



PRESS RELEASE – FOR IMMEDIATE RELEASE

17 DECEMBER 2015

Supreme Court rejects challenge to discriminatory stop and search power

The Supreme Court has today dismissed the appeal in the case of R (Roberts) v Commissioner of the Police of the Metropolis. The case challenged the lawfulness of the power of stop and search under section 60 of the Criminal Justice and Public Order Act 1994, which permits police officers to stop and search people any without the need for reasonable suspicion.

The case arose after a decade of increased use section 60 and was accompanied by unprecedented racial disparities. In 2010/11, black people were 37 times more likely to be stopped and search under this power and yet, less than 0.5% of these searches led to an arrest for weapons, the legal reason for the power.

Dr. Michael Shiner, from the London School of Economics and a member of StopWatch, said:

“This is a very disappointing judgement. It is hard to imagine a more clear-cut case of the abuse of a police power than the way Section 60 has been used. What is particularly galling is that the court’s judgement flies in the face of the available evidence. It is simply not true that random stop and search protects communities or saves lives, but it is very clear that it undermines trust and confidence. A police force that is not considered legitimate by the communities it polices cannot effectively fight crime or deliver community safety. The government and the police themselves have made real progress in addressing these issues. They must not allow this retrograde judgment to undermine those efforts.”

Natasha Dhumma, Senior Engagement Officer at StopWatch added:

“It is particularly shocking that the Supreme Court justifies the targeting of young black men by associating them with gang violence. The young black and minority ethnic young people we work with tell us they are sick and tired of such baseless assumptions being used to rationalise their harassment by police through suspicion-less stop and search. This judgement speaks to stereotypes not to the realities faced by many young people across the country.”

The Home Secretary has recognised the wide latitude and possibility for abuse of section 60 powers. She has previously characterised the use of stops and searches as an 'affront to justice' and brought in the Best Use of Stop and Search Scheme which specifically singled out section 60 as in need of reform.

END

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Notes to Editors:

1. 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 www.stop-watch.org.uk.
2. Ms. Roberts is represented by Michael Oswald, Bhatt Murphy Solicitors, Hugh Southey QC, Matrix Chambers, and Ruth Brander, Doughty Street Chambers.
3. The data used to calculate the figures quoted above are based upon annual figures published by the Home Office 'Police Powers and Procedures in England and Wales' data scheme which can be found here: <https://www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales>
4. The Home Office's Best Use of Stop and Search Scheme is 'designed to create greater transparency, accountability and community involvement in the use of stop and search powers'. More information can be found here: <https://www.gov.uk/government/publications/best-use-of-stop-and-search-scheme>