

## WRITTEN EVIDENCE SUBMITTED TO THE SERIOUS VIOLENCE INQUIRY FROM STOPWATCH

### Executive summary:

- StopWatch welcomes the recognition within the Serious Violence Strategy that declining rates of stop and search have not contributed to a rise in violent crime.
- However, the tactic remains suggested as part of the strategy's proposed solution. This is concerning because research has repeatedly demonstrated the limited impact the tactic has had on violent crime, and that the tactic is currently and historically disproportionately applied to BAME groups. This has been shown to fuel tension between police and communities, often failing the communities most affected by this violence.
- Any action on violence must be evidence-led. In addressing any rise in violent crime, use of stop and search must be targeted to violent offences, and must be part of a joined-up approach including police working in concert with communities "in ways that protect fundamental human rights and freedoms."<sup>1</sup>

### *Answering items: Whether the Serious Violence Strategy is likely to be effective in combatting serious crime.*

#### **1. StopWatch welcomes the recognition within this strategy that declining rates of stop and search have not contributed to a rise in violent crime.**

- 1.1. Some have suggested declining rates of stop and search have led to a rise in violent crime.<sup>2</sup> But as the government's Serious Violence Strategy notes, "the data do not support such a conclusion."<sup>3</sup> StopWatch welcomes this informed position. As the organisation has previously noted, "on occasion, stop and search does lead to a dangerous weapon being found by an officer, but research shows that the tactic is largely ineffective and often used unfairly and sometimes unlawfully."<sup>4</sup> Indeed, a letter to this effect, signed by many of StopWatch's membership, was published in the Times last August.<sup>5</sup>

#### **2. However, the tactic remains suggested as part of the strategy's proposed solution. This is concerning because research has repeatedly demonstrated the limited impact the tactic has had on violent crime.**

- 2.1. Despite this recognition of the tactic's limited impact on violence rates, the strategy goes on to suggest this "does not mean that stop and search should not be part of a targeted strategy to turn these trends around. Targeted stop and search can be an important tool when used as part of a wider approach."<sup>6</sup>
- 2.2. StopWatch believe any action on violence must be evidence-led, and the best available evidence – including that cited within the Serious Violence Strategy itself<sup>7, 8</sup> – suggests that rates of stop and search, as it is now and has historically been deployed, have little positive effect on rates of violent crime.

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<sup>1</sup> StopWatch. 2017. [Most 'stop and search' is ineffective and fails communities worst affected by knife crime.](#)

<sup>2</sup> The Telegraph. 2018. [Knife crime soars by almost a quarter amid warnings drop in stop and search is fuelling violence.](#)

<sup>3</sup> HM Government. 2018. [Serious Violence Strategy](#), p. 24.

<sup>4</sup> StopWatch. 2017. [Most 'stop and search' is ineffective and fails communities worst affected by knife crime.](#)

<sup>5</sup> StopWatch. 2017. [Letter to the Times.](#)

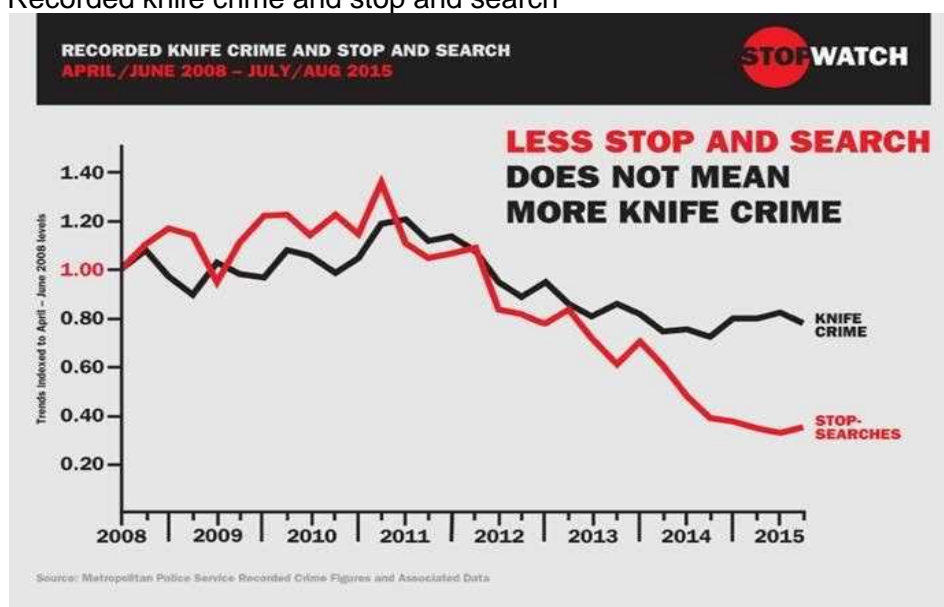
<sup>6</sup> HM Government. 2018. [Serious Violence Strategy](#), p. 24.

<sup>7</sup> Home Office. 2016. [Do initiatives involving substantial increases in stop and search reduce crime? Assessing the impact of Operation BLUNT 2.](#)

<sup>8</sup> Quinton, P., Tiratelli, M. and Bradford, B. 2017. [Does more stop and search mean less crime? Analysis of Metropolitan Police Service panel data, 2004-14.](#)

2.3. Home Office research published as recently as 2016 recognises this. Analysing Operation BLUNT 2 – an operation from the Metropolitan Police focused on reducing knife crime, involving increased searches for weapons<sup>9</sup> – the Home Office "found no statistically significant crime-reducing effect from the large increase in weapons searches."<sup>10</sup> This research also analysed ambulance call-outs – as these are less affected by police recording practices and so may be a more robust measure of reductions in knife crime – and found that these "actually fell faster in those boroughs that had smaller increases in weapons searches."<sup>11</sup> Further Home Office analysis supports these findings; examining the Tackling Knives and Serious Youth Violence Action Programme,<sup>12</sup> it was found that the high levels of stop and search in this programme "had no measurable impact on levels of knife crime".<sup>13</sup> Data from the Metropolitan Police also belies any link between these; as figure 1 shows, knife crime and stop and search levels have diverged substantially in recent years.

Figure 1: Recorded knife crime and stop and search



2.4. These findings are unsurprising when the low 'hit rate' of this practice is considered.<sup>14</sup> Research commissioned by the Home Office found that stop and search appears "to have only a limited direct disruptive impact on crime by intercepting those going out to commit offences" reducing these "disruptable" crimes by just 0.2% in 1997".<sup>15</sup> This is borne out in the most recent Home Office figures on the arrests arising from the use of the tactic. Despite being widely used – with 303,845 stops in England and Wales in the year ending March 2017 – the

<sup>9</sup> Home Office. 2016. [Do initiatives involving substantial increases in stop and search reduce crime? Assessing the impact of Operation BLUNT 2](#). p. 2.

<sup>10</sup> Home Office. 2016. [Do initiatives involving substantial increases in stop and search reduce crime? Assessing the impact of Operation BLUNT 2](#). p. 2.

<sup>11</sup> Home Office. 2016. [Do initiatives involving substantial increases in stop and search reduce crime? Assessing the impact of Operation BLUNT 2](#). p. 3.

<sup>12</sup> Ward, L., Nicholas, S., and Willoughby, M. 2011. [An Assessment of the Tackling Knives and Serious Youth Violence Action Programme \(TKAP\) – Phase II, Research Report 53](#) London: Home Office.

<sup>13</sup> StopWatch. 2017. [Most 'stop and search' is ineffective and fails communities worst affected by knife crime](#).

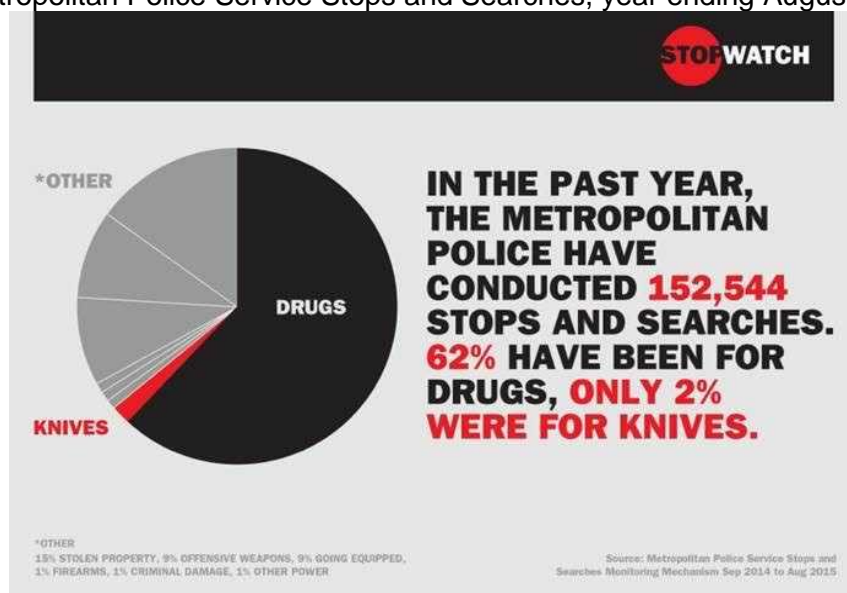
<sup>14</sup> StopWatch. 2017. [Letter to the Times](#).

<sup>15</sup> Miller, J., Bland, N. and Quinton, P. 2000. [The impact of stops and searches on crime and the community](#). Home Office, Policing and Reducing Crime Unit, Research, Development and Statistics Directorate. pp. v-vi.

arrest rate for the tactic is notably low, at just 17%.<sup>16</sup> An even smaller percentage of these arrests are for violent crime or carrying a weapon. Indeed, in the year ending March 2017, less than 3% of stops resulted in an arrest for carrying an offensive weapon.<sup>17</sup>

- 2.5. This low arrest rate for crimes relating to serious violence is unsurprising, as the data suggest this tactic is overwhelmingly focused on less serious offences. In the year ending March 2017, Home Office data show the vast majority (62%) were for drug possession (most of which are for "low level possession offences"<sup>18</sup>), while only 11% were for offensive weapons.<sup>19</sup> Further, recent data from the Metropolitan Police, displayed in figure 2, shows only 2% of stop and searches in the year ending August 2015 were for knives. This is reflected in the 2013 HMIC review of stop and search practices, which concluded that: "Very few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime; and rarely was it targeted at priority crimes in their areas."<sup>20</sup>

Figure 2: Metropolitan Police Service Stops and Searches, year ending August 2015.



- 2.6. Finally, while some suggest that instead of disrupting crime as it happens, stop and search acts as a deterrent for those considering acts of violence, evidence suggests this is not the case. The same Home Office research already discussed also noted "no strong and consistent correlation between searches and crime levels a month later",<sup>21</sup> making this claim questionable.
- 2.7. As StopWatch have commented in the past: "62 percent of all stop and searches are conducted on the suspicion of drugs...The overall arrest rate for stop and search is 17 percent. This means that not only are the police failing to target stop and searches at violent crime, they are also failing to target it at people who have committed an offence."<sup>22</sup>

<sup>16</sup> Home Office. 2017. [Police powers and procedures, England and Wales, year ending 31 March 2017](#). p. 7.

<sup>17</sup> Home Office. 2017. [Police powers and procedures, England and Wales, year ending 31 March 2017](#). p. 22.

<sup>18</sup> StopWatch. 2017. [Stop and search may be down, but ethnic disproportionality is increasing](#).

<sup>19</sup> Home Office. 2017. [Police powers and procedures, England and Wales, year ending 31 March 2017](#). p. 21.

<sup>20</sup> HMIC. 2013. [Stop and Search Powers: Are the police using them effectively and fairly?](#) p. 8.

<sup>21</sup> Miller, J., Bland, N. and Quinton, P. 2000. [The impact of stops and searches on crime and the community](#). Home Office, Policing and Reducing Crime Unit, Research, Development and Statistics Directorate. p. vi.

<sup>22</sup> StopWatch. 2017. [Stop and search may be down, but ethnic disproportionality is increasing](#).

**3. It is further concerning to see the tactic suggested when it is considered that the tactic is currently and historically disproportionately applied to BAME groups. This has been shown to fuel tension between police and communities, often failing the communities most affected by this violence.**

**3.1.** The practice of stop and search in its current form has been demonstrated to be discriminatory. In their 2007 review of the literature assessing stop and search, Bowling and Phillips conclude that “the statistics show that the use of the [stop and search powers] against black people is disproportionate and that this is an indication of unlawful racial discrimination”<sup>23</sup> finding that “figures show that black people in England and Wales were six times as likely to be stopped and searched by the police in comparison with their white counterparts.”<sup>24</sup> Recent reforms have done little to change this; the HMIC’s 2013 review into the tactic found that 27% of stops recorded did not meet the minimum standards of reasonable suspicion,<sup>25</sup> while the most recent Home Office figures show that the disproportionality for BAME groups grew in the year ending March 2017,<sup>26</sup> for the second consecutive year.<sup>27</sup> Compared to white people, black people are now more than 8 times as likely to be stopped and searched, while all BAME groups are almost 4 times as likely to be.<sup>28</sup>

**3.2.** This, coupled with the high number of stops for low level drug offences,<sup>29</sup> damages police legitimacy, and undermines public trust in the police.<sup>30</sup> This has been well-documented for many years, from the conclusions of Lord Scarman’s report into the Brixton Riots,<sup>31</sup> to analysis of the English Riots of 2011.<sup>32</sup> Home Office research finds “the experience of being searched is associated with reduced confidence in the police. The disproportionate use of searches against people from minority ethnic communities appears to contribute directly to a reduced confidence in the police among these groups.”<sup>33</sup> This was echoed in 2017’s Lammy Review, which concluded “the disproportionate use of Stop and Search on BAME communities continues to drain trust in the CJS as a whole...contributing to a sense among many in BAME communities that the justice system is stacked against them.”<sup>34</sup>

**4. Any action on violence must be evidence-led. In addressing any rise in violent crime, use of stop and search must be targeted to violent offences, and must be part of a joined-up approach including police working in concert with communities “in ways that protect fundamental human rights and freedoms.”<sup>35</sup>**

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<sup>23</sup> Bowling, B. and Phillips, C. 2007. [Disproportionate and discriminatory: reviewing the evidence on police stop and search](#). The Modern Law Review, 70(6), p.936.

<sup>24</sup> Bowling, B. and Phillips, C. 2007. [Disproportionate and discriminatory: reviewing the evidence on police stop and search](#). The Modern Law Review, 70(6), p.944.

<sup>25</sup> HMIC. 2013. [Stop and Search Powers: Are the police using them effectively and fairly?](#) p. 8.

<sup>26</sup> Home Office. 2017. [Police powers and procedures, England and Wales, year ending 31 March 2017](#). p. 7.

<sup>27</sup> StopWatch. 2017. [Stop and search may be down, but ethnic disproportionality is increasing](#).

<sup>28</sup> Home Office. 2017. [Police powers and procedures, England and Wales, year ending 31 March 2017](#). p. 28.

<sup>29</sup> StopWatch. 2017. [Most 'stop and search' is ineffective and fails communities worst affected by knife crime](#).

<sup>30</sup> StopWatch. 2017. [Stop and search may be down, but ethnic disproportionality is increasing](#).

<sup>31</sup> Scarman, L.G. 1986. The Scarman report: the Brixton disorders 10-12 April 1981: report of an inquiry. Puffin.

<sup>32</sup> Lewis, P., Newburn, T., Taylor, M., McGillivray, C., Greenhill, A., Frayman, H. and Proctor, R. 2011. [Reading the riots: Investigating England's summer of disorder](#). p. 19.

<sup>33</sup> Miller, J., Bland, N. and Quinton, P. 2000. [The impact of stops and searches on crime and the community](#). Home Office, Policing and Reducing Crime Unit, Research, Development and Statistics Directorate. p. vi.

<sup>34</sup> HM Government. 2017. [The Lammy Review](#). p. 18.

<sup>35</sup> StopWatch. 2017. [Most 'stop and search' is ineffective and fails communities worst affected by knife crime](#).

- 4.1. Any action on violence must be evidence led. Firstly, it must be recognised that while there may be a recent rise in violence in some areas of the country, this sits against substantial declines in violent crime over many years.<sup>36</sup> The Office of National Statistics note that, on consideration of the more reliable measure for violence of hospital admissions, “rises in offences involving knives possibly [reflect] both improvements in recording practices and targeted police action, but also a genuine rise in knife crime in some areas such as London.”<sup>37</sup> However, it is important to consider that this rise sits against a longer-term trend of declines in violence; work from the Violence Research Group at Cardiff University examining emergency department admissions, finds “an estimated 188,803 people attended EDs in England and Wales for treatment following violence in 2016, 21,437 fewer than in 2015; a 10% decrease. This continues the overall steady reductions seen since 2002.”<sup>38</sup>
- 4.2. Secondly, in tackling any ‘genuine rise’ in violence, Theresa May herself has recognised the need for caution when it comes to deploying stop and search: “We must not jettison all that good work for the sake of a knee-jerk reaction on the back of a false link.”<sup>39</sup> StopWatch welcomes this. In addressing any rise in violent crime, use of stop and search must be targeted to violent offences, and must be part of a joined-up approach including police working in concert with communities “in ways that protect fundamental human rights and freedoms.”<sup>40</sup> The government cannot hope to deploy stop and search as a successful tactic against the serious violence discussed in this strategy, until it is focused “specifically on dangerous weapons” and “the government [raises] standards to eliminate and prevent racial disproportionality.”<sup>41</sup>
- 4.3. As the StopWatch membership noted in their letter to the Times on this issue last August, “intensifying stop and search now risks reversing recent improvements, including the small rise in the “hit rate”, and of exacerbating the disproportionate rate at which black and ethnic minority people are subjected, unfairly in the vast majority of cases, to stop and search. Until the police and Home Secretary can demonstrate that this power is being applied equitably, lawfully and with far greater rates of effectiveness, increases in its use should be strongly resisted.”<sup>42</sup>

### About StopWatch

StopWatch is a coalition of legal experts, civil society groups, academics and young people that works to reduce disproportionality and promote best practice in stop and search powers. For more information on StopWatch, please visit <http://www.stop-watch.org.uk>.

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<sup>36</sup> StopWatch. 2017. [Most 'stop and search' is ineffective and fails communities worst affected by knife crime.](#)

<sup>37</sup> Office for National Statistics. 2017. [Crime in England and Wales: year ending Mar 2017.](#) p. 39.

<sup>38</sup> Sivarajasingam, V., Farnell, DJJ., Moore, S., Page, N., and Shepherd, J.P. 2016. [Violence in England and Wales in 2016: An Accident and Emergency Perspective.](#) Cardiff: Cardiff University. p. 1.

<sup>39</sup> The Rt Hon Theresa May MP. 2015. [Home Secretary speech at NBPA conference.](#)

<sup>40</sup> StopWatch. 2017. [Most 'stop and search' is ineffective and fails communities worst affected by knife crime.](#)

<sup>41</sup> StopWatch. 2017. [Stop and search may be down, but ethnic disproportionality is increasing.](#)

<sup>42</sup> StopWatch. 2017. [Letter to the Times.](#)