends on the level of what the problem is in that area and that's certainly one of the things that we really try and focus on in Fife.

While the analytical products developed in the context of the pilot do not seem to have had a large and overt impact on policing in local areas, most of the PCs and management officers recognised that the

pilot has brought about several differences with regard to the manner in which the police officers on the beat should carry out a stop and search. This is taken up further in section 4.8 below.

The research presented in this section suggests that the goal of having data-informed stop searches is difficult to assess. While analysis products may be used by some management officers when deciding on tasking (time and place), police constables 'on the ground' do not have access to this information (as it is quite complex) and so rely on their usual methods of employing experiential knowledge of places and people to determine who to search (as well as checking the police records system and the electronic briefing system – methods which were already in use before the pilot). This may involve repeated stops of the same people. This seems to have been compounded by increased workloads, which will be discussed in the next section.

## 4.8 THE EXTENT OF CHANGE TO POLICE PRACTICE: CONDUCT OF A STOP AND SEARCH

This section of the report will consider the extent to which the methods introduced by the pilot have had a noticeable impact on the way in which stop and search is conducted by police officers with members of the public. These findings are taken from interviews with police officers as well as observations of stop and search in two case study sites.

### 4.8.1 Recording a stop and search

A few PCs and some management officers argued that primary difference brought about by the pilot was the requirement to record all stop and search instances. A management officer pointed out:

Well, the old version of stop and search that I grew up on was officers go out and if they see somebody that they think may be worthy of a stop and search, they would do it. They would maybe record it in their notebook but they would do nothing else. You wouldn't do anything, you wouldn't tell the parents, you wouldn't send letters, you wouldn't record it on a database. You would do nothing.

Similarly, a senior police officer pointed out:

So I think, from an accountability point of view and the recording point of view, things are – you know, we've always done stop and search but the accountability and recording has not been great. But now, you know, it's very robust.

What is interesting here is despite the development of these new robust reporting and recording mechanisms where PCs are now reporting their stop and search activities at the end of every shift, only a few of them made explicit reflection on it being a change brought about by the pilot.

### 4.8.2 Advice slips and phone numbers

Another important element introduced by the pilot was the advice slips designed to provide members of the public with more information about stop and search, what the law allows police officers to do in these encounters and to request feedback from the public (these were discussed in Section 4.6.2). It was found that the advice slips were not given out on all occasions of a stop and search. For example, during the course of our observations, in nine out of ten instances of stop and search the advice slip was given out (on one occasion the researcher was not able to see it as the stop and search was taking place in a location which was difficult to access). The dip sampling survey (discussed in Section 4.5.3) reports indicate that since the beginning of the pilot the number of people who claimed that they did not receive the advice slip oscillated between 26% and 37% (between July and September 2014), with a tendency for this to increase towards the end of the pilot period. The dip sampling survey shows that respondents recall being given an advice slip between 31% (October 2014) and 46% (July 2014) of the time (see Appendix 5 for the results of the dip sampling survey).

The advice slips are available in English, Polish and Russian. Our research found that most police officers do not keep the translated leaflets on them while on duty and none of the police officers observed in the field used the translated leaflets. When asked why they do not do so, they stressed that there were no opportunities. This is surprising considering that Polish is the most commonly identified ethnicity stopped and searched during the pilot after Scottish, English and British (see Section 4.1.2).

Our observations of police officers on the beat revealed two other issues relating to the advice slips. A PC in one area argued that the leaflets for people who were stopped and searched were not available when the pilot commenced, few PCs complaints that they have been running out of leaflets in the division. Also, during observations of a briefing meeting in one of the case study areas a PC asked two management officers whether they should give out leaflets to people who were searched under legislation. The managers responded that they do not have an obligation to do so.

A further finding of our evaluation into the conduct of stop and search during the pilot relates to the collection of phone numbers of those who have been stopped and searched. Since the beginning of the pilot it was mandatory for the police officers on the beat to request phone numbers from those who were stopped for both legislative and consensual searches. (It is, however, not mandatory for members of the public to give police officers their phone numbers.) Our observations found that this obligation to ask for numbers has not been fully met. During the field visits in two case study areas it became apparent that not all police officers collect phone numbers from persons who were stopped and searched. Some do not ask for the numbers and others tend not to explain to the persons who were stopped and searched why the officer is asking for it. When the request is refused the officers did not continue enquiring about it.

#### **4.8.3 Protocol with young people**

Senior police officers and management officers discussed stop and search methods with young people in the context of the pilot. Police Scotland nationally has adopted a policy of not stopping and searching children under 12 years old on a consensual basis (unless there is an exceptional reason to do so).

Regarding the first matter, a senior police officer argued that:

Prior to the pilot starting, we had the cut off [for stop and search at] under 9s, you know. So when – that was just about the time we were delivering the briefings as well, you know, that we wouldn't search children under 12 – I'd say now 12 – because I think there was some – was there not a justice committee, some discussion round about consensual searches in under 12s wouldn't basically be taken – you know, wouldn't be justified, which I totally agree with.

In addition to which, police officers should make an entry in Vulnerable Persons Database (VPD) when a young person (or adult) is stopped and searched if it is felt that they are in a 'vulnerable' position. In this context a management officer argued:

If our officers stop and search someone and find alcohol on them or find stolen property or offensive weapons on them, we don't just let them walk away. We then either, if it justifies it, arrest them or detain them or, if it's of a minor nature, we'll take them home and we'll obviously speak to them in front of their parents. So that parental responsibility comes back in as well, as well as the police officer's responsibility for submitting what we call a vulnerable person's database entry if there's any concerns for that young person.

We had conflicting accounts, however, about the extent to which police officers in the context of the pilot will take a young person home after a stop and search to inform the parent or guardian about the search. Senior police officers and management officers suggested there was an expectation (although not a requirement as this a matter of discretion) for the PCs to do so. Other police officers admitted that this may not be possible in practice. A senior police officer pointed out:

It would have been somebody stopped for whatever reason, consensual, legislative and it would be an officer's decision whether they then, under 16, take them back to the house if they found something and speak to the parent/guardian. If it was a negative search, would they necessarily have went back and spoke to the parent or guardian? I would probably suggest not unless they found something or found them under the influence of alcohol, there was some vulnerability about them. I think that 14, 13 year old would have parted from the police and decided themselves whether they were actually going to tell their parent or guardian that they'd had a contact with the police, good or bad. Probably not at all because of a fear of getting into trouble for being spoken to by the police.

Our research suggests that police officers seemed to be clear on the policy in relation to not stopping and searching young people under the age of 12 on voluntary basis unless there was an exceptional reason to do so. There was less consensus, however, on when to take a young person home after a search. What is interesting from the last quote above is the acknowledgement from a senior police officer that for some young people, speaking to the police can be problematic for them if it becomes known in their home environment. This raises an important concern in relation to the letters to parents, as was suggested by the Police Scotland Children and Young Persons Reference Group in Section 4.6.1 above.

#### 4.8.4 The pilot effect

Interviews with senior police officers and management officers revealed that the pilot introduced an expectation towards police constables to actively seek engagement with the members of the public with

a consideration of the 'Right People, Right Place, Right Time' pilot objective. A senior police officer when asked about changes brought about by the pilot responded:

I have stop and search as an agenda item and often there's not anything to talk about around it but it's just there as a reminder to highlight any issues or to, you know, just keep – to try and build it into business as usual, to push the profile of the stop and search at all times (...) So how we go about it in our area then is it's a constant reminder to staff that we should be looking to take any opportunity we can to engage the public in stop and search activity. It has to be the right people, the right place, right time and a number of the calls that they're going to on a daily basis provides opportunities to carry out stop and search activity, you know'.

This issue was also raised with regard to the matter of increasing the overall volume of stop and search, as the sudden focus on stop and search was seen to have led to an increase in the volume (see Section 4.2.4). This was particularly stressed by the PCs on the beat. When asked: 'can you talk me through the current approach to stop and search in your area and which elements are new to the pilot and which were in existence already?', a PC stated:

Well, obviously I've only been in sort of a year and a bit, so I'm not very sure but obviously stop search is being really, really pushed at the moment to obviously get the numbers up and I think, prior to now, from what I can – what I've been told is there wasn't such a focus on stop search and it was really part of our duties.

We found that while the changes brought about by the pilot are understood and supported by senior police officers in the three case study areas and by the police officers in divisional headquarters, they were not fully appreciated by management officers and police officers on the beat in local areas. In response to these issues some management officers and senior police officers argued that the change is likely not be appreciated as people are afraid of change in general.

Our observations in the case study sites and interviews suggest that due to the enhanced focus on stop and search brought about by the Fife Pilot, officers tended to stop and search people whom they would not normally do so. This was discussed by both the police officers on the beat and management officers. For example, a PC from one area admitted:

Well, obviously, as you're a police officer, you would do your job and anybody, as I said, you suspected of being in possession of items, you would stop and search them. However, my personal take on it was that they just wanted more people who you wouldn't normally have cause to search, stopped and searched (...) I was aware that they [my colleagues] were having to stop more people, stop and search more people maybe who they wouldn't have previously stop and searched.

PCs in our study reported feeling under pressure by management officers and ultimately by senior police officers to focus specifically on stop and search during their duties. This is apparent during a conversation with a PC:

[Interviewer] where - if you can try to specify where did this pressure come from?

[Interviewee] I think we were just all told from management.

[Interviewer] Was it with regard to like a general volume in general or just positive searches?

[Interviewee] I was aware of them, first of all, just wanting volume, wanting lots of people stop and searched and then they were only wanting positive stop and searches recorded.

The police officers stressed that the pressure was stronger just before and at the beginning of the pilot, and that it allegedly resulted in a rapid growth in the volume of stop and search during this time. A PC argued:

When it [the pressure] first started back in I think spring/summer time 2014, I think there was an awful lot more people were stopped and searched than what there is now. I think now it's gone back to more how it would have been in that people who there was reason to suspect may be in possession of items are now stop and searched.

That being said the issue is contested by other police officers on the beat and management officers. Some police officers reported no knowledge of the optimal numbers of stop and search they should be doing. There is no data we could find which would support the argument that having a negative or a positive outcome stop and search matters to management officers. This was also acknowledged by a senior police officer:

Personally, I know what it is and it's something that I suppose I monitor and the command team here will monitor simply because we want to make sure that we're active in the right areas. But I think – and again you'll find out for yourself – I'll be very surprised if many officers in the street know there is a target for positive [searches], to be honest.

A PC stated:

We've not got a target. Like, we don't go out – our sergeant doesn't give us a target of, say, 10 but it's just, you know, like it's Friday night, have an awareness, make sure you're stop searching and I think we've always done that.

This opinion was also shared by many police officers we observed on the beat across various areas.

One PC argued that a management officer is unhappy if a police officer comes back 'empty handed' (without a record of a person being stopped and searched) and felt that:

Obviously now the sergeants and inspectors are obviously watching our numbers and things (...) Oh, we've always pushed it. Yeah, we always had to, it's always been an ongoing issue and

we've always had to push it. But I think now it's being pushed more because of numbers and things.

Another PC argued:

I think we're more now – we're conscious of the fact that we have to come back with figures because supervisors are always looking to us now at the end of a shift, how many stop searches have you been – have you got today?

A final PC stated:

That's fine but it seems to be that if you're doing something, still go and see if you can stop somebody, go and see if you can hunt somebody down. Like, it's almost as if it's bordering on no longer the right place, the right person. It's just a case of go out and find somebody.

This research found that the pressure to focus attention on conducting stop searches can be perceived differently by officers in various teams. It relates to the issue of time constraints and a requirement to carry out various kinds of tasks during one shift. A management officer stated:

For me, response can have the biggest impact because they've got often the first line in terms of police contact. They have the biggest amount of contact with the public that allows them more opportunity to do the searching (...) So everything seems to get put on response – I'm not trying to get at managers – but the expectation to still do proactive work is still there and it's hard on them, it is really hard. From when they come in to when they finish, some of them just won't get breaks at all and they get absolutely hammered for work. But the criticism down the way is very quick if we've not done a certain amount of proactive work or a stop point, then everybody just – they want to criticise really quickly and I've noticed that.

He drew attention to the issue of officers being under-resourced and not having time to be proactive due to warrants, citations, enquires and paperwork. Similar issues were raised by community officers and a member of the retail team, who stressed that they are also exposed to members of the public as are the members of the response team. However, they felt that response will probably encounter people in a stop and search context more than will community or retail officers.

When interviewed, the members of the response teams across various locations argued that prior to the official beginning of the pilot and since the pilot started they have experienced more pressure to carry out stop searches, regardless of the fact that their priority is to respond to various kinds of phone calls.

Clearly, whether it was intentional or not, police officers in local areas perceived an enhanced pressure in the context of the pilot to do more stop searches and to get them recorded in the database. These claims are supported by evidence in Table 1 in Appendix 3 (and discussed in Section 4.1.1) that the rates of stop and search rose in the first quarter of the pilot in comparison with the same period the previous year. Over the course of the pilot the rate of stop and search reduced, and with it the rate of positive

stop searches went up, which suggests that the increase in the rate of stop and search at the start of the pilot was not due solely to enhanced reporting practices (as these would have been consistent across the pilot period).

#### **4.8.5 Defining a stop and search**

Our research has found conflicting ideas about what constitutes a 'stop and search' among police officers which influences the way these officers carry out their duties and make accurate records of stop searches.

During interviews, police officers expressed no concerns about what constitutes a 'stop and search'. Observations of police officers on the beat suggested that they have good knowledge about the relevant legislation regarding stop and search. Our researcher also observed one instance of the Officers' Safety Training, which is an annual compulsory training for all police officers (regardless a rank) and which includes a demonstration of how stop and search should be carried out and the relevance of various kinds of legislation.

However, there were several instances of confusion and/or misinterpretation of what constitutes a stop and search during the field observations. For instance, we observed a discussion between two police officers who could not agree whether searching a person who had been arrested before putting that person in the police van constitutes a stop and search (it does not). There was also an occasion when a group of young people were all stopped and searched for possessing alcohol. This was logged as a consensual stop and search, which is correct. In some cases like this however, the encounter should be classed as an 'intervention' if the police see alcohol on display without the need to search, but these sometimes are mistakenly classed as stop searches. One senior police officer mentioned to us that stop and search for alcohol is particularly grey area for the police, due to the lack of relevant legislation. This coincides with our findings in relation to the stop and search database in Section 4.4.5 above that some police officers record a stop and search for alcohol as a legislative search.

#### **4.8.6 Stop and search and the problem of public accountability**

As has been discussed at length in the relevant literature (see the Background section to this report, Section 2), the manner in which a stop and search is conducted is more important in terms of trust and confidence in the police than the outcome of that search. We will now address the ways in which police officers view their demeanour when conducting a stop and search and consider our own observations in this regard.

Senior police officers, management officers and PCs on the beat stressed that stop and search should be carried out in a respectful and discreet way. A senior police officer pointed out:

It's not getting done in a public place, if we can try and do it in a – you know, round the corner in an alley way, in a doorway, whatever way to try and make it as comfortable on that person as possible, then that's right, we need to treat people with dignity and respect.

Insights from the pilot's consultations with schools (for example, as found in the Equality Impact Assessment) reveal that young people considered the police's treatment of them during a stop and search to be important. In the context of good treatment by the police, they were more inclined to support stop and search.

Observations of the dip sampling phone calls (see the complete list of findings in Appendix 5) of people who were stopped and searched reveal some support for the method. Answers to the question: 'Do you believe police should use stop and search?' at the early stages of the pilot (July 2014 until the end of September 2014) indicate that between 80% and 95% percent of persons stopped and searched believed the police should use this method. Over the same period of time, a dislike towards police officers using stop and search powers oscillated between 3.4% and 7.3%, whereas between 3.4% and 11% of people who replied did not have view on this matter. These seem like low numbers, but it should be kept in mind that the person asking the question is a police officer who holds the person's identifying information. While only around 10% of people who responded to the dip sampling survey left a comment with regard to their stop and search experience, these statements reveal mixed support towards the use of the stop and search. The comments range from: 'I do believe people should be stopped and searched and I believe that if an officer has a suspicion he should use it' to 'I feel I got victimised'. These comments also indicate that the experiences of the people during a stop search are bound with various issues such as being intoxicated, which may affect one's perception or recollection of the chain of events, or wider experiences with the police (further problems with the dip sampling survey are discussed in Section 4.5.3).

Senior police officers and some management officers stressed that negative and consensual stop searches can be justified towards the public as long as they take place on the right people, in the right place and at the right time. One management officer openly admitted that the analytical tools, such as the stop and search reports, serve an important role in legitimising consensual stop searches. They can

provide the police an important justification for using consensual search if a member of the public expresses discontent at being stopped in this way.

At the same time, a few PCs acknowledged that negative stop searches may be badly viewed by members of the public. One PC pointed out that stop and search can interrupt daily routines for no apparent reason. The issue of unfair targeting also emerged in the context of consultations with school pupils. The police officer who carried out the consultations reported the comments of the pupils in the following manner:

Most of the participants felt that the stop and search policy was creating an “us and them” culture with officers only searching them because they had “nothing better to do” and because there was a perception that “teenagers were always doing wrong”.

The issues of consensual stop and search will be taken up in more detail below. What we can see here is that the pilot has produced mixed results in terms of public satisfaction with the stop and search process. It is clear that the manner in which an individual is treated in a stop and search will have a bearing in terms of how ‘just’ they feel the police were in their treatment of them (this is taken up in more detail in Section 4.10 below). Police officers in turn, as has been discussed here, are aware of this and use techniques such as a discreet location to conduct the search or the evidence of the stop and search analysis reports (when they have them) to justify stopping and searching some individuals consensually or if the search is negative.

#### 4.8.7 Consensual stop and search

There was clear awareness during the course of the pilot of ongoing concern in political and media circles (HMICS 2015) in relation to the issue of consensual (or voluntary) stop and search. A management officer mentioned: ‘I know there is an argument out there whether we should consensually search people or whether it should be completely on a statutory footing’. Similarly, a senior police officer argued:

I think there was some – was there not a justice committee, some discussion round about consensual searches in under 12s wouldn’t basically be taken – you know, wouldn’t be justified, which I totally agree with. So that was obviously built in at the pilot at the end and, again, a kind of notional age for adults at 70 and above, again, the consensual element was going to be questionable thereafter. So there were bits that were added on just as the pilot was coming in.

This is reflected in Section 4.8.3 above in that officers were aware that consensual stops of children under 12 were prohibited.

Most of the police officers we interviewed agreed that it is important for members of the public to understand what consensual stop and search is and that members of the public should clear that police officers need their consent prior to carrying out a voluntary stop and search.

This is reflected in the construction of aide memoires (Section 4.6.6 and Appendix 8), which explain the meaning of a consensual and a legislative stop and search and stress grounds upon which a decision to use either of these power can be taken. A senior police officer pointed out:

I would want to know, you know, you're giving people hand-outs, you're leaving them in no doubt that if they don't want to be consensually searched, that they don't have to be, you're recording it robustly.

Data analysis indicates that the police officers engaged with pupils from schools to educate them about their rights in the context of consensual stop and search and that they have a right to refuse it. The notes with regard to the engagement with high schools reveal mixed opinions about whether consensual searches should be carried out and that many of the young people did not know they have a right to refuse a consensual search. There were also indications that they would not be comfortable with refusing a consensual search in case it would raise the suspicions of a police officer. This is reflected in a comment made by a management officer after a school consultation:

There was also concern about people being aware of their rights and actually, on a consensual basis, they have the right to refuse and making sure that Police Scotland are being transparent when they're telling people their rights.

Police officers demonstrated awareness that consensual stop and search can be a particular issue in relation to vulnerable groups, such as children. A senior police officer reflected on this:

...what I mean by that is that we could come up to a youth, engage them in conversation and say, you'll not mind if I have a look in your pockets, you know. Now, automatically, that'll be a consensual search, although does that person know that they've been searched, do they know they were subject to a search, have we made it clear to them – that's all – you know.

We have found a perceived pressure on police officers on the beat to carry out more stop searches during the pilot (see Sections 4.2.4 and 4.8.4 above), which links to an increase in both consensual and legislative searches in Fife during the pilot (see section 4.1.1). When asked by the moderator of the NSSU workshop whether PCs noticed that the numbers of consensual stop and search had gone up, PCs pointed to the existence of a 'performance culture' in relation to achieving as many stop searches as possible during a shift. There was also a sense of competition between police officers in this matter ('How many did you get?'). The implication was that they were searching people whom they would have

not have searched in 'normal' circumstances and that they did not always use legislation for this purpose.

This puts into question how intelligence-led stop and search is, even for consensual searches which might be justified on the grounds of 'right place, right time' through the data analysis reports. This does not always appear the basis on which these searches are justified. A management officer mentioned that in a situation where there is insufficient evidence about the profile of a particular individual, this may lead to a consensual search. He stated: 'Again, there's no detailed intelligence there, so that may lead to a consensual search'.

One PC stressed the role of prior knowledge and experience when targeting individual for a consensual stop and search. A PC in another area argued:

Through experience you can tell if somebody's (...) under the influence of drugs or alcohol, you can certainly tell who's under, as I say, the influence of drugs. And if that's the case, then a wee stop search just to make sure you're OK but we want, as I say, just to see if there's anything on them. So yeah, you can tell by experience how people look when they're on drugs, how people act when they're on drugs and or drink, under the influence of any sorta substance. And I suppose obviously with legislative searches, then it's through intelligence, you know.

As mentioned above in Section 4.7.3, experiential knowledge still plays an important role in how police constables decide whom to search, particularly in the case of consensual searches. While the officer quoted above may be correct when he senses that someone is under the influence of a substance, this raises questions as to whether individuals in this particular situation are capable of giving informed consent to be searched. The aide memoire given to police officers in the pilot does not provide any detail on the circumstances in which a consensual search would be appropriate and in which circumstances it should not be used (other than not for children under 12).

While police officers may be aware of the importance of treating people fairly and politely in a stop and search encounter and may on many occasions have the support of the public in conducting stop and search in general, concerns remain especially in relation to consensual stop and search. Police constables in the Fife Pilot often use their experiential knowledge to decide if someone should be searched and with a sense of increased pressure to conduct more stop and search may need to resort to consensual searches to achieve this.

#### 4.9 VIEWS OF POLICE OFFICERS AND STAFF: THE DEGREE OF CHANGE

We wanted to assess the extent to which police officers and staff have a sense that there has been a noticeable change in stop and search in Fife over the course of the pilot. Data analysis points to two (interrelated) issues in that participants: (i) view the processes introduced by the pilot as constituting the outcomes of the Pilot (as discussed in Section 4.3.1) and (ii) have difficulty in stating what the actual impact of stop and search is. With regard to the second matter, a senior police officer argued that it is difficult to assess the impact of stop and search: ‘You know (...) the big thing for me around this is how can we truly quantify the impact of a negative stop and search?’

The research revealed a variety of perceptions of police officers, police staff and other project stakeholders about the actual outcomes of the pilot. Senior police officers in local areas and management officers argued that they were given limited information about the results of the pilot, while the PCs admitted having no knowledge about the outcomes of the pilot and have been given no feedback about the pilot at all. A senior police officer argued:

[I wish] if somebody’s taken the time to give feedback or been contacted and said, you know, I actually thought that was – I was quite pleased with the way the officer – I would have quite liked to have had that, you know, to go back to the office and said (...) I’ve had some [updates about the Pilot] of it but (...) not regular enough for me.

One senior police officer suggested that it would be fair to feed information obtained through the Pilot down the police hierarchy, to police officers on the beat.

Another senior police officer acknowledged that police officers do their best with regard to stakeholder engagement, however he stressed that their only reference point with regard to the process in this matter is the emergence of the new mechanisms, such as the dip sampling phone calls. When asked about the outcomes of the pilot with regard to improvement of accountability, he stated:

We’ve got a record of it because, before, you could never measure accountability cos there was nothing there to measure, you know. You measure accountability because we’ll have, again, this vehicle that people can contact us and we’re now – we’ve got a process built in that we contact them, you know, if more often than not, they’ve not contacted us despite being offered to, you know, we’ve gone out and asking them, you know, and recording that (...) I think I suppose in that way then it breeds more confidence that we’re far more open and honest about.

In general, however, it is important to note that most of the police constables with whom we spoke found it difficult to answer questions relating to the impact of the pilot approach to stop and search. Very few police officers and only one member of police staff acknowledged this explicitly.

#### 4.9.1 Highlighting positive outcomes of the Pilot

What is interesting in this context is that in spite of the fact that senior police officers in local areas struggled to explain the outcomes of the pilot they were inclined to assume that the outcomes were positive for various reasons, whilst the PCs and some management officers openly acknowledged to not having knowledge about it. One senior police officer argued:

I suppose you can – it was always gonna be a difficult one to measure, how do you measure accountability, you know. Is it – I suppose, is it more accountable than what it was before? I think so.

A few management officers were inclined to stress the positive outcomes of the pilot based on the claims that the pilot did not attract any complaints of the members of the public. The statements were also repeated during the Gold Group meeting in December and on the occasions on various updates delivered by the police about the development of the pilot (see the section above on complaints to the police, Section 4.5.4).

#### 4.9.2 No improvement/knowledge about the outcomes of the pilot

Finally, the study revealed that some police officers, police staff and local partners claimed that either they have no knowledge about the outcomes of the pilot or that there was no improvement as a result of the pilot. The majority of police officers, police staff and local partners admitted having no direct knowledge about the actual outcomes of the pilot. As they could not directly evidence any outcomes, they supported their claims by referring to knowledge from third parties, for example that of a senior police officer who told us:

The outcomes - the overwhelming feedback that we have captured is that the public are absolutely supportive of police doing stop and search. As long as stop and search is done in a courteous respectful way, the overwhelming feedback from young people is, actually, that's the right thing to do because it is actually gonna keep me safer as I'm walking out in the streets of Fife. So that's – and that's been a big thing for me.

It should be noted that this outcome mentioned above concerns stop and search in general, and not a process introduced by the pilot. One police staff member mentioned not being sure about the extent to which the pilot improved stop and search data and argued that there was no improvement with regards to the crime rate. One PC felt that the pilot did not lead to tackling drug issues.

Interviews and documentary data also revealed that members of the police, local stakeholders and some members of the public considered the outcomes of the pilot in relation to stop and search in general, and in the context of situations when the result of the stop and search is positive or negative, which is addressed below.

#### 4.9.3 Opinions about the use of stop and search in general

In order to fully understand the orientation of officers and staff engaged in the pilot, it is useful to briefly consider their feelings towards stop and search in general. This is not with a view to questioning the tactic itself (as this would require more detailed and longer term research than was conducted here), but to better appreciate the starting positions of those implementing the pilot's methods. The research found considerable support from members of the police towards the use of the stop and search, including consensual search. This view was shared by senior police officers, management officers and the PCs on the beat, and was communicated in documentary sources and by the police during a Gold Group meeting. The Fife Division Stakeholder Engagement Plan includes a statement that:

Engagement is an integral part of developing our use of stop and search and we will work with our stakeholders to shape our continued use of this proactive tactic to ultimately reduce weapon based violence.

The PCs also see stop and search as having value in fighting crime. As one PC stated: 'We're very proactive and we need to be because of the violence levels and things'. Another PC argued:

Obviously you try to get as many positive ones as you can by seeing people maybe drinking out in the streets and things like that. But, at the same time, any stop search is a good stop search in my eyes and anybody I've spoke to.

A senior police officer relates the success of stop and search to a reduction in crime, which is seen to be directly linked to the recovery of dangerous items:

That's the true measure of success, or one of the measures, not the true measure actually is you know, if crime is reducing, if detections are improving, then that demonstrates an element of success around stop and search. If we are recovering more knives off people through stop and search and more drugs and more alcohol, then that does reflect an element of success.

Some police officers pointed out that both positive and negative stop searches play important roles in achieving the objective of reducing crime<sup>10</sup>, however, they made a distinction in how this is achieved

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<sup>10</sup> It should be noted that there is little research evidence for a direct link between stop and search and a reduction in crime, see HMICS 2015.

through each. A senior police officer, management officers and PCs argued that positive stop searches lead directly to decreasing the prospects of the occurrence of crime. A senior police officer portrayed the situation of a positive stop search for alcohol and stated:

Alcohol, in my view, is the precursor and its evidence – you know... alcohol is the precursor to most of the criminality in Fife and actually across Scotland whether it be stabbings, murders, domestics, antisocial behaviour. It's the precursor. So to prevent that escalation, if we can get in early, then and seize the stuff, then it'll stop it happening.

The value of negative stop and search on the other hand was seen as being about visibility of the police, and in this context the stop and search is viewed as working as a deterrent. The same police officer explained:

Let's say we stop and searched you there, didn't find anything. But you then went back and told your friends, "ah the police stop and searched me there at that park down there." Then the positive impression of that is that individuals will think twice about taking a knife into that area because police have been proactively stopping and searching - or they'll think twice about taking drugs or taking alcohol down there.

At the same time, however, management officers also stressed that the real impact of stop and search is difficult to grasp, both with regards to positive and negative stop searches. A management officer pointed out:

If we have more positives, people are more confident because then does that – you know, does that portray that we're more intelligence led and we're getting the right people? Or does a low positive rate indicate that we're too sporadic, you know?

At the same time, however not many PCs explained in-depth why they support stop and search, both during interviews for this evaluation and during a workshop organised by the NSSU unit. On various occasions during interviews, workshops or meeting members of the police, including the PCs, the local stakeholders and some members of the public agreed that the stop and search should be used by the police. The extent to which the stop and search gathered support of the members of the public is addressed in more detail below (and above in Section 4.8.6).

What we have found from this section is that police officers have many views on what is useful and valuable from stop and search in general. However, the extent to which that has been enhanced in some way or made more transparent for the public through the mechanisms of the pilot was not always clear to them. This applied to officers of all ranks, not just constables in local areas.

#### **4.10 VIEWS OF MEMBERS OF THE PUBLIC: STOP AND SEARCH AND CONFIDENCE IN THE POLICE**

Having considered in the previous section the extent to which police officers and staff feel that the Fife pilot has brought about a change to their practice, we will now examine the experiences and opinions of members of the public about appropriate uses of stop and search. This continues the discussion began in Section 4.8.6 above about the conduct of a stop and search and the importance of the manner in which a stop and search is done for enhancing trust and confidence in the police – one of the pilot’s aims. As we were not able to commence our evaluation prior to the launch of the pilot in Fife, we do not have a baseline from which to assess the extent to which opinions about stop and search might have changed during the course of the pilot. The research reported here took place during the life of the pilot and is drawn from consultations that the police had with various external stakeholders and our own interviews with members of the public who had been stopped and searched. Some of the comments below may not refer to the pilot or its methods directly, as members of the public would not necessarily be aware of these or that there had been a change to police practice in Fife. However, these individuals were encountered either during the development of the pilot (in consultation about it) or in the live phase of the pilot and so can speak from their experience of it, even if that is phrased as a comment on stop and search in general. Overall, these reveal mixed support from members of the public towards the use of stop and search. This was also found in relation to the police consultations with schools, which is described in Section 4.6.4 above.

##### **4.10.1 Findings from police consultation events**

Public opinion on stop and search was sought by the police during the pilot’s various consultative events. This includes police officers’ visits to schools, consultations with the local council (city council meetings in, for instance, Pittenweem and Anstruther, Wemyss Village, Pitlessie), and consultations with the Police Scotland Children and Young Persons Reference Group with regard to the letters to parents. The police’s record of these meetings include observations that the public support towards stop and search can vary, however that in general, members of the public accept the use of stop and search. This includes the Police Scotland Children and Young Persons Reference Group and some local councillors, who stressed that the police should use consensual stop and search if they find it appropriate. However, the police notes do mention that some councillors consider stop and search to be an infringement of peoples’ liberty.

That being said, there is little available information about the context of these meetings. For example, in an email exchange between a management officer and police officer who carried out the meeting we find the observation that:

Overall the group agreed 100% that the police were making an effort and that they would understand the process of why and what had happened (...) Over 80% thought that the system was fair and just under 80% thought that it was a tactic that the police should use.

It is important to note, however, that we don't know how many people were there and how these percentages were calculated.

#### 4.10.2 Rationale for stop and search

Our interviews with adult members of the public who were stopped and searched under the pilot's methods about their experiences of these stops and searches reveal the importance of the context in which stop and search takes place, especially the rationale for the stop, in understanding one's experience in this matter. Members of the public mentioned various kinds of tasks or activities they were carrying out when they were stopped by the police. Most of them referred to their everyday practices and stressed that they either were socialising or getting from one place to another. For instance, a few people mentioned that they were travelling to the Job Centre when the police officers stopped them, another person was in a car park speaking with a friend, and some were on the way home from a shop. Only one member of the public admitted being stopped and searched in the context of a crime, in this case, while his friend was stealing.

Most of the members of the public with whom we spoke reported being informed by the police about the reasons for the stop and search. One person when asked: 'Can you describe the circumstances in which you were stopped and searched by the police officers?' responded:

Aye. They were – seemingly, it was something to do with some car robberies and that were going on or something (...) it was something to do with cars – there was somebody doing car breaking.

One of those who was not told the reason for the search argued that: 'they never really explained to us like the whole stop and search thing but I did know that it's not right to stop and search somebody just randomly like that for no reason'. The members of the public we interviewed agreed that it is important for them to know why the police had chosen them for a stop search and the police should be aware of the responsibility they have in this matter towards the public. Also, one person argued that in order to avoid randomness of searches, the police should keep:

More surveillance of people, you know, but I don't think that's hard these days, it's on the street. (...) I don't know really. I think someone has to act suspiciously before they stop and search them, even if it's – but they could make that up, they could say, oh well, we had looked for the guy or he crossed the street, you know, when he saw us. That to them could be suspicious. It's a grey area that.

Similarly, another person stated:

They just need to basically – aye, concentrate on more important things until they've actually got evidence to stop somebody, then they shouldn't just randomly humiliate people and stop them in the street like that, especially if they're just going to let them walk on past and other people seen them being stopped, it means that they get judged for it.

Interestingly, few members of the public expressed discontent about being stopped and searched by the police. These individuals referred to two interrelated issues: (i) the lack of clarity about why police wanted to engage with them in particular, and (ii) that the stop and search was an interruption to their everyday routine.

With regard to the first matter, some of the members of the public believed that they were stopped and searched randomly and that the police officers did not have a particular reason for doing it. This led them to question the validity of the stop and search. One person argued that she was stopped and searched because of her association with an individual who police was interested in. She stated:

So we phoned him to ask him to come to the car park to let the police speak to him but like he never came and the police officers just disappeared after that and we never heard anything since apart from my pal's car has been blacklisted and stuff. But it was just a random search, it was just not – it shouldn't have happened.

The other one stated:

They [the police] just asked me my details and he did say, they did say we're stopping you for something but I don't really – I can't really remember what he said. I think he just said, we're doing random stop and searches.

With regard to the matter of a stop search being an interruption to a person's routine, one member of the public pointed to not being particularly happy about it. He stated that because of being involved in the stop and search he was late to a meeting. The person who was stopped and searched in car park stressed:

They just need to basically get their finger out and start focusing on things that are actually important in [my area] rather than focusing on stupid things like people in cars like just minding their own business.

Thus while individuals who were displeased about their stop and search experience were in the minority, it was the lack of (sufficient) justification for it which influenced their opinion.

Some members of the public appreciated the rationale for being stopped and searched provided by the police officers. These members of the public reflected upon a number of reasons why they might have looked or been seen to be acting suspiciously. One of them pointed out:

Well, I was on my way home cycling with my girlfriend and (...) I had juice – in my pocket, in my coat pocket, and they thought it was alcohol. So they turned around and stopped me and just questioned me if I had, like if I had alcohol on me or something like that (...) Probably because I looked underage to drink alcohol (...) I've got – I am quite small as well and maybe they looked at me thinking I've got alcohol and I'm underage.

What is interesting in this context is that the members of the public hardly reflected on where they were during the stop and search – a particular location and the time of the day – unless specifically asked about it. In terms of time of day, our research found that most people were stopped and searched during early (8-9pm) or late night (1-2am) hours. In addition, the emphasis the police have placed in the pilot on being 'in the right place' for a stop and search is not something which seems to be a prime concern for members of the public, who instead tended to reflect on their own personal appearances and manner.

#### 4.10.3 A person being known to the police

Most of the members of the public we spoke to admitted to being known to the police already and that they have been stopped and searched before. One person admitted to being caught with drugs in the past. Another one stated: 'I was moving house [when I was stopped and searched]. Now, I'm known to the police. I was – I've been in a lot of trouble over my life'.

Those individuals who have been stopped repeatedly are displeased with this situation. One of them stated: 'I find that I'm getting stopped all the time. It's getting to a stage where I feel like complaining about it'. The other one stated: 'I think it's – it is a bit over the score in the way – I mean, a bit over the score when you get – cos I'd been stopped twice that night'.

Repeated stops of the same individuals are an issue to which we will return in our recommendations. It is clear from these quotes that repeated stops, either over a long period or in the course of one evening, are damaging for the public's confidence in the police (as was also found by Jackson et al 2012).

#### 4.10.4 Respectful treatment by the police

All members of the public who were interviewed stated that they had been treated respectfully by the PCs on the beat in that the PCs spoke with them in a polite manner and kept the stop and search relaxed. When asked, 'did the police officers speak to you and treat you in a respectful way?' one person responded: 'Oh yeah. I was having a laugh with one of them'. Similarly, the other one stated: 'it [the interaction with the police officers on the beat] was alright, you know, they seemed like friendly enough and just doing their job. So yeah, it was alright'. These kinds of reflections were also made in the instances where an individual was stopped and searched multiple times.

However, a few members of the public felt that the stop and search was rather unpleasant and did not make them feel comfortable, especially as it usually takes place in public, such as on a street. When asked: 'What were your general feelings about the stop and search experience you had?' one person stated: 'At first, like it's embarrassing like, you know, cos of people going past and they can see. But it felt alright', the other one argued:

'It was alright I suppose. A bit embarrassing, like, but other than that, I've not got a problem with it (...) [I was] embarrassed. That's about it (...) Just cos it was happening in front of everybody for to see'.

As was mentioned in Section 4.8.6, police officers are aware that steps need to be taken to minimise embarrassment to people being stopped and searched in public places.

#### 4.10.5 Collecting the phone numbers

One of the elements of the pilot was to ask for the phone number of anyone stopped and searched for the purposes of the dip sampling phone calls. Our interviews with people who were stopped and searched revealed a range of reasons as to why one would not like to give their phone number to the police. One issue which was mentioned was that an individual might not be supportive of the work of the police in general or may want to carry out criminal activities. Another issue was that people may be in trouble with the police already and so do not want to be entering the police systems on another occasion. There were also concerns expressed about privacy. One person who was stopped and searched argued:

Some people are just like – if they've got something to hide, they just don't want to give their number, I guess. But I didn't mind, like I say. As I say it's happened a few times, you know, me being stopped and every time it's been alright.

Other person stated:

Well, people who are still doing criminal acts won't want the police having their number. (...) Because then, the police can phone them and possibly, you know, they'll answer, not knowing it's the police and they'll maybe get trapped. So people who are doing criminal things will not be wanting to give their number.

Finally, another person who was stopped and searched pointed out:

There's plenty people that wouldn't give their phone numbers to the police because it's just not something that people like to be seen to be doing. Like nothing bad against the police or nothing but quite a lot of people just like to keep stuff private. But I've no reason not to give the police my number, I wasn't hiding anything that day, neither was my friend. We both gave statements willingly.

These statements suggest that distrust in the police already exists among some individuals and for them giving personal information to the police is not something they are willing to do. This is unfortunate as it means that the individuals who might be of most benefit for the police to learn from in terms of gaining trust and confidence are unwilling to engage with the current pilot methods.

#### 4.10.6 Opinions on the advice slip from people who were stopped and searched

The persons we interviewed who were stopped and searched did not have any particular feelings about the advice slips and were inclined to dispose of them without reading them. When asked: 'What do you make of this leaflet?' one person responded: 'yeah, it was alright, you know. It was like – like I said, they were just doing their job and I didn't mind being stopped and searched'. Another one simply said that he did not read the leaflet or use it in any way.

In this context it is important to note that one individual admitted to being dyslexic and unable to read the leaflet. He also suggested that he would have appreciated being read the leaflet by the police officers. That being said, the member of the public did not inform the police officers about his dyslexia, however neither was he asked if he might have problems with reading.

#### 4.10.7 Opinion of the people who were stopped and searched about the police

Our interviews with the members of the public who were stopped and searched found that they agreed that the overall purpose of stop and search is to recover illegal items and to detect crime. They pointed out that through stop and search the police are able to remove knives, drugs or any kind of illegal items from people. They suggested that the police usually do this in a thoughtful way and that stop and search is the right way to achieve this goal.

However, some members of the public suggested that stop and search powers may be misused by the police. They stressed that although the police may recover illegal items from a person, they may do it in

a random manner and argued that stop and search may not always be the right way to achieve this objective, especially if used 'randomly'. One person stated:

[Interviewee] I mean, they [the police] must be just trying to see what the everyday man's got walking about with in their pockets or stuff like that or maybe they'll catch somebody that's got a warrant, you know, unpaid fines, things like that (...) Cos sometimes they probably do get lucky and stop somebody and they've got like some drugs in their pocket or something'

[Interviewer]: Is in your view stop and search an appropriate tactic to achieve these goals?

[Interviewee]: Not really, no (...) It was just pot luck and they probably come up empty handed more often than not.

This highlights the importance in the minds of the public that there has to be a sound reason for a stop and search in order for the actions of the police to be deemed legitimate. This suggests that consensual stop and search is difficult to justify (as it is not based on reasonable suspicion) and therefore its use risks damaging public confidence. In relation to the pilot, we have suggested above (Section 4.6.2) that the advice slips should provide more information on consensual searches (for example, that they are based on available intelligence about the location). However, the officer conducting the search also needs to ensure a reason is given for consensual searches in order to avoid the impression that it is 'random'.

In general, we found in our interviews with adult members of the public that they significantly diverged in the way they view the work of the police. Some of them argued that the police are doing a good job in their area or in Scotland as a whole and stressed that it relates to police visibility or prior experience with the police. Others did not have any opinion about police's work or could not articulate if they consider the work of the police to be good or bad. However, individuals who felt that the police carry out random searches (which suggest a lack of reasonable suspicion) were more inclined to be critical towards the police. These views were sought to assess the extent to which public confidence in the police has been addressed by the pilot (one of the pilot's main aims) as these individuals were stopped and searched during the live phase of the pilot.

## 5 CONCLUSION AND RECOMMENDATIONS

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Overall, we have found that the officers and staff involved in the management and implementation of the Fife Pilot have invested a considerable degree of time, effort and resources into it. An extensive range of processes and practices have been introduced through the pilot in an effort to make Police Scotland more accountable and to command greater confidence from the public in relation to stop and search. The Fife Division of Police Scotland is to be commended for these efforts. It should also be acknowledged that the pilot was introduced at a challenging time for policing in Scotland and in a context of re-structuring and change.

Our findings suggest that some elements of the Fife Pilot can be regarded as good practice. These include systematic recording of all stop searches, the compliance recording checks, the engagement with external stakeholders (in its various manifestations), the advice slips, the aide memoires and enhanced staff training. The proposed changes were predominantly implemented as planned and there appeared to be some positive outcomes. However, it is suggested that it may have been unrealistic to expect the changes implemented during the course of the pilot to achieve its rather ambitious objectives (e.g. increasing public confidence), certainly on their own and within a short period of time.

Many police officers on the beat continue to use their experiential knowledge of people and places to decide whom to search, as well as consulting with the police records system and considering intelligence from the briefing system. These are methods which existed prior to the pilot. Police officers engaged in stop and search did not have direct knowledge of the data analysis products (as these are complex and therefore reserved for more senior officers with the required training needed to understand them) and therefore perceived little change in their daily practice.

Many police officers and staff struggled to identify a clear outcome of the pilot, with several officers confusing the *process* of the pilot with its intended *outcomes*. This may be because those desired outcomes were not achievable as written. The three key outcomes of the pilot, as written in the initial Research Brief (Appendix 1) were to be:

1. Improved deployment of police resources with respect to stop and search in terms of addressing issues of concern to local communities;
2. Improved recording processes that will ensure that stop and search is being targeted, is intelligence-led, is executed with integrity, fairness and respect;
3. Improved confidence in the community that stop and search is an effective tool used by the police in an ethical and proportionate manner.

Objectives should ideally be 'SMART': Specific, Measurable, Achievable, Relevant and Time-Bound. Whilst the above intended outcomes of the Pilot are important goals to keep in mind, they have not been written as specific objectives that are achievable and could be measured in a certain timeframe. This makes it difficult to evaluate the extent to which they have been achieved. With this in mind, we have compiled the following list of recommendations:

## 5.1 RECOMMENDATIONS

1. The pilot is based on the premise that effective use of stop and search depends on targeting the 'right people, at the right time and in the right place.' However, it should be acknowledged that this creates a problem in that if the police continue to have a presence in the high-crime areas to which the analytical products used in the pilot direct them for the purpose of stop and search, then these areas are likely to remain as 'hot spots' for crime or anti-social behaviour. More stop and search, even with the good practice identified in the pilot, is not going to change this situation on its own. Other methods, based on problem-solving and partnership approaches, would be more effective in these areas and would better help the police to achieve the pilot's aims of public confidence and accountability. The focus of this research was on the stop and search pilot, however, it should be acknowledged that the police do not use it in isolation, but in conjunction with other, often multi-agency interventions.
2. The effectiveness of stop and search overall was not within our remit and requires further and more detailed research. When implementing the pilot on a national scale, we would encourage Police Scotland to reflect on the intended objectives of stop and search and consult evidence regarding its effectiveness and any unintended outcomes, such as those we have identified in the pilot. Stop and search is an invasive power (members of the public stopped during the pilot mentioned being embarrassed when searched) which the police can use to recover illegal items and the current academic evidence base does not support the idea that it is suited to crime prevention in general (one of the perceived benefits of stop and search which our police respondents identified in the evaluation). We would recommend that stop and search, including the pilot approach, should be used as a last resort in any encounter with a member of the public, but especially with young people. Young people need to be engaged in non-coercive ways whenever possible, as do other vulnerable groups, even considering the good practice identified in the pilot.
3. As is already documented elsewhere (see HMICS 2015), the stop and search database is problematic. While systematic and detailed recording of all stop searches as was done in the pilot is welcomed, officers need a much better understanding of how to input the data correctly to reduce errors and improve its use.
4. A further enhancement to the stop and search database would be to track whether the same individuals are being stopped and searched on multiple occasions. If this were to happen, these individuals should be flagged by the system in some way for alternative interventions.

5. Police Scotland should consider recording refusals of consensual stop and search in the main database to give a more complete and transparent picture of the practice.
6. Related to number 2 above is the need for officers to be much clearer on what constitutes a stop and search. We found confusion on this point more than once, for example, if a search after an arrest is a 'stop and search' and the difference between a search and an intervention. Confusion remains about police powers in relation to alcohol.
7. We would suggest producing one monthly data report which embeds the stop and search analysis within the other relevant contextual data (such as seasonal trends, major events, how 'proportionality' is determined, etc.) including the current six-week and one-year historical views of crime trends. This report would be even more robust if it also included a five-year historical view to mitigate against year-on-year fluctuations. This would improve the strength of the report as a standalone product as it would make the necessary context in which to understand the data fully apparent and would position stop and search within the broader range of police activity (as it is one option among many). This could help reduce the unintended emphasis that our interviewees perceived among their managers to highlight stop and search as a priority method and thus drive up its volume.
8. Related to Recommendation 7 is the work needed at a local level by the staff analysts to prepare the stop and search data for processing with the various analytical products available. There can be local circumstances or stand-alone events which may render the raw data inaccurate. Police Scotland should keep in mind the local work needed to produce the stop and search reports when rolling the pilot method out nationally, to ensure that there is sufficient staffing to do this.
9. Some members of the public who had been stopped and searched during the live phase of the pilot complained about 'random' searches, in that there was no stated reason for the search. This suggests that even with the pilot's methods of making the option to refuse a consensual search explicit and the advice slips, a misunderstanding remains about the purpose of consensual searches. In light of this, we would suggest Police Scotland move to a position of using legislative searches only. Only these can truly be 'targeted' at 'the right people, right place and right time' thereby enhancing accountability and public confidence, two key aims of the pilot.
10. Police officers in our study expressed a clear impression that there are targets for stop and search, especially once the pilot launched, and as such they should do as many as possible. Therefore, we welcome the recent announcement from Police Scotland that they will be ending the target of 20% positive stop searches and the stop and search Key Performance Indicator (Police Scotland 2015). This unintended outcome of the pilot (raising the rate of stop and search) should be kept under consideration when rolling out the pilot nationally.
11. Training for officers on stop and search should initially be delivered in a face-to-face way, in sessions that are interactive (not online and not in the context of a briefing) and that illicit their feedback on the procedures. This training should take into account current research on the

effects of stop and search in various populations. Anonymous systems of feedback should be considered if officers feel hesitant to provide feedback face-to-face. It may be helpful to use an external organisation to provide this training if officers would be more willing to speak openly in that context.

12. While the Fife Division was involved in an extensive amount of consultation with external groups and organisations (which is to be commended) we have concerns that the messages given to external stakeholders about the *progress* of the pilot were inappropriately positive. This was not necessarily deliberate – as we reveal about the dip sampling, the ‘complaints’ feature on the advice slip and the letters to parents, these did not illicit reliable or extensive feedback to the police about views of the public on the pilot methods, which they could then pass on to stakeholders and officers when updating them. We would suggest that Police Scotland reduce the level of self-promotion in these meetings when possible.
13. Police Scotland should consider employing an external agency to assess the level of public satisfaction and confidence in the police in relation to stop and search (such as through the dip sampling phone calls). The fact that there were no complaints towards the police during the pilot does not mean that everyone is satisfied with stop and search. It is difficult for some people to tell the police directly what they think of them, even anonymously, especially if the police hold their personal details (name, address and phone number) or are standing in front of them in uniform. External assessors would remove the level of threat that can come with communicating with the police directly.
14. Should Police Scotland decide to continue with its own dip sampling method, there are issues with this which need to be addressed. These include the accuracy of the database, obtaining a representative sample of respondents, time of day in which to ring, the ability of any police officer to get a reasonable assessment of someone’s views of their experiences with the police, the closed nature of many of the questions, the use of the comment box and to what use the findings are put (how widely to disseminate them and how often). Social science researchers with expertise in questionnaire methods would be best placed to advise on these and provide the necessary training to officers conducting the calls.
15. In relation to obtaining phone numbers from members of the public, there are some concerns here in terms of data protection and privacy. When members of the public are asked for their phone numbers for the dip sampling process, this needs to be stated by the police officer in question as the sole purpose for having that number. Police Scotland should also make a commitment to destroy these numbers once the dip sampling is completed for that month.
16. The advice slips given to members of the public when they are stopped and searched are good practice. However, these need to be given out as a matter of course in every stop and search, and a system should be devised to check that this is happening. These documents also need to be amended (or an alternative version produced) to use language more suited to young people, to provide more information on consensual searches and officers should routinely ask if the person might have any difficulty in reading the advice slip (for example, because of vision

problems or dyslexia). The Police Scotland Children and Young Persons Reference Group also suggested pictures and font that is easier to read for people with dyslexia. Officers should always carry copies of the advice slips with them, as well as copies of those in alternative formats (such as the Polish language version).

17. The aide memoires are also good practice, especially the mandatory statement on the card explaining the right to refuse a consensual search which officers are to read aloud. However, they also need more information on consensual searches such as when it would be inappropriate to do them, for example, on people who are intoxicated or vulnerable in some way and thus unable to give informed consent (in addition to not conducting consensual searches of children under the age of 12).
18. The letter to parents is a difficult area. There are good suggestions which would make them more useful for parents. These include more detail on the circumstances of the stop and search, details of what brought the police officer to conduct a search, what possible outcomes or repercussions there might be for the child from the search and the use of less formal language. However, there is also a concern that the letters could have negative consequences for children in some households where contact with the police is seen as problematic. Careful consideration should be given to this and whether the letters in some cases might do more harm than good.
19. Once a final format for a revised approach to stop and search is developed in Scotland, this should be communicated effectively with the public to help improve confidence in the new method, along with the regular production of publicly accessible reports on progress in changing stop and search and data analysis of the rates of stop and search for local areas.

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# APPENDIX 1: RESEARCH BRIEF FOR FIFE PILOT EVALUATION

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## Evaluation of Stop and Search Pilot – Fife Division

### Aims

This project will evaluate the implementation and impact of a revised approach to the use of stop and search being piloted in Fife Division of Police Scotland. The pilot aims to ensure that the use of stop and search is transparent, meets the expectations of the public when subject to scrutiny, captures best practice, is properly targeted using improved data, and enhances public confidence in the use of this tactic.

### Background

Stop and search is the tactic used by police officers when they exercise their powers to search an individual for weapons, drugs, stolen goods or in relation to suspected terrorism offences. It is used either for consensual searches or when officers have reasonable suspicion that an individual is engaged in specific kinds of criminality.

Since the establishment of Police Scotland, the use of stop and search has come under increasing political and media scrutiny, most recently as a result of the review carried out by the Scottish Police Authority. Against this background, Police Scotland are undertaking a pilot project in order to improve deployment, recording practices and community confidence in the use of stop and search.

### The Stop and Search Pilot

Fife Division is implementing a revised approach to stop and search beginning 1st July 2014 and running until February 2015. The pilot has been developed by a multi-disciplinary lay advisory group chaired by the divisional commander, Chief Superintendent McEwan, and which includes police and community representatives. The pilot has three main aims:

1. **Improving the data on which stop and search is based:** the effective use of stop and search depends on targeting the right people, at the right time and in the right place. The pilot will seek to enhance the data on which such targeting is based. Some of the products that will be used include Ward Tracker, Datazone Tracker, Recency Frequency Gravity (RFG) and Geographical and Temporal Alignment Tool (GTAT). There will also be a retrospective review of the data against performance data, improved use of IT, and greater use of intelligence.

2. **Improving accountability:** in order to improve accountability several new processes will be introduced:
  - a. **Compliance recording checks:** the Information Management Division will generate a random sample of stop and searches each month which will be sent to supervisors for completion by the officers who have undertaken the searches;
  - b. **Monitoring of crime trends:** in order to direct resources according to those trends.
  - c. **Dip Sampling of Public satisfaction:** on a monthly basis a sample of the public who have been stopped will be contacted and asked about their perception of being stopped and searched;
  - d. **Monitor and learn from complaints about the police:** any complaints received relating to the use of stop and search will be analysed and the learning from this used to improve procedures;
  - e. **Independent reporting to scrutiny boards:** the Divisional Commander will report quarterly to the local scrutiny board about the division's use of stop and search.
  
3. **Improving confidence:** the pilot will build on established local partnerships and develop new relationships in order to improve confidence in the use of stop and search. This will involve:
  - a. **Issuing letters to parents/guardians of children stopped and searched:** a new process will be implemented whereby a letter is automatically generated and sent within 48 hours to the parent/guardian for those under 16 (and those under 18 who are subject to a supervision order) who have been stopped and searched;
  - b. **Providing advice slips all persons stopped and searched:** this will detail an individual's rights and provide a single point of contact should they want further information;
  - c. **Quality assurance by the local lay advisory group:** throughout the pilot the local lay advisory group will oversee the implementation and progress of the pilot;
  - d. **Use of local community engagement groups:** the bi-monthly meetings of the established community engagement groups will be used to keep the community informed about the pilot;
  - e. **Work with local schools, colleges and universities:** a planned programme of visits by community police officers with the support of the Education Service will be undertaken to local educational establishments to provide an opportunity to assess the perceptions of young people in relation to the use of stop and search;
  - f. **Training of staff:** the pilot will retrain staff in the use of stop and search and will involve briefing of all constables, sergeants and inspectors.
  - g. **Media and social media exposure:** communities will be informed of the pilot via the use of a range of traditional and social media.

It is hoped that the actions taken under these three aims will yield three key outcomes:

4. Improved deployment of police resources with respect to stop and search in terms of addressing issues of concern to local communities;
5. Improved recording processes that will ensure that stop and search is being targeted, is intelligence-led, is executed with integrity, fairness and respect;
6. Improved confidence in the community that stop and search is an effective tool used by the police in an ethical and proportionate manner.

## **The evaluation**

Proposals are sought for an evaluation of the Fife Stop and Search Pilot. This should focus on 3 key elements:

- How the intended changes have been implemented;
- The nature and extent of any process improvements resulting from the pilot;
- The nature and extent to which the pilot has achieved its desired outcomes in terms of improved deployment of resources, improved recording processes, and improved confidence within the community.

In addition to any data gathered by the research team during the project, researchers will also have access to a range of key performance indicators collected by Fife Division during the pilot. These will include:

- Number of stop searches (consensual and legislative)
- Number of stop searches by age, gender and ethnicity
- Number of positive and negative stop searches;
- Number of records dip sampled;
- Compliance rate of dip sample;
- Information on the use of social media.

## ***Research access and support***

Research access will be facilitated by Police Scotland and some research support will be available from the local police analyst.

## ***Project Oversight***

To oversee the project and to give broad guidance to the team working on the project a Project Board will be established. The Board will contain members of the Scottish Institute for Policing Research, Police Scotland, and representatives of other organisations as might be thought necessary. The role of the Board will be to oversee progress of the project through the various stages, providing comment and challenge where appropriate.

## ***Timetable and proposal document***

Proposals must be submitted no later than **Friday 18th July at 12 noon**. The research should begin on the 1 August 2014 (or as soon as possible after that date) and should be completed by the end of March 2015.

Your proposal document must indicate:

- How you would evaluate the Stop and Search pilot;
- The proposed timetable including key milestones;
- The budget for the project, including information on the roles and responsibilities of the staff to be employed;
- A short CV for the Principal Investigator and, if applicable, Co-Investigator(s) and researcher(s).

Proposals will be evaluated on the quality and relevance of the proposed project, the expertise of the applicants, and value for money.

Proposals can come from either a single institution or a collaboration of institutions.

The maximum available budget for this research is £30K.

Please send an electronic copy of your tender to Professor Nick Fyfe ([n.r.fyfe@dundee.ac.uk](mailto:n.r.fyfe@dundee.ac.uk)) no later than **Friday July 18<sup>th</sup> at 12 noon**.

## APPENDIX 2: INTERVIEW SCHEDULES

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### INTERVIEW QUESTIONS (SENIOR POLICE OFFICERS AND MANAGEMENT OFFICERS IN HEADQUARTERS)

1. Can you describe the circumstances which led to the development of the revised approach to Stop and Search in Fife?
  - a. When did decisions about revising an approach to Stop and Search come about?
  - b. What were the key milestones in developing revised approach to Stop and Search?
  - c. Who were the key decision makers? (Was anyone particularly critical of Stop and Search in Scotland (local, national) who had a role in this? Anyone particularly supportive? How the dynamics between the key decision makers looked like?)
  
2. Can you talk me through the current approach to stop and search in Fife? Which elements are new to the pilot and which were in existence already?
  - a. In your opinion, what are the key (three) changes which have been made with regard to stop and search?
  - b. Could you please tell me how did the Stop and Search practices was like prior to the current pilot project in Fife with regard to young people, age 12-18, alcohol possession?
  
3. Can you talk me through how the changes to Stop and Search within Fife have been implemented?
  - a. How did you communicate the changes to (your) staff?
  - b. How do you expect the changes to Stop and Search influence on the practices of police officers on the beat?
  - c. How did you gather feedback with regard to implementation of revised approach to Stop and Search? (What were the key issues raised? How was the feedback dealt with? Can you provide me examples of the feedback that you found the most/least valuable? Why?)
  - d. How do you think the implementation of the revised approach to Stop and Search influence the dynamics between police officers and/or police staff?
  
4. How did you manage communication of the changes to stakeholders outside of the police community? (How was the Community and Stakeholder engagement plan executed?)
  - a. Who did you invite to the table?
  - b. Did you invite young people to the table? (Were these ones who particularly critical towards Stop and Search invited or not? Why?)
  - c. What was the feedback of community stakeholders with regard to 'Stop and Search'? How did you manage it?
  - d. To your knowledge, what, if any, changes were involved in relation to practice within partner organisations?
  - e. How did you deal with any resistance which was encountered? Looking back was there an organisation that was not invited and you wish you had invited?

5. I have seen the documents which detail the pilot's aims and the mechanisms involved in these. Can you please describe (step by step) exactly **how** the revised approach to S&S and these mechanisms are expected to
  - a. Improve the data on which Stop and Search is based?
  - b. Improve accountability?
  - c. Improve public confidence in the police?
  
6. Form your perspective, what were the outcomes of the Stop and Search Pilot during the first 6 months of the project?
  - a. What improvement, if any, has there been in efficiency in resource allocation? (also with regard to resource management?)
  - b. What impact, if any, does the target of approx. 20% of positive searches have on the outcomes of the Stop and Search pilot?
  - c. What are, if any, the differences in how positive and negative stop searches contribute to improving accountability and public confidence?
  
7. Looking back to the three goals of improving data, accountability and confidence, to what extent do you think the pilot has achieved these?
  - a. If so, why?
  - b. To what extent were the goals that have been achieved in a manner which was anticipated or unanticipated when the pilot was first developed?
  - c. What, if any, were the unanticipated processes through which the aims of the pilot have been achieved?
  - d. Can you tell me about any unanticipated (positive or negative) outcomes of the pilot and what led to these?
  - e. In the ideal world, how if at all, would you change any elements of Stop and Search?
  - f. Finally, is there anything we have not covered that you would like to point to?

#### INTERVIEW SCRIPT THE MEMBERS OF POLICE STAFF (IN HEADQUARTERS)

1. Can you describe your role in the context of S&S in Fife Constabulary in Glenrothes?
  
2. Could you please describe how your work with regard to S&S looked like prior to the pilot?
  - a. Particularly, with regard to the use of intelligence and your role as analyst? What exactly has changed in relation to Stop and Search in Fife?
  - b. What were the relevant software packages you used and how did you use them? (Wards Tracker, Data Zone Tracker, GATT, Recency Frequency Gravity)
  - c. How would you rate the quality of the Stop and search intelligence prior and after the pilot? Are these tools attuned to capture planned events?
  
3. To your knowledge, what were the circumstances which led to the development of the revised approach to Stop and Search in Fife?
  - a. How were the changes to S&S communicated to you?

- b. Did they change dynamics between you and your colleagues working on Stop and Search? If yes, how?
  - c. Did you provide feedback to the changes?
  - d. Any resistance you have observed?
4. Can you name three main changes with regard to your role in the context of intelligence analysis?
- a. Can you talk me through any new software introduced?
  - b. How fast did you have to adapt to changes? (Were you trained? By whom? Did you encounter problems/issues with the use of new techniques? What were they)
  - c. How do you assess the quality of data you have received for the purpose of carrying out the analysis using Wards Tracker, Data Zone Tracker, GATT, since the beginning of the pilot? Has it changed? Why?
  - d. Can you indicate the strengths of intelligence data you have produced since the implementation of the pilot?
  - e. Have you had a feedback with regard to data produced? (also from PC's)? How did the feedback influence on the way you work through your data?
  - f. What improvements could be made with regard to the quality of data you produce?
5. How do you think your work contributes to the overall objectives of the revised approach to S&S in Fife? Can you explain it to me step by step?
- a. Data availability and confidence?
  - b. Can you explain to me step by step (how the revised approach to stop and search is expected to achieve these outcomes?)
  - c. Looking back to the goals of improving data, to which extend do you think the pilot has achieved these?
  - d. Finally, in the ideal world, how if at all, would you change any elements of Stop and Search?
  - e. Finally, is there anything we have not covered that you would like to ask?

#### **INTERVIEW SCRIPTS (SENIOR POLICE INSPECTOR AND MANAGEMENT OFFICERS IN LOCAL AREAS)**

1. To your knowledge, what were the circumstances which led to the development of the revised approach to Stop and Search in Fife?
  - a. When did decisions about revising an approach to Stop and Search come about?
  - b. What were the key milestones in developing revised approach to Stop and Search?
  - c. Who were the key decision makers? (Was anyone particularly critical of Stop and Search in Scotland (local, national) who had a role in this? Anyone particularly supportive? How the dynamics between the key decision makers looked like?)
  - d. Is there anything else you would like to add about how the Stop and Search was prior to the pilot?
  
2. Can you talk me through the current approach to stop and search in Fife? Which elements are new to the pilot and which were in existence already?
  - a. In your opinion, what are the key (three) changes which have been made with regard to stop and search?

- b. Could you please tell me how did the Stop and Search practices was like prior to the current pilot project in Fife with regard to young people, age 12-18, alcohol possession?
3. Can you talk me through how the changes to Stop and Search have been implemented?
  - a. How did you communicate the changes to (your) staff?
  - b. How would you expect the changes to Stop and Search influence on the practices of police officers on the beat?
  - c. Do you think the implementation of the revised approach to S&S has changed the dynamics between police officers and/or police staff? If yes, how?
  - d. How have you gathered feedback with regard to implementation of revised approach to Stop and Search? (What were the key issues raised? How was the feedback dealt with? Can you provide me examples of the feedback that you found the most/least valuable? Why?)
4. How did you manage communication of the changes to stakeholders outside of the police community? (How was the Community and Stakeholder engagement plan executed?)
  - f. Did you invite young people to the table? (Were these ones who particularly critical towards Stop and Search invited or not? Why?)
  - g. What was the feedback of community stakeholders with regard to Stop and Search? (What were the key issues raised? How was the feedback dealt with? Can you provide me examples of the feedback that you found the most/least valuable? Why?), How did you manage it?
  - h. To your knowledge, what, if any, changes were involved in relation to practice within partner organisations?
  - i. How did you deal with any resistance which was encountered? Looking back was there an organisation that was not invited and you wish you had invited?
5. I have seen the documents which detail the pilot's aims and the mechanisms involved in these. Can you please describe (step by step) exactly **how** the revised approach to Stop and Search and these mechanisms are expected to
  - a. Improve the data on which Stop and Search is based?
  - b. Improve accountability?
  - c. Improve public confidence in the police?
6. Form your perspective, what were the outcomes of the Stop and Search Pilot over the last 6 months?
  - a. What improvement, if any, has there been in making Stop and Search more targeted?
  - b. What impact, if any, does the target of approx. 20% of positive searches have on police practice in relation to Stop and Search (therefore the outcomes of Stop and Search)?
7. Looking back to the three goals of improving data, accountability and confidence, to what extent do you think the pilot has achieved these?
  - a. If so, why?

- b. How have positive and negative stop and searches contributed to the broader objectives of the revised approach mentioned above?
  - c. To what extent were the goals that have been achieved in a manner which was anticipated or unanticipated when the pilot was first developed?
  - d. Can you tell me about any unanticipated outcomes of the pilot and how these came about?
  - e. Are there any changes you would make in how Stop and Search operates?
  - f. Finally, is there anything we have not covered that you would like to point to?
  - g. How would you describe circumstances that led to the emergence of revised approach to Stop and Search?
  - h. When decisions about revising an approach to Stop and Search came about? Who criticised former approach to Stop and Search the most (locally, nationally and so on?)
  - i. What were the key milestones in developing revised approach to Stop and Search in your office in your area?
  - j. How were Stop and Search instances dealt with in your area before the emergence of revised approach to Stop and Search?
  - k. Can in your opinion top (three) changes with regard to stop and search in your area? How did revised approach to stop and search refer to young people?
8. How did you implement the changes to Stop and Search within and beyond your organisation?
- a. How did you communicate the changes to your staff?
  - b. How did you manage communication of the changes to stakeholders outside police community? (How was Community and Stakeholder engagement plan executed?) Who did you invite to the table? What are the organisations you did not invite to the table? How did you communicate the changes to S&S to them? Did you invite young people to the table? (return to the answer to the question 1b: Were the ones who particularly critical towards Stop and Search invited or not? Why?)
  - c. Did they change existing dynamics between police officers and police staff members if yes, how?
  - d. Did you observe more or less evident resistance to the change? If yes, how did it look like?
9. Was there an infrastructure which allows with regard to the implementation of the Stop and Search ('internal' and 'external' feedback)? Can you describe it? (What was the feedback of community stakeholders with regard to statutory and non-statutory searches particularly strong? If yes, why?)
- a. How is the feedback dealt with?
  - b. Can you provide me examples of the feedback that you found 'valuable' or 'not valuable'?
  - c. What were the challenges of implementation of revised approach to Stop and Search in your area? Did you expect them coming up? How did you deal with them? (with regard to police structures and practices?)
  - d. What challenges are you expecting to come up in the future and how are you going to address them?

## INTERVIEW SCHEDULE (POLICE OFFICERS ON THE BEAT)

1. To your knowledge, what were the circumstances which led to the development of the revised approach to Stop and Search in your area?
  - a. When did decisions about revising an approach to Stop and Search come about?
  - b. Who were the key decision makers?
  - c. (What were the key milestones in developing revised approach to Stop and Search?)
  - d. What are the key objectives of the revised approach Stop and Search?
  
2. Can you talk me through the current approach to Stop and search in your area? Which elements are new to the pilot and which were in existence already?
  - a. In your opinion, what are the key (three) changes which have been made with regard to Stop and Search in your area?
  - b. Did the changes influence the way you work with your colleagues or with police staff? If yes, how?
  - c. Could you please tell me what Stop and Search was like prior to the pilot project with regard to young people, age 12-18, in your area?
  - d. How about in relation to young people and alcohol possession?
  - e. How do you currently deal with young people who are found in possession of alcohol?
  - f. Are there any groups which may have additional needs during a stop and search and if so how are they dealt with? (such as a pregnant woman, non-English speaker, an elderly person, a person representing a particular religious background. Has there been a change to how these groups are stopped and searched because of the pilot?
  - g. Is there anything else you would like to add about how the Stop and Search was prior to the pilot in your area?
  
3. How were the changes with regard to Stop and Search pilot communicated to you?
  - a. Did you attend any training sessions? (What was the format of the sessions?) What do you make of these sessions?
  - b. Have you observed any change with regard to how you are briefed and debriefed about stop and search? What do you make of it?
  - c. How would you assess an overall quality of the guidance you were given?
  - d. Did you provide any feedback with regard to proposed changes to Stop and search in Fife? Would you be willing to provide a feedback? What would you say?
  
4. Let's talk about a little bit more about decision making on the ground now. How do you know who/whom to stop and search?
  - a. What are the factors that influence you on who you stop and search? What are the premises upon which you target a particular individual?
  - b. Do the mechanisms introduced by the Pilot aid in any ways your decision making process? (Do the mechanisms introduced by the pilot we spoke about before allow you to better target people in the areas you are patrolling? If yes, how?)
  - c. *(if time allows) How well do you feel you know the area you are patrolling? How well do you know local communities? (Do briefing sessions which take place before the shift tell you something more about areas you have been patrolling?)*

- d. (if applicable) On (*a specific occasion that I witnessed*), why did you stop and search this particular person? Did the person have any special needs? (How would you know if a person has special needs as he/she represents a particular religious orthodox background and so on?)
  - e. Do you feel any pressure with regard to delivering certain outcomes of Stop and Search such as high amount of 'positive' searches or to take off a person a particular, high value items, such as drugs or weapons? (Where does the pressure come from? Does it have to do with the language your supervisors use? Does it have anything to do with promotion prospects? Has it been/existed before the pilot? Have you spoken with your colleagues about it? Do you know if any of your colleagues feel the same way? What would have to change for you not to feel this pressure?)
5. I have seen the documents which detail the pilot's aims and the mechanisms involved in these (give a leaflet). As best you can, please describe (step by step) exactly **how** the revised approach to Stop and Search and these mechanisms are expected to
    - a. Improve the data on which Stop and Search is based?
    - b. Improve accountability?
    - c. Improve public confidence in the police?
  6. From your perspective, what were the outcomes of the Stop and Search Pilot over the last 6 months in your area?
    - a. What improvement, if any, has there been in making S&S more targeted?
    - b. To what extent were the outcomes anticipated or unanticipated?
    - c. Can you tell me more about the outcomes of the pilot that surprised you and how these came about?
  7. Looking back to the three goals of improving data, accountability and confidence, to what extent do you think the pilot has achieved these in your area?
    - a. If so, why?
    - b. Does the ratio of positive to negative stop searches have any impact on the success of the pilot in your view? What is that impact?
    - c. Are there any changes you would make in how Stop and Search is run? What are they? What challenges are you expecting to come up in the future and how are you going to address them?
    - d. Finally, is there anything we have not covered that you would like to point to?

#### INTERVIEW SCHEDULE (MEMBERS OF POLICE STAFF IN FORTH VALLEY)

1. Can you describe your role in Fife Constabulary in Forth Valley? (Could you please describe what your responsibilities with regard to intelligence analysis are?)
2. Can you tell me about if and how you analyse the data of the S&S instances that take place in your area?
  - a. Do you have any master database of the Stop and Search S&S that you use? Where do you get it from? Do you have an idea of how it is generated? (How often do you receive

- updates to this database? How would you assess the overall quality of this database? *If applicable, what are the issues with this database?*)
- b. What are the reports that you produce based on this database? Are there any reports specifically dedicated to the Stop and Search? If yes, who are they directed to? How often do you produce them? Is there anyone else involved in this process of writing the report and data analysis or you do it on your own? What are you hoping to achieve through reporting this intelligence?
  - c. Can you describe how do you work through this database, especially what are software packages you use to make sense of this data? (What do they help you to do and how they help you to do it?) What are the shortcomings of the software packages you use and how it influences on the quality of intelligence you produce? Are these tools attuned to capture planned events? Are there any other packages you would like to use instead, if yes, what are they? Why would you like to use them?
  - d. Do the Stop and Search reports include any recommendations with regard to the S&S? How do they derive these recommendations?
  - e. Can you tell me how the outputs of the analysis (e.g. a report) are disseminated? (Do you run, present the findings of the reports at any meetings? Also, how often do these meetings take place? How do the interactions during these meetings look like?)
  - f. Have you ever had a feedback with regard to the Stop and Search report you produce? When was the last time you were asked to explain the findings of the report? (To your memory, what were asked to explain?)

#### INTERVIEW SCHEDULE (LOCAL STAKEHOLDERS)

1. To your knowledge, what were the circumstances which led to the development of the revised approach to Stop and Search in Fife?
  - a. To your knowledge, who were the key decision makers?
  - b. What do you think the key objectives of the revised approach Stop and Search in Fife are? (What were the key milestones in developing revised approach to Stop and Search? What do you make of it?)
2. Could you please tell me what Stop and Search practices were like prior to the pilot project?
  - a. How did Stop and Search practices operate with regard to young people age 12-16 and other vulnerable groups?
  - b. Is there anything else you would like to add about how the Stop and Search was prior to the pilot in your area?
3. What changes have been introduced with regard to Stop and Search in Fife since the beginning of the pilot? (Which elements are new to the pilot and which were in existence already? Can you name three main changes?)
  - a. Are you aware of any changes introduced by the pilot as to how vulnerable groups are stopped and searched? (pregnant woman, non-English speaker, an elderly person, a person representing a particular religious background? How were they dealt with before the pilot?)

- b. Can you tell me about how police officers currently deal with young people found drinking alcohol or in a possession of alcohol in a public place?
  - c. What outcomes did you hope this pilot project would bring about?
- 4. Now, can you describe in detail your role in developing the revised approach to Stop and Search in Fife?
  - a. How did you get involved in consultation about the Stop and Search pilot in Fife?
  - b. How were the (proposed) changes with regard to Stop and Search communicated to you? (Can you specifically point to the occasions on which you provided feedback about the pilot?)
  - c. On these specific occasions, what information were you given with regard to the pilot?
  - d. How would you assess the quality of information you were given?
- 5. Can you recall what feedback, if any, you provided about the revised approach to Stop and Search on (*a specific occasion*)?
  - a. On this particular occasion, who were the most active and the most passive local partners? (Was anyone particularly critical toward the pilot? Anyone particularly supportive towards the pilot?)
  - b. What did interaction between the individuals present at the meeting/on this occasion look like?)
  - c. How did you gather information to provide feedback to police officers? (Where you provided by police officers any guidelines with regard to a format/quality of evidence they are interested in/looking for?)
  - d. What did you hope your feedback contribute to and in what ways/how?
  - e. To your knowledge how was the feedback/evidence you provided handled by the police officers? (Was your feedback taken on board? Do you have knowledge about, what feedback was considered by police officers particularly valuable and least valuable and why? Did the police officers explain to you what the premises upon which they assess the robustness of information/ feedback you provided were?)
- 6. I have seen the documents which detail the pilot's aims and the mechanisms involved in these. As best you can, please describe (step by step) exactly **how** the revised approach to Stop and Search and these mechanisms are expected to
  - a. Improve the data on which Stop and Search is based?
  - b. Improve accountability?
  - c. Improve public confidence in the police?
- 7. From your perspective, what are the outcomes of the pilot after 6 months?
  - a. Can you talk me through any tangible improvements in making S&S more intelligence driven so that police officers target 'right people, in a right place, and in a right time' better? (How do you know this?/Can you recall a source of this information?)
  - b. What are your views in relation to the accountability of police service, and the police officers' practices of Stop and Search in particular and have these change because of the pilot? (To your knowledge, did the views of the members of your community change

- with regard the accountability of police service, and the police officers' practices of Stop and Search, because of the pilot? If yes, how?)
- c. Can you recall any outcomes of the pilot that surprised you and how they came about?
8. Could you please tell me about your feelings towards the police in Fife locally and in Scotland generally?
    - a. Do you feel the police are doing a good job in Fife? In Scotland as a whole? Why or why not?'
      - b. Do you feel the police treat people fairly? Why or why not?
      - c. Are people treated with respect? Why or why not?
  9. Finally, currently are there any changes you would make in how stop and searches are carried out in Fife? What would they be?
    - a. What challenges, if any, do you expect to come up with regard to Stop and Search? (How would you address them?)
    - b. What changes, if any, would you make in the way police officers carry out consultation processes with you?
    - c. Finally, is there anything we have not covered that you would like to point to?

#### INTERVIEW SCHEDULE (PARENTS)

1. Can you tell me how you learnt that your son/daughter was stopped and searched? (Were you informed about this by your son/daughter or by the police?)
  - a. *(in the case, when a child was escorted home after a stop and search incident)* Can you describe what your interaction with police was like? What information, if any, were you provided about the circumstances in which your son/daughter was stopped and searched? Was the information sufficient for you to understand why your child was stopped and searched? Was the reason for the search clearly explained? How do you feel about the reason the police gave for the stop and search? (e.g. based on facts and not police officer opinion)?
  - b. *(in the case, when a parent learnt from a child about the incident)* Can you recall what, if anything, your child told you about his/her stop and search experience? Did he/she tell you anything about why he or she was stopped and searched? How did the make you feel? What has your contact with the police been like since then?
  - c. Do you have knowledge about whether your child has been stopped more than once? If yes, what do you make of this fact? *(If applicable; To your knowledge, did her/his experience differ in any way from this one? In what ways? Did police officers bring your child back home? What did you make of it? Did your interaction with the police officers differ in any way from this one? In what ways?)*
2. Can you tell me if you received an information letter in relation to the stop and search your child was involved in?
  - a. What information were you given? What do you make of it?

- b. Do you feel the stop and search of your child was clearly explained? (If not, would you like to learn more about the circumstances in which your son/daughter was stopped and searched? What exactly would you have liked to have learned from this letter?)
  - c. What is your view about the format of the letter? How about its length and the language used to describe your child's stop and search experience (Do you think you fully understood the content of the letter? What do you make of the choice of wording/terms used in this letter?)
  - d. Do you feel a letter is an appropriate way to be informed by the police about the fact that your child was stopped and searched? Is there any other way that you would like to learn about it? (*if applicable*) Why would you like to learn about it in this particular way?
  - e. Did you contact the police about the content of the letter and the stop and search experience of your child? *If yes*, who did you speak with and how did your interaction with the police officer go? What information, if any, you were given about the stop and search situation your child was involved in? What do you make of this explanation? Is there anything else would you like to know about the stop and search situation? *Alternatively*, can you tell me why you decided not to contact the police?
3. In your view, what are police officers trying to achieve through Stop and Search? Do you think stop and search is an appropriate tactic to achieve these goals? If not, in what other ways these goals could be achieved?
- a. Do you feel the police are doing a good job in your area or not? In Scotland as a whole? Why or why not?
  - b. Did the fact that your son/daughter was stopped and searched change your view about the police service in any way positive or negative?/Did the stop and search experience of your child change your view about the police service in any way positive or negative? How important was the stop and search of your child in the way you see the work of police? Did the fact that you were provided with the letter reassure you about these feelings?)
  - c. Are there any elements of the Stop and Search practice of police officers that could be improved? How? Which are they? Why would you change these practices?

## APPENDIX 3: QUANTITATIVE DATA ANALYSIS TABLES

TABLE 1: COMPARISON OF STOP AND SEARCH DATA FOR FIFE AND FORTH VALLEY DIVISIONS OF POLICE  
SCOTLAND

### Fife

<u>July - Sept</u>	<u>2013</u>	<u>2014</u>
Total Stop Searches	2382	3380
Searches per 10K Population	64.9	92.12
Legislative Searches	685	1023
Consensual Searches	1697	2357
Positive Number	572	634
Positive Rate %	24	18.8

### Oct - Dec

	<u>2013</u>	<u>2014</u>
Total Stop Searches	2218	2196
Searches per 10K Population	60.45	59.85
Legislative Searches	688	689
Consensual Searches	1530	1507
Positive Number	604	522
Positive Rate %	27.2	23.8

### Jan - March to 23/03/15

	<u>2014</u>	<u>2015</u>
Total Stop Searches	2436	1199
Searches per 10K Population	66.4	32.7
Legislative Searches	606	536
Consensual Searches	1830	663
Positive Number	604	315
Positive Rate %	24.8	26.3

### Forth Valley

<u>July - Sept</u>	<u>2013</u>	<u>2014</u>
Total Stop Searches	2165	1739
Searches per 10K Population	72.2	58
Legislative Searches	689	726
Consensual Searches	1476	1013
Positive Number	525	417
Positive Rate %	24.2	23.9

### Oct - Dec

	<u>2013</u>	<u>2014</u>
Total Stop Searches	1544	1483
Searches per 10K Population	51.5	49.5
Legislative Searches	524	691
Consensual Searches	1020	792
Positive Number	398	373
Positive Rate %	25.8	25.2

### Jan - March to 23/03/15

	<u>2014</u>	<u>2015</u>
Total Stop Searches	2242	1098
Searches per 10K Population	74.8	36.6
Legislative Searches	762	582
Consensual Searches	1480	516
Positive Number	405	259
Positive Rate %	18.1	23.6

TABLE 2: STOP AND SEARCH IN FIFE DURING THE PILOT (JULY 2014 TO MARCH 2015) BY GENDER AND AGE

	FEMALE		MALE		Total Number of Searches	Total % of Searches
	Number of Searches	% of Searches	Number of Searches	% of Searches		
11 and Under		0.00%	2	0.03%	2	0.03%
12 to 15	198	2.92%	519	7.64%	717	10.56%
16 to 25	415	6.11%	2240	32.99%	2655	39.11%
26 to 35	341	5.02%	1430	21.06%	1771	26.09%
36 to 45	161	2.37%	917	13.51%	1078	15.88%
46 to 55	80	1.18%	343	5.05%	423	6.23%
56 and above	23	0.34%	109	1.61%	132	1.94%
(blank)	2	0.03%	9	0.13%	11	0.16%
<b>Grand Total</b>	<b>1220</b>	<b>17.97%</b>	<b>5569</b>	<b>82.03%</b>	<b>6789</b>	<b>100.00%</b>

TABLE 3: STOP AND SEARCH IN FIFE DURING THE PILOT (JULY 2014 TO MARCH 2015) BY ETHNICITY

Row Labels	Number of Searches	% of Searches
African	4	0.06%
Any Mixed Ethnic group	10	0.15%
Arab	4	0.06%
Bangladeshi	2	0.03%
Black Scottish or Other Black	7	0.10%
Caribbean	5	0.07%
Chinese	3	0.04%
Indian	8	0.12%
Other African	7	0.10%
Other Asian	16	0.24%
Other Ethnic Group	39	0.57%
Other White	99	1.46%
Pakistani	8	0.12%
Unknown	92	1.36%
White British	152	2.24%
White English	151	2.22%
White Gypsy/Traveller	20	0.29%
White Northern Ireland	16	0.24%
White Polish	87	1.28%
White Scottish	6051	89.13%
White Welsh	8	0.12%
<b>Grand Total</b>	<b>6789</b>	<b>100.00%</b>

TABLE 4: LEGISLATIVE AND VOLUNTARY SEARCHES BY AGE IN FIFE DURING THE PILOT (JULY 2014 TO MARCH 2015)

Age	LEGISLATIVE			VOLUNTARY			Total Searches	Total % of Searches
	Number of Searches	% of all Searches	% of legislative Searches	Number of Searches	% of all Searches	% of voluntary Searches		
<b>11 and Under</b>	0	0.00%	0.00%	2	0.03%	0.04%	2	0.03%
<b>12 to 15</b>	119	1.75%	5.27%	598	8.81%	13.20%	717	10.56%
<b>16 to 25</b>	746	10.99%	33.02%	1909	28.12%	42.14%	2655	39.11%
<b>26 to 35</b>	704	10.37%	31.16%	1067	15.72%	23.55%	1771	26.09%
<b>36 to 45</b>	467	6.88%	20.67%	611	9.00%	13.49%	1078	15.88%
<b>46 to 55</b>	167	2.46%	7.39%	256	3.77%	5.65%	423	6.23%
<b>56 and above</b>	51	0.75%	2.26%	81	1.19%	1.79%	132	1.94%
<b>(blank)</b>	5	0.07%	0.22%	6	0.09%	0.13%	11	0.16%
<b>Grand Total</b>	<b>2259</b>	<b>33.27%</b>	100.00%	<b>4530</b>	<b>66.73%</b>	<b>100.00%</b>	<b>6789</b>	<b>100.00%</b>

## APPENDIX 4: DIP SAMPLING PHONE CALL SCRIPT

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Good (Morning/Afternoon/Evening)

Could I please speak to (name)?

(If not available, try to ascertain suitable call back time. Do not give any details including where you are calling from unless you know you are speaking to the correct person.)

My name is (use full name), and I'm calling from Police Scotland to carry out a short survey about the quality of service you received from us when you were stopped and searched by our officers on (DATE).

We are keen to hear your views as we are always looking for opportunities to improve how we keep people safe.

Have you got a few minutes to answer some questions please?

1. When you were stopped, did the officer explain to you why he/she wanted to search you?

- Yes
- No
- Unsure

2. Were you searched using legislation or was it a consensual search (consensual search is when you have agreed to be searched)?

- Legislative Search
- Consensual Search
- Unsure

3. (If the subject selected consensual search in question 2 - please ask this question) Did the officer clearly ask if you consented to being searched before searching you?

- Yes
- No
- Unsure
- Searched under legislation

4. Did the officer treat you with respect?

- Yes
- No

5. Did you receive an information leaflet titled "Information for persons stopped and searched"?

- Yes
- No
- Unsure

6. Overall, how would you rate your overall satisfaction with this stop and search?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

7. Do you believe Police should use stop and search?

- Yes
- No
- Unsure

8. Do you have any other comment you wish to make?

- Yes
- No

If you selected YES, please provide comments below.

## APPENDIX 5: RESULTS OF THE DIP SAMPLING SURVEY

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The following appendix reports the results of the dip sampling survey for the Fife Pilot. It covers the months of July, August, September and October 2014. The results for each month are colour-coded as follows:

July (black) August (red) September (yellow) October (green)

1. When you were stopped, did the officer explain to you why he/she wanted to search you?
  - a. Y 81,7% (49) 95,71% (67) 98,33% (59) 93,75% (30)
  - b. N 3,3% (2) 1,43% (1) 0% (0) 3,13% (1)
  - c. Maybe 15% (9) 2,86% (2) 1,67% (1) 3,13% (1)
  - d. Answered question 60 (70) 60 32
  - e. Skipped question 0 (1) 0 0
2. Were you searched using legislation or was it a consensual search (consensual search is when you have agreed to be searched)?
  - a. Legislative search 13,6% (8) 30,99% (22) 36,67% (22) 9,38% (3)
  - b. Consensual search 71,2% (42) 64,79% (46) 60,00% (36) 78,13% (25)
  - c. Unsure 15,3% (9) 4,23% (3) 3,33% (2) 12,50% (4)
  - d. Answered question 59 71 60 32
  - e. Skipped question 1 0 0 0
3. (If the subject selected consensual search in question 2 - please ask this question) Did the officer clearly ask if you consented to being searched before searching you?
  - a. Yes 84,3% (43) 84,91% (45) 90,24% (37) 93,33% (28)
  - b. No 0% (0) 1,89% (1) 4,88% (2) 3,33% (1)
  - c. Unsure 15,7% (8) 9,43% (5) 2,88% (2) 0% (0)
  - d. Searched under legislation 0% (0) 3,77% (2) 0% (0) 3,33% (1)
  - e. Answered question 51 53 41 30
  - f. Skipped question 9 18 19 2
4. Did the officer treat you with respect?
  - a. Yes 96,3% (52) 98,53% (67) 100% (58) 90,63% (29)
  - b. No 3,7% (2) 1,47% (1) 0% (0) 9,38% (3)

- c. Answered question 54 68 58 32
  - d. Skipped question 6 3 2 0
5. Did you receive an information leaflet titled “Information for persons stopped and searched”?
- a. Yes 46,3 % (28) 39,44% (28) 37,29% (22) 31,25% (10)
  - b. No 25,% (15) 39,44% (28) 37,29% (22) 59,38% (19)
  - c. Unsure 25,9% (15) 21,13% (15) 25,42% (15) 9,38% (3)
  - d. Answered question (58) 71 59 32
  - e. Skipped question (2) 0 1 0
6. Overall, how would you rate your overall satisfaction with this stop and search?
- a. Very satisfied 21,43 (12) 15,71% (11) 18,64% (11) 31,25% (10)
  - b. Satisfied 66,71 (34) 70,00% (49) 72,88% (43) 53,13% (17)
  - c. Neither satisfied nor dissatisfied 12,59 (7) 10,00% (7) 5,09% (3) 12,50% (4)
  - d. Dissatisfied 3,57(2) 1,43% (1) 3,39% (2) 3,13% (1)
  - e. Very dissatisfied 1,79 (1) 2,86% (2) 0% (0) 0% (0)
  - f. Answered 56 70 59 32
  - g. Skipped 4 1 1 0
7. Do you believe Police should use stop and search?
- a. Yes 81,8% (45) 91,55% (65) 93,22% (55) 84,38% (27)
  - b. No 7,3% (4) 2,82% (2) 3,39% (2) 9,38% (3)
  - c. Unsure 10,9% (6) 5,63% (4) 3,39% (2) 6,25% (2)
  - d. Answered question 55 71 59 32
  - e. Skipped question 5 0 1 0
8. Do you have any other comment you wish to make?
- a. Yes 9,5% (5) 15,49% (11) 5,17% (3) 12,50% (4)
  - b. No 90,4% (47) 84,51% (60) 94,83% (55) 87,50% (28)
  - c. If you selected YES, please provide comments below (8) check
  - d. Answered question 52 71 58 32
  - e. Skipped question 9 1 2 0

## APPENDIX 6: TEMPLATES OF LETTERS TO PARENTS

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### EXAMPLE 1: CONSENSUAL STOP AND SEARCH

Dear Parent / Guardian,

#### **STOP & SEARCH OF *name* on *date***

Keeping People Safe is the number one priority for Police Scotland. We take these responsibilities very seriously and our aim is to achieve the highest level of trust and confidence in doing this.

One of our methods of Keeping People Safe is to fairly and without prejudice stop and search members of the public. We know that if we stop and search people in areas of increased crime or disorder we can and will prevent its escalation whilst protecting your children, vulnerable people and ultimately detect those intent of causing harm within our communities.

One of our commitments is to personally write to all parents or guardians of children under the age of 16 who are stopped and searched as we feel it is important that as a parent or guardian you should be made aware of this.

*We therefore write to notify you that *name* was stopped and consensually searched for drugs at *0000 hours* on *date*. We are pleased to report that *name* was *not found in possession of [item]*.*

This was a consensual search, which means we explained to *name* the reason we wanted to search *him* and that *he* could refuse. *He* was also provided with an information leaflet, a copy of which is enclosed. These types of searches are undertaken in circumstances that support the prevention or detection of crime, provides reassurance to the public and helps keep communities safe.

We can confirm that all incidents of stop and search are recorded in a Police notebook and on a national stop and search database. This ensures there can be a transparent audit of all police actions. The database is a closed system with restricted access and the information on it is retained for a period of two years. Stop and search will have no bearing on the people searched unless any criminality is identified.

We trust you will find this letter and the attached leaflet informative regarding the circumstances surrounding the search of *name* and that you support Police Scotland using this tactic in a proportionate, fair and transparent manner. If you would like any further information, please do not hesitate to contact us on 101 and ask to speak with the Stop and Search Officer or alternatively you can email [FifeStopSearch@Scotland.pnn.police.uk](mailto:FifeStopSearch@Scotland.pnn.police.uk).

Yours Sincerely

## EXAMPLE 2: LEGISLATIVE STOP AND SEARCH

Dear Parent / Guardian,

### **STOP & SEARCH OF name ON date**

Keeping People Safe is the number one priority for Police Scotland. We take these responsibilities very seriously and our aim is to achieve the highest level of trust and confidence in doing this.

One of our methods of Keeping People Safe is to fairly and without prejudice stop and search members of the public. We know that if we stop and search people in areas of increased crime or disorder we can and will prevent its escalation whilst protecting your children, vulnerable people and ultimately detect those intent of causing harm within our communities.

One of our commitments is to personally write to all parents or guardians of children under the age of 16 who are stopped and searched as we feel it is important that as a parent or guardian you should be made aware of this.

*We therefore write to notify you that name was stopped and legislatively searched for item at 0000hrs on date. We are pleased to confirm that name was not found in possession of [item].*

This was a legislative search, which means we explained to name the reason(s) we wanted to search him and detained him for the purpose of the search. He was also provided with an information leaflet, a copy of which is enclosed. These types of searches are undertaken in circumstances when an Officer has reasonable suspicion that a person is in possession of something illegal.

We can confirm that all incidents of stop and search are recorded in a Police notebook and on a national stop and search database. This ensures there can be a transparent audit of all police actions. The database is a closed system with restricted access and the information on it is retained for a period of two years. Stop and search will have no bearing on the people searched unless any criminality is identified.

We trust you will find this letter and the attached leaflet informative regarding the circumstances surrounding the search of name and that you support Police Scotland using this tactic in a proportionate, fair and transparent manner. If you would like any further information, please do not hesitate to contact us on 101 and ask to speak with the Stop and Search Officer or alternatively you can email [FifeStopSearch@Scotland.pnn.police.uk](mailto:FifeStopSearch@Scotland.pnn.police.uk)

## APPENDIX 7: ADVICE SLIP FOR THOSE STOPPED AND SEARCHED

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Give us your  
**FEEDBACK!**



Today \_\_\_\_\_ you have been searched by:

Rank, Number

Division

As a result of being stopped and searched, we would appreciate a few moments of your time to complete a quick survey.

The survey comprises of 8 questions and can be accessed by logging onto:

**[www.surveymonkey.com/s/stopsearchfife](http://www.surveymonkey.com/s/stopsearchfife)**

or by scanning the below QR code with compatible devices:



**Keeping People Safe**

## Information for Persons Stopped & Searched



Police Officers of Police Scotland are required to use powers of stop and search **fairly** and **without prejudice**. All actions taken by Police Officers must be **proportionate, justified** and **necessary**.

There are two types of 'Stop & Search' which are explained below:

**Legislative Search** – A number of laws give Police Officers the authority to stop and search people where **reasonable suspicion** is present. General factors such as age, gender, race, stereotyping, etc cannot be used as reasonable suspicion. If you are being searched under a legislative search, you will be detained and may be taken to a Police Station. A Police Officer may use reasonable force to detain and search you.

**Consensual Search** – This type of search will only be conducted if you have **agreed** to be searched and will only be used when there are no grounds for a legislative search.

### **What can you expect when being stopped and searched**

**Integrity** – Our Police Officers will explain why you are being stopped and searched and will provide you their details on request.

**Respect** – We will treat you with respect and complete the search in a dignified manner whilst being courteous and considerate.

**Fairness** – We will carry out all searches fairly and impartially whilst ensuring all searches are recorded in Police notebooks and on Police Scotland databases. We retain this information for a period of 2 years.

### **How to contact Police Scotland**

Should you require any further information please contact the Stop and Search Officer within the Fife Divisional Co-ordination Unit on **101** or by email on **FifeStopSearch@scotland.pnn.police.uk**

**Keeping People Safe**

## APPENDIX 8: AIDE MEMOIRE TO POLICE OFFICERS

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# Stop & Search Aide Memoire

Remember: **RIGHT PEOPLE, RIGHT PLACE, RIGHT TIME**

**CONSENSUAL SEARCH** – A consensual search is one that is conducted by a police officer in the execution of their duty with the consent of the individual being searched. The search will be undertaken in line with their general police duties for the purpose of keeping people safe. Children under 12 years of age will not be consensually searched.

**MUST** read the following statement verbatim prior to searching:

**“You can refuse to agree to this search as it is purely being done on a voluntary basis, do you understand that and are you still content for this voluntary search to go ahead?”**

Where a person declines to provide nominal details or refuses to consent to a consensual search then this should not automatically be perceived by officers as reasonable cause to move to legislative powers.

**LEGISLATIVE SEARCH** – Carried out using legislation to search a subject. Must have **reasonable suspicion** to conduct the search.

**REASONABLE SUSPICION** – Suspicion that is backed by a reason capable of articulation and is something more than a hunch or a whim. Cannot use personal factors such as age, gender, race, stereotyping, etc.

**All searches must be recorded** in Police notebooks and on the Stop and Search Database without exception.

It is important to remember that any actions you take must be  
**PROPORTIONATE, JUSTIFIED and NECESSARY.**

**Use all opportunities to engage positively within your Community.**

**DRUGS– Sec. 23(2) of the Misuse of Drugs Act 1971**

If a constable has reasonable grounds to suspect that any person is in possession of a controlled drug in contravention of this Act or of any regulations or orders made there under, the constable may:

- (a) Search that person, and detain him for the purpose of searching him;
- (b) Search any vehicle or vessel in which the constable suspects that the drug may be found, and for that purpose require the person in control of the vehicle or vessel to stop it;
- (c) Seize and detain, for the purposes of proceedings under this Act, anything found in the course of the search which appears to the constable to be evidence of an offence under this Act.

**STOLEN PROPERTY– Sec. 60(1) Civic Government (Scotland) Act 1982**

If a constable has reasonable grounds to suspect that a person is in possession of any stolen property, the constable may without warrant:

- (a) Search that person or anything in his possession, and detain him for as long as is necessary for the purpose of that search;
- (b) Enter and search any vehicle or vessel in which the constable suspects that that thing may be found, and for that purpose require the person in control of the vehicle or vessel to stop it and keep it stopped;

**OFFENSIVE WEAPON– Sec. 48(1) Criminal Law (Consolidation) (Scotland) Act 1995**

Where a constable has reasonable grounds for suspecting that any person is carrying an offensive weapon and has committed or is committing an offence under Section 47 of this Act, the constable may search that person without warrant, and detain him for such time as is reasonably required to permit the search to be carried out; and he shall inform the person of the reason for such detention.

**BLADED WEAPON– Sec. 50 Criminal Law (Consolidation) (Scotland) Act 1995**

Where a constable has reasonable grounds for suspecting that a person has with him an article to which Section 49 of this Act applies and has committed or is committing an offence under subsection (1) of that section, the constable may search that person without warrant and detain him for such time as is reasonably required to permit the search to be carried out.

**SPORTING EVENTS– Section 21 Criminal Law (Consolidation) (Scotland) Act 1995**

- (1) To search a person who he has reasonable grounds to suspect is committing or has committed an offence under this Part of this Act; namely Section 20 Criminal Law Consolidation Scotland Act 1995, (Entering or attempting to enter a sports ground in possession of alcohol);
- (2) To stop and search a vehicle where he has reasonable grounds to suspect that alcohol is being transported in a public service vehicle to or from a ground.

**FIREARMS– Section 47 Firearms Act 1968**

If a constable has reasonable cause to suspect a person of having a firearm with him in a public place, or to be committing or about to commit, elsewhere than in a public place, an offence relevant for the purposes of this section, the constable may search that person and may detain him for the purpose of doing so.

**WILDLIFE- Section 19 of the Wildlife and Countryside Act 1981**

If a constable suspects with reasonable cause that any person is committing or has committed an offence under this Part, the constable may without warrant –

- (a) stop and search that person if the constable suspects with reasonable cause that evidence of the commission of the offence is to be found on that person'
- (b) search for, search or examine any thing which that person may then be using or may have used, or may have or have had in his possession, if the constable suspects with reasonable cause that evidence of the commission of the offence is to be found in or on that thing

## CONTACT DETAILS

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For more information about this evaluation, please contact:

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