



ALL PARTY PARLIAMENTARY GROUP FOR
CHILDREN

Chair: Baroness Massey of Darwen

Vice-Chairmen: Jessica Lee MP, Baroness Walmsley, Baroness Blood, Bill Esterson MP, Tim Loughton MP

Secretary: Baroness Howarth of Breckland **Treasurer:** Earl of Listowel

Clerk: Heather Ransom

There was a meeting of the
All Party Parliamentary Group for Children on:
Monday 10th March 2014
4:30-6:15pm, Committee Room 4A, House of Lords
(booked in the name of Baroness Massey)

Children and the Police inquiry:

Oral evidence session 5: 'The use of stop and search on under 18s'

This was the fifth meeting of the APPGC's inquiry into 'Children and the Police'. This meeting explored the experience of children and young people during the stop and search process, and considered which groups of children and young people are at greater risk of being stopped and searched and why. It examined good practice used by police forces, including examples which drew on multi-agency working with children's services, and considered how engagement can be improved.

Members in attendance: Baroness Massey, Baroness Howarth, Baroness Howe, Baroness Blood, Tim Loughton MP, Heidi Alexander MP

Speakers: Phil Turner, Tashan Collins-McIntosh, Gerson Henry and Riane Botchey (Second Wave), Charlene Pavitt (Lewisham Police), Esther Horner and Roy Sefa-Attakora (Kinetic Youth Ltd), Baroness Jenny Jones (on behalf of the London Assembly), Stephen Otter (HM Inspectorate of Constabulary), Niamh Eastwood (StopWatch/Release), Natasha Dhumma (StopWatch), Commander Adrian Hanstock (Metropolitan Police)

Voluntary and community sector in attendance: Marion Sandwell (YJB), Philippa Goffe (Ministry of Justice), John Metcalfe (BASW), Mary O'Shaughnessy (SCYJ), Junior Nelson and Napa Condeh (Merton Civic Centre), Cllr Rachel Heywood (London Borough of Lambeth), George Turner (Carney's Community), Michelle St John, Anthony Olanipekun, Thananjan Kukapalan, Shannick Taylor, Andrei Ilie, Sureeta Persaud and Shelley Jones (Safer London Foundation), Gary Masan (Met Police), Helen Atwood (Kids Company), Helen Horner, Francis Horner and Gess Aird (Kinetic Youth Ltd), Tony Cealy, Mahamed Hashi, Caroline Adams (Sussex Police), Hannah Millar, Blair Adderley and Mark Murray (Youth Futures), Enver Solomon, Heather Ransom and Rosie Eatwell-White (NCB)

Apologies: Baroness Walmsley, Baroness Hughes, Earl of Listowel, Lord Judd, Bishop of Leicester, Damian Hinds MP, Mark Garnier MP, Wendy Scott (TACTYC), Sarah Brennan (Young Minds), Amanda Henshall (University of Greenwich), Elaine Arnold, Lucinda Wicks (Association of Lawyers for Children)

Baroness Massey welcomed everyone to the meeting.

Phil Turner: explained his role as Community Development Worker at Second Wave, which is based in South East Lewisham.

Work of Second Wave: engaging young people and the police

- For ten years Second Wave has run regular workshops for between the police and young people. They work with 35-40 officers a year, some of whom are new to policing and that area of London.
- Seminars, discussions and community events are organised for police and local people.
- Sessions run for police include role play, trust building and communication exercises and are run by young volunteers. The aim is to equalise the balance of power and promote open dialogue.
- The most important thing police officers can do is build strong, trusting relationships with young people at a local level. These relationships take time to build and local intermediaries can help.

Stop and search

- Levels of trust in the police are currently low.
- Stop and search is an emotive issue and any misuse of stop and search can be very damaging. The excessive use of Section 60 has been particularly damaging to community relations.
- The vast majority of people stopped are law-abiding.
- Many police officers still see community engagement as a peripheral part of their work.

Area for improvement

- The police need to be better trained in stop and search, in particular to improve their communication skills and to ensure that they explain clearly why they are stopping someone.
- Some of this training should involve young people, should address equality and diversity, and should take place in a community setting as remote training is insufficient. Second Wave has started discussions with the College of Policing on this.

Charlene Pavitt: explained that she worked for the Safer Neighbourhoods Team and had completed Second Wave's training.

Benefits of the training

- The quality of the encounter between the police and young people is key. The workshops enabled discussion and allowed for a dialogue between young people and the police.
- It better equips police for their day-to-day operational work.
- The programme also gives young people a better understanding of their rights and entitlements.

Future work

- Work is going on to develop a package of training for police in Lewisham.
- They are liaising with Lewisham Council to secure funding for running more sessions.
- The College of Policing is looking at the possibility of extending this across the Met Police.

Gerson Henry: stated that as a young person he felt that stop and search was needed but that the problem was the lack of respect shown by police officers. The debate should focus on the bigger question of how to stop young people carrying knives.

Tashan Collins-McIntosh: explained that communication is crucial. The police need to understand that not all young people will calm down when talked to by an officer, and some may stay aggressive. If the police approach a young person in a polite and positive way, this can improve the chances of the young person reacting calmly. He added that Second Wave had helped him to understand how police officers think, as well as helping police officers understand the perspective of young people.

Riane Botchey: raised the issue of young women.

- Young women do not get stopped and searched by police as often.
- However, they are still impacted if a brother, friend or boyfriend is stopped and searched.
- If they have a problem, young women will not necessarily go to the police.

She added that the benefits of Second Wave are that young people and the police are more equal. This is helped by the police not being in uniform. Second Wave also gives young people a voice.

Esther Horner: explained the work of Kinetic Youth Ltd, a not-for-profit social enterprise that work within the secure estate. The organisation works with young people to develop their skills and help them to access services. It specialises in participation and peer mentoring. Esther stated that youth services have an important role to play in helping to influence change.

Stop and search: three key themes

- Accountability: there is not a clear enough understanding of what counts as an effective stop and search encounter.
- Effectiveness: during 2011-12, 40,000 searches were made but only 0.3% were successful in recovering a weapon.
- Relationships between young people and the police: this remains problematic.

Roy Sefa-Attakora: spoke of his experience as a teenager being involved in anti-social behaviour and ending up in custody. Over time his attitude changed. He worked hard at college and he has been offered places at two universities. However, despite this change, when stopped the first thing a police officer asked him was "What are you on bail for now?" He felt that this demonstrated the mentality of officers, who continue to treat young people as criminals even if they are trying to move on with their lives.

Recommendations

- Young people should be involved in stop and search training for police.
- An agreed definition of stop and search is needed, which can be used to hold individuals and organisations to account.
- There should be efforts made to educate communities, particularly the BME community, on what the police are there for.
- In addition to the police paperwork that is issued when a stop and search takes place, young people should be given a leaflet on what they can do if they feel they were not treated well.

Jenny Jones: referred to the [London Assembly's recent report on stop and search](#). She stated that she loathed the stop and search process and had originally hoped that the report would call for an end to it.

London Assembly report: key findings

- A large number of young people accept the practice of stop and search in principle, but the problem lies in the way the police carry out the process.
- The police have twenty different stop and search powers, of which two relate to children and young people. However, the code of practice does not give any guidance for how police should go about stopping and searching an under 18. This is quite a notable gap.
- Stop and search is often a young person's first experience with the police and it is often negative.
- Rates of stop and search have reduced, which is good, but 85% of stops still result in no further action, suggesting that 85% of stops are conducted on innocent people. This is arguably a bad use of police time and makes a bad impression on young people.
- 170 stops a day are carried out on children aged 10 to 17.
- Many young people see it as part of everyday life, especially young black men.
- Some young people reported a change since the introduction of the 'Stop It' programme by the Met, and said that there seemed to be fewer stops and that they were more targeted.

Recommendations

- There should be a full and accurate recording of all stop and searches.
- The Met Police must use its power according to the law and there must be more oversight to ensure this happens.
- Citizens should know their rights regarding stop and search.
- Young people have to be involved in police training.

Baroness Massey: took questions from peers and the wider audience, including:

- Why was the issue of the police code of practice and its lack of guidance concerning children not referred to in the London Assembly's report recommendations?

Jenny Jones: acknowledged that it could have been a recommendation and a letter should have been sent to the Home Office on the issue.

- Should children under the criminal age of responsibility [10 years old] be allowed to be stopped and searched?

Jenny Jones: stated that she believed an appropriate adult should be present if any child under 10 is stopped, but felt that no-one of that age should be subject to the stop and search process.

Tim Loughton MP: pointed out that if police were not allowed to stop and search on children under 10, this could make young children vulnerable to pressure to carry knives or drugs. He stated that stop and search is fraught with problems, especially as it can be a young person's first experience of the police and it is often negative. It is necessary to pre-empt this with positive interactions between children and police.

Heidi Alexander MP: commented that Roy's idea of a leaflet was very good and stated that there was now a downloadable app which can be used by those who are stopped and searched to record the incident. She added that the use of Section 60 was particularly problematic in her constituency, Lewisham East, and affected many young black men. In other constituencies, other groups (for example young Asian men) are disproportionately affected.

Mahamed Hashi: introduced himself as the Chair of the stop and search monitoring group in Lambeth. He stated that he supported the use of stop and search if it was carried out correctly, but that one of the problems was that the police accept broad descriptions of suspected criminals, meaning that they stop and search huge numbers of people. He felt that it is vital that individuals know their rights. All London boroughs have monitoring groups which meet, but there is a problem of disjointed working and a need for coordination. In Lambeth, if the Commissioner wishes to put in place a Section 60 order, he consults with community representatives first and a decision is made together.

Baroness Massey: brought an end to questions and invited the next witness to speak.

Stephen Otter: explained his role as Inspector of Constabulary at HM Inspectorate of Constabulary, and highlighted the recent [HMIC investigation into police use of stop and search powers](#), which involved all 43 police forces nationally, as well as surveying 20,000 members of the public.

HMIC report: overview

- The main focus was how effectively the police are using stop and search powers, on the basis of public surveys which have shown that in general people feel that stop and search is needed, but there are questions as to whether the police are using this power well to keep people safe.
- The report reiterates many key messages that have been said before, and HMIC feel impatient that progress is not being made. HMIC will revisit the subject in about a year to monitor progress.

HMIC report: key findings

- Leadership
 - Too many leaders did not see stop and search as a priority area any more.
 - They reported that they were not getting many complaints about stop and search but research show that only 16% of people who have had a bad experience complain.
 - Only 1% of the Crime Survey for England and Wales, which addresses satisfaction with police behaviour, included people who had been stopped and searched.
- Supervision
 - This is a crucial area. Sergeants or inspectors need to know what is happening on the street and officers out on the street need to be accountable.
 - 27% of stop slips did not record a good enough reason to justify a lawful search.
 - Findings from the public tended to support this: people felt that too often there were not good enough reasons to conduct a stop and search.

- Governance and scrutiny
 - Since the Stephen Lawrence Inquiry report was published, the police have slipped in their engagement with communities on this issue, which is a statutory requirement.
 - Almost half of forces did nothing to understand the impact on communities.
- Training
 - Over 90% of officer do not receive further training on stop and search once they have joined the police. When training did take place, it was often e-learning and concerned the law. This is insufficient.
 - Officers developed habits by watching other officers which can lead to unlawful or inappropriate practices.
 - Fewer than half of the forces complied with the requirements of the code of practice for stop and search activity to be scrutinised by the public.

Stephen concluded by stating that the report offers a simple set of recommendations to focus officers on how to be effective in their use of stop and search, so that the process does not just become something which is done so officers can be seen to be busy. In particular, young people are very aware of the effectiveness of police, as they are often aware of which people are trouble-makers. It therefore becomes a self-defeating process. The impact is especially keenly felt by young men.

Niamh Eastwood: explained that StopWatch is a coalition of academics, NGOs, young people and lawyers who work on the issue of stop and search.

Scale of the problem

- 1.2 million stop and searches in 2011 and 2012, of which 1.1 million were 'reasonable suspicion' stop and searches. Data on young people being stopped is not recorded nationally.
- In the last 12 months, 330,000 stop and searches were carried out by the Met under the reasonable suspicion powers. This is a significant drop over the last three years, from a peak of half a million, but only matches 2006-07 figures, as the figures for 2010-11 were so extreme.
- Of the 330,000 stop and searches, 20% were carried out on children under the age of 18, meaning that 66,000 children in London have been stopped and searched in the last 12 months.
- StopWatch research found that in London at least once a week a child under the age of 10 is being stopped and searched.
- The arrest rate for stop and searches of children was 12%. 50-60% of stop and searches are for low-level possession offences, low-level drug possessions, mainly cannabis possession.
- Deprived areas have the highest rates of stop and search, but lower rates of racial disparity. Richer areas have lower rates of stop and search but higher rates of racial disparity.

Areas for improvement

- Stop and search can lead to criminalisation: young people do not trust the police and so do not approach them when they have a problem, but instead take matters into their own hands.
- The quality of the stop and search process has to improve but that is not enough on its own.
- Stop and search should be applied more equally to all groups in society and not disproportionately used on one group.
- Rates of stop and search need to be reduced and only used when necessary and proportionate.
- There are no safeguarding policies for children in place in the Police and Criminal Evidence Act.

Natasha Dhumma: explained that StopWatch have been working on the project 'Y.Stop?' which develops training and educational and advocacy tools for young people, focusing on young people knowing their rights but also how to apply this in practice in stop and search situations.

Young people and the police

Having conducted an extensive consultation of young people across London, key themes emerged concerning young people's relationship with and attitude towards the police:

- Mistrust: children from a very young age experience negative interactions with the police and feel neglected by them.

- Suspicion: children compared the police to CCTV and felt they were constantly under surveillance. They worried that the police would think they were committing crimes.
- Fear: children reported feeling scared when the police approached them. Those who had not been stopped and searched said that if they were they would call ChildLine or even report it to a sexual assault worker. This underlines the extent to which they considered the police threatening.
- Frustration: with older children, frustration and mistrust had become embedded. They did not want any kind of relationship with the police and scorned the idea that the police were there to protect them. They had no faith in the complaints system.

Representative from Youth Futures: added that in his experience, the police have often assumed that he has been involved in criminal activity. For example when riding his bike as a 13 year old, he was stopped because the police thought he must have stolen it. When he has asked the police why they are stopping him, response included “It’s none of your business” and “Just because we’re bored”. He has always felt a level of mistrust of the police, even before he could express this.

Adrian Hanstock: introduced himself as Metropolitan Police Commander, responsible for crime and criminal policy since 2013. He had previously been the Met’s lead for neighbourhood policing and youth programmes. He first stated that he did not disagree with a lot of what had been raised so far.

Context

- In the past, stop and search has not focused enough on recovering drugs, stolen property or weapons, but was used as a disruptive tactic.
- Since 2011 there has been a more sophisticated approach to stop and search. In the last two years progress has been made and the process is more targeted. The Home Office commented on this in the consultation it conducted last year.
- There is an important question of who the professional is in the stop and search process and what the responsibility of the police is.

Statistics

- Stop and search rates have gone down from half a million two years ago, to 306,000 currently.
- Last year numbers were reduced by 31%, and by 41% in the age range of 10 to 17.
- The use of Section 60 has been reduced by 90% and arrests under Section 60 are down by 95%.
- Around 43% of those stopped are aged 18 to 25 and around 20% are aged 10 to 17, of which those who are 16 or 17 constitute the largest proportion.
- Recent Met data shows that no children under the age of 7 have been formally stopped.
- Those aged 10 to 14 tend to be arrested for shop lifting, and those aged 15 to 17 are more likely to be arrested for drug possession, showing the transition to different types of crime.

Police policy on stop and search

- Officers are told that this is a very intrusive power, only one step away from arrest. They need to remember this and understand the impact of what they are doing. They need to know that it can cause anger, embarrassment and marginalisation.
- When it is properly carried out, it can be an important tool to tackle crime and keep people safe.
- ACPO guidance states that officers must use clear language and check they have been understood. However, with older children, the police must not be patronising. It is a fine balance.
- One in five stops end in arrest which indicates that the police are sometimes looking in broadly the right area. Of the four that do not end in arrest, this does not mean that the officer’s reason for conducting the stop and search was incorrect.
- Officers are making fewer searches than they were and are relying more on intelligence.
- Regarding children under 10 being stopped, if this was banned it could increase this exploitation of children, who could be used to carry out crimes.

Future working

- 19,000 officers will be re-trained on stop and search over the next few years.
- The Lewisham training pack will be examined to see if there are possibilities for a wider roll-out across London.

- The Met welcomes recent recommendations from HMIC, the London Assembly and the Equality and Human Rights Commission. The Met works with community groups and independent scrutiny groups, and accountability sessions take place with representatives from all boroughs.
- Community groups are now able to examine stop slips in order to improve transparency.
- Confidence in the complaints procedure needs to be improved. A scheme due to be launched in Haringey will allow intermediary groups to take complaints and pass them on to the police.
- Police are encouraged to use powers other than stop and search and to find alternative solutions to arrest such as community resolutions.
- Officers will soon be equipped with body cameras so that there is a record of the encounter.

Baroness Massey: took questions and comments from peers and the wider audience, including:

- The importance of the police treating young people with respect and dignity.

Adrian Hanstock: agreed that this was crucial and that one of the challenges for leaders was to ensure that officers do not become cynical or unprofessional. Despite working in a difficult environment, the police need to remember that they are the professionals in the situation.

- When recruiting police officers, how is it ensured that the job does not attract potential bullies?

Adrian Hanstock: stated that there are a number of tests and checks on individuals but as with any job, this cannot be foolproof. It is very important that people make complaints if they have a bad experience.

- To what extent can police officers also ensure they are present in schools and out in the public, so that they can build positive relationships with young people?

Adrian Hanstock: said 3,000 more officers had recently been put into neighbourhood policing teams.

Niamh Eastwood: added that it was important that where possible police officers were from the community they served, as this would give them a better understanding of the area and the community.

Baroness Massey: summed up the meeting by drawing out key themes.

- The tactic of stop and search: some people have spoken of its usefulness, while others have described it as intrusive, unnecessary and a negative first experience of the police for many young people.
- The low numbers of people making complaints.
- Training and the question of not just knowing the law but also understanding how to behave towards people.
- Accountability and people's perception of the police.
- The importance of involving young people in training.

Baroness Massey thanked all speakers and everyone who had attended.