

STOPWATCH FORCES 'DISINGENUOUS' HOME OFFICE TO RELEASE STOP AND SEARCH DOCUMENTS

- **Home Office forced to release Equality Impact Assessment for section 60 stops by StopWatch and Liberty**
- **Tribunal calls Home Office 'disingenuous' for refusing to disclose the assessment in the first place**

The Home Office has been branded 'disingenuous' and forced to release new documents relating to Section 60 Stop and Search, after legal action by StopWatch.

StopWatch, who campaign for fair and accountable policing, challenged the Home Office's refusal to release the Equality Impact Assessment relating to the Home Secretary's decision of July 2021 to remove safeguards on the use of suspicionless stop and search powers to make it easier for police forces to use. StopWatch took the case to a tribunal after the Information Commissioner's Office (ICO) allowed the Home Office to keep the documents secret.

Last month, the tribunal ruled that the Home Office's rationale for refusing to release the document was "disingenuous" and branded the ICO "naïve" for accepting it.

Campaigners have long called for section 60 'suspicionless' stop and search powers to be scrapped, pointing out that the racial disproportionality in who is targeted under Section 60 is even greater than for suspicion-based stop and search, which is also very high. Under section 60, Black people are more than seven times more likely to be stopped than white people.

In 2021, the then Home Secretary Priti Patel rowed back on plans to remove 'Best Use of Stop and Search Scheme' safeguards from Section 60 stops after legal action from StopWatch and Liberty. At the time, Patel admitted that the equality impact assessment used to scrap the safeguards was inadequate. However, the Home Office refused to release the equality impact assessment, which Liberty have said is another instance in a 'deeply worrying pattern of ministers failing to comply with the Freedom of Information Act in order to evade accountability'.

Habib Kadiri, Executive Director at StopWatch, said:

“The Home Office went to extraordinary lengths to keep this equality impact assessment hidden, defending its ability to do so all the way to a tribunal. It should not have taken almost two years of litigation for the Home Office to abide by its duties and provide transparency on its decision-making. It is also extremely worrying that the ICO so easily accepted the Home Office’s reasoning for hiding the document, rather than doing its duty to uphold the rights provided by the Freedom of Information Act.

What is plain from this document is that despite all of the evidence that Section 60 stops disproportionately target Black people, this Government considered no alternatives to removing the BUSSS safeguards and eventually removed them anyway, knowing this would result in more discrimination. Section 60 has never been fit for purpose and must be repealed.”

Lana Adamou, Lawyer at Liberty, said:

“We all want to be able to walk down the street without being targeted or harassed, but the Section 60 suspicionless stop and search power is being used by the police to unfairly target people of minoritised ethnicities, particularly Black people, for traumatic and dehumanising searches in the absence of any suspicion of wrongdoing.

“The Home Office knew that removing the BUSSS safeguards would result in the police using the suspicionless stop and search power more, indeed that was their intention, and that more Black people would be targeted. Instead of being transparent, the Home Office tried to prevent the equality impact assessment from being published.

“This is not the first time this Government has tried to hide crucial information from the public. In fact, what we are seeing is a deeply worrying pattern of ministers failing to comply with the Freedom of Information Act in order to evade accountability.

“It is now clear for all to see that the Home Office knows that suspicionless stop and search results in race discrimination. The government must repeal this power to prevent more people from being unfairly targeted, harassed and traumatised by the police.”