

Stop and think

A critical review of the use of stop and search powers in England and Wales



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Foreword

The police play a vital role in defending some of our most fundamental human rights. They are guardians of the right to liberty and security, and safeguard the right to life, the ultimate human right. The police support our ability to live free from violence, crime and fear, and help create an environment within which other rights and freedoms can be enjoyed.

In seeking to protect the rights of the majority, the police at times infringe certain individual rights, such as the right to privacy or to freedom of movement and association. However, they are only permitted to do so if the infringement is rational, proportionate and lawful. Yet the evidence shows that, on the contrary, some police forces are using their powers disproportionately suggesting they are stopping and searching individuals in a way that is discriminatory, inefficient, and a waste of public money. This is despite the evidence from both Staffordshire and Cleveland which proves that a reduction in the use of stop and search can go hand in hand with a reduction in the overall levels of crime. Staffordshire and Cleveland show that policing which respects human rights is more effective and actually makes us safer.

The evidence in ‘Stop and think’ suggests that some forces are exercising their powers not on the basis of intelligence or reasonable suspicion but on stereotypical assumptions, which is not helping to make society safer. Black people are at least six times as likely to be stopped as white people; Asian people, around twice as likely.

Such an approach to policing erodes trust and makes co-operation harder, not just between police forces and the groups who are singled out, but also among the wider public, who are ill at ease with the idea of the state intruding unnecessarily into individuals’ private lives and their freedom to go about their business.

This is why the Equality and Human Rights Commission wants to see an end to the disproportionate use of stop and search. We hope to work with the police to make progress through advice, guidance, encouragement, and, where necessary, enforcement. Respecting human rights assists good policing and effective crime control and creates a safer society for us all.

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We would particularly like to thank Professor Ben Bowling, Professor of Criminology and Criminal Justice at King's College London, for taking part in the project and sharing with us his extensive knowledge of research into stop and search.

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Executive summary

Section 1: Introduction

- The figures are stark: if you are a black person, you are at least six times as likely to be stopped and searched by the police in England and Wales as a white person. If you are Asian, you are around twice as likely to be stopped and searched as a white person.
- Despite years of debate and several initiatives aimed at tackling the problem, these ratios have stayed stubbornly high.
- The majority of stops and searches in England and Wales are conducted under the Police and Criminal Evidence Act (PACE). The Commission believes that the current police use of PACE stop and search powers may be unlawful, disproportionate, discriminatory and damaging to relations within and between communities.
- We will consider taking enforcement action if we believe police forces are not sufficiently addressing this problem.

Section 2: Stop and search statistics

- Using data from the Ministry of Justice, the Home Office, the Metropolitan Police and the Office for National Statistics we have analysed trends in stop and search use around the country.
- For each force we look at two measures: the **disproportionality ratio**, which tells us how much more likely black and Asian people are to be stopped and searched than white people; and the **number of ‘excess’ searches**, which tells us how many more stops and searches are conducted on black and Asian people than would be the case if they were stopped and searched at the same rate as white people.
- There is a large degree of consistency over time – geographical patterns in the use of stop and search have persisted over many years.
- Some of the highest black/white disproportionality ratios are seen in Dorset, Hampshire and Leicestershire. In Hampshire the ratio increased dramatically in 2007/08.
- Some of the highest Asian/white disproportionality ratios over the last five years are seen in the West Midlands, Thames Valley, West Mercia and South Yorkshire.

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- The biggest impact in terms of numbers of 'excess' stops and searches is seen in London where the stop and search rate is highest at 60 per 1,000 in 2007/08 and where a high percentage of the black and Asian population lives.
- For black stops and searches large excesses are also seen in the West Midlands, Greater Manchester, West Yorkshire, Thames Valley, Leicestershire and Hampshire.
- For Asian stops and searches large excesses are also seen in the West Midlands, West Yorkshire and Thames Valley.
- Similar and/or neighbouring police areas will often have very different results which cannot easily be explained.

Section 3: Can racial differences in the use of stop and search be justified?

- Various explanations have been put forward as to why the police use stop and search powers so disproportionately against certain groups. Even taken together, however, they provide no justification for the extent and persistence of the problem.
- One common explanation, that black people are generally more often involved in crime is not supported by robust evidence. In any case, stops and searches should be carried out on the basis of 'reasonable suspicion'. It is unlawful for the police to base their suspicions on generalised beliefs about particular groups.

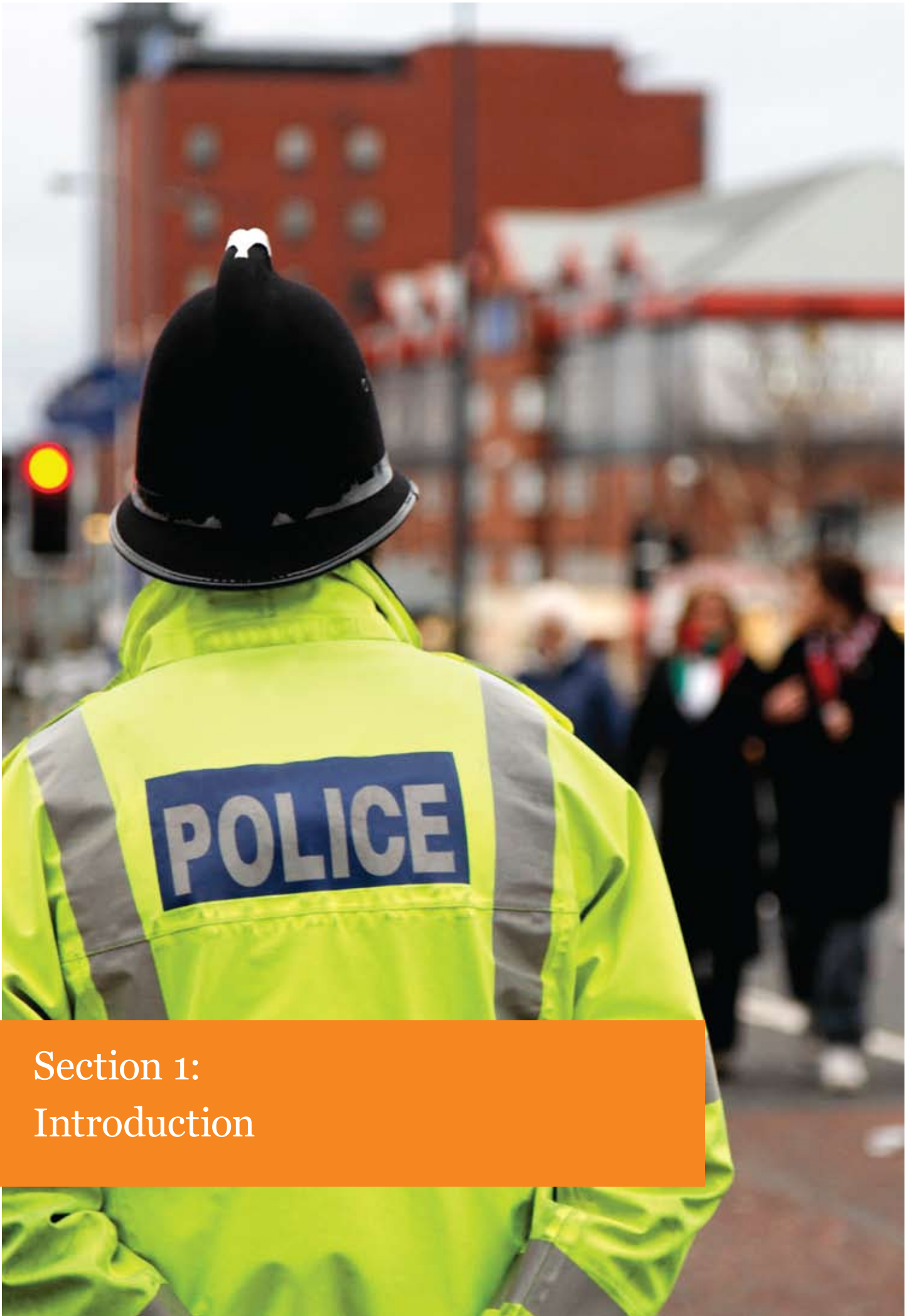
- While stop and search plays some role in preventing and detecting crime, the impact is small. It is estimated that searches only reduced the number of disruptable crimes by 0.2 per cent. Its use therefore needs to be balanced against the negative impact on community confidence in the police if these powers are used unfairly.
- Strong differences between similar and/or neighbouring police areas indicate that the way a particular police force uses its stop and search powers may be more significant than the nature of the communities it serves.
- The evidence points to racial discrimination being a significant reason why black and Asian people are more likely to be stopped and searched than white people. It implies that stop and search powers are being used in a discriminatory and unlawful way.

Section 4: Emerging good practice

- Over the years several initiatives have aimed to tackle this problem. Due to patchy implementation and lack of consistency, however, none has made the necessary lasting impact on rates of disproportionality nationwide.
- The 'Next Steps' initiative, formulated by the National Policing Improvement Agency, and due for roll-out in 2010, may be effective if rigorously implemented and monitored.
- However, launching new initiatives is no longer enough. The police need to make real improvements that are reflected in the statistics.

Section 5: Conclusions and recommendations

- We are particularly concerned about forces with high numbers of excess searches – particularly London forces – and those with persistently high black/white disproportionality ratios, such as Dorset.
- We will also be monitoring the figures to identify forces in which disproportionality ratios or numbers of excess searches are rising, which has been seen in Hampshire.
- We expect to see improvements within a year. If there is little evidence of real change the Commission will consider what further steps it needs to take to effect change.
- For those forces who have demonstrated the most significant and persistent disproportionalities and excesses, we intend to take more immediate action. Following publication, we will be contacting several forces who have demonstrated the most significant and persistent disproportionalities and excesses, with a view to taking enforcement action under the Race Equality Duty, if necessary.
- It is unrealistic and unhelpful to demand that policing should be perfect. We believe, however, that police services should strive to work fairly and effectively while respecting basic human rights. Only then can they be said to be ‘good enough’.



Section 1:
Introduction

‘Since 1995, per head of population in England and Wales, recorded stops and searches of Asian people have remained between 1.5 and 2.5 times the rate for white people, and for black people always between 4 and 8 times the rate for white people.’

The figures are stark: if you are black, you are at least six times as likely to be stopped and searched by the police in England and Wales as a white person. If you are Asian, you are around twice as likely to be stopped and searched as a white person.

This has a huge impact on the experience that people from these groups have of the police: in 2007/08, black people were subjected to around 150,000 more stops and searches – the majority of the 172,000 black stops and searches in total – than they would have been if they were stopped and searched at the same rate as white people.

In the period of more than 10 years over which the statistics have been collected, the ratios have remained stubbornly high.¹ Despite years of debate and several initiatives aimed at tackling the problem, the police have still not achieved any significant improvement in their record on race disproportionality in stop and search.

In January this year, the European Court of Human Rights (ECHR) ruled that searches undertaken under section 44 of the Terrorism Act 2000 were unlawful as they were not based on ‘reasonable suspicion’.² The ruling has important implications for the police and for civil liberties in Britain. The Commission believes, however, that there are much wider problems with the police use of stop and search powers.

The large majority of searches in England and Wales are conducted under the Police and Criminal Evidence Act 1984 (PACE): around 1 million per year compared to 256,000 in 2008/09 under section 44 of the Terrorism Act.³ Stop and search under PACE is also used more disproportionately against black people than those conducted under the Terrorism Act.⁴ We believe, therefore, that the police use of PACE is of great significance in terms of its impact on community relations. Furthermore, the evidence⁵ indicates that PACE may be being used in a discriminatory and unlawful manner.

Several explanations have been advanced as to the extent and consistency of race disproportionality in stop and search, including theories that the data are inaccurate, that black people commit more crime, or that they are more ‘available’ to be stopped and searched than white people. In this report we examine these arguments and find them inadequate: even taken together, they do not explain or justify the extent and persistence of the problem of race disproportionality.

A close examination of police force area figures raises the issue of whether the disproportionate rate that different racial groups are stopped and searched is the result of the practice of particular police forces – whether by policy or custom. Forces that have adopted rigorous measures to tackle the issue have seen ratios fall significantly, as we show in the case studies in this report. A reduction in disproportionality does not have to result in a rise in crime – on the contrary, in the case of both Staffordshire (page 49) and Cleveland (page 73) it has gone hand in hand with reduced crime rates and increased levels of public confidence in the police.

This report does not cover the situation in Scotland, as data published by the Ministry of Justice covers territorial forces in England and Wales. The eight Scottish forces are not statutorily required to gather or publish corresponding statistics.

Stop and search: what is it good for?

For the police, the power to stop and search people who they suspect of being involved in crime is an important tactic. It provides a means to confirm or allay suspicions about individuals without exercising their power of arrest. Were it employed appropriately and proportionately, it could increase community confidence in the police and make a positive contribution to reducing the fear of crime.

Stop and search has been widely used in relation to knife crime. For example under Operation Blunt 2, up to October 2009, more than 380,000 stops and searches have been conducted; 14,700 people have been arrested; and more than 7,500 knives have been recovered.⁶

For the use of stop and search to be lawful and rights-respecting, it must be in accordance with both human rights and equality law. The police have issued the following criteria, known as ‘PLAN B’ in guidance produced by the Metropolitan Police:⁷

- **Proportionality:** it must be fair and achieve a balance between the needs of society and the rights of the individual.
- **Legality:** it must be conducted correctly according to the relevant legislation.
- **Accountability:** it must be recorded.
- **Necessity:** any infringement of rights must be justifiable ‘in a democratic society’.
- **Best:** the decision to stop and search must be made against the best information reasonably available at the time.

The evidence in this report suggests that police practice often falls short of meeting these criteria.

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The stated objectives of stop and search are undermined if there is a public perception that the powers are being used unfairly. Law-abiding people who feel they have been unjustifiably targeted are less likely to trust the police and co-operate with them when they have a problem. Effective policing becomes, therefore, much more difficult.

The role of the Commission

The Commission is a statutory body with the responsibility to protect, enforce and promote equality across seven ‘protected’ grounds: age, disability, gender, race, religion or belief, sexual orientation and gender reassignment. We are charged with protecting human rights and promoting good relations in society.

We are concerned by the current police use of stop and search power because we believe that it may be:

- **unlawful**
- **disproportionate**
- **discriminatory, and**
- **damaging to relations within and between communities.**

Where this is the case, stop and search is hindering the task of making communities safe and protecting human rights and promoting equality.

This report argues that the police use of stop and search powers must change, and that the public must be involved in helping to shape fair and effective policing. The disproportionate use of stop and search powers against particular racial groups cannot be accepted as a given; it is a challenge to be tackled with serious policies, targets and a clear timetable. The Commission will consider taking enforcement action if we believe police forces are acting unlawfully or not taking sufficient action to address this problem. Following publication, we intend to contact several forces who have demonstrated the most significant and persistent disproportionalities and excesses, with a view to taking enforcement action under the Race Equality Duty, if necessary.

A brief history of stop and search

From the earliest years of PACE many black and Asian people believed that they were disproportionately subject to stop and search. Complaints of mass stops and searches of black people preceded the Brixton riots of 1981 and were identified as a contributory factor by Lord Scarman in his report on the disturbances.⁸

The Police and Criminal Evidence Act 1984 (PACE) is the legislation under which most stops and searches are currently carried out.⁹ It was brought in following the repeal of a patchwork of varying powers by individual police forces to stop and search individuals including the controversial ‘sus’ laws, which allowed the police to arrest someone simply for being a ‘suspected person’.

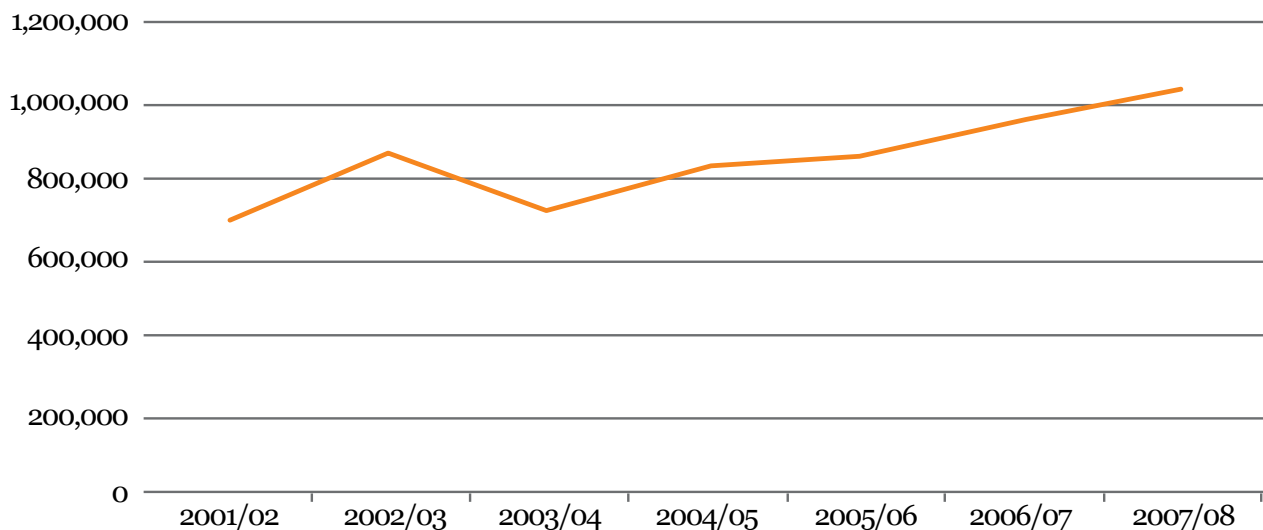
The perception that there were large disproportionalities in the use of stop and search on different racial groups was confirmed when ethnic monitoring was introduced, with the data first published in 1995. Since 1995, per head of population in England and Wales, recorded stops and searches of Asian people have remained between 1.5 and 2.5 times the rate for white people, and for black people always between 4 and 8 times the rate for white people.¹⁰

The Stephen Lawrence Inquiry report of 1999 examined the matter in depth and, while concluding that stop and search powers should be retained, it recommended safeguards to try to ensure their proper and consistent use.¹¹ Recommendation 61 proposed that a full written record should be made of each stop, as well as each stop followed by a search. These records were to be completed and handed to the person concerned at the time of the encounter.

Overall numbers of stops and searches under PACE 1984 have increased annually since 1993 (see figure 1, using 2001 as a starting point) and on the grounds of saving time and paperwork the recording requirements have now been reduced. Only a numbered 'receipt' is now given, with the person to collect the full record from a police station or online. This may deter people from asking for their full record as they fear being labelled as a potential complainant.

More recently, the scope of stop and search has been significantly increased under counter-terrorism legislation. In January 2010, the European Court of Human Rights ruled that stops and searches conducted under section 44 of the Terrorism Act were unlawful as police were not required to demonstrate reasonable grounds for suspicion.¹² The court noted that it had been 'struck by the statistical and other evidence showing the extent to which police officers resorted to the powers of stop and search under section 44 of the Act and found that there was a clear risk of arbitrariness in granting such broad discretion to the police officer'.

Figure 1: Increasing numbers of stops and searches under PACE 1984 and other legislation in England and Wales since 2001/02



Sources: Statistics on race and the criminal justice system, published by the Home Office 2001/02 to 2004/05 and by the Ministry of Justice 2005/06 to 2007/08.

‘A reduction in disproportionality does not have to result in a rise in crime – on the contrary, in the case of both Staffordshire and Cleveland it has gone hand in hand with reduced crime rates and increased levels of public confidence in the police.’

The legal framework

There is a range of legislation¹³ governing police use of stop and search. This includes:

- **Police and Criminal Evidence Act 1984 (PACE)**

- **Misuse of Drugs Act 1971**

- **Firearms Act 1968**

To stop and search under these three Acts the police are required to have 'reasonable suspicion' that the person stopped is in possession of stolen or prohibited articles.

- **Road Traffic Act 1988**

Under section 163 of this Act a person driving a vehicle or cycle must stop when asked to do so by a constable in uniform. Section 4 PACE authorises the police to search vehicles where there is reasonable suspicion that the vehicle is carrying a person who has committed, or is about to commit, an offence other than a road traffic offence.

- **Criminal Justice and Public Order Act 1994**

Searches under section 60 of this Act differ from PACE searches in that they do not require suspicion in individual cases. They can be authorised by a senior police officer based upon a reasonable belief that incidents involving serious violence may take place or that people are carrying dangerous instruments or offensive weapons in a specific locality. These powers were intended to prevent violent offences at large-scale events such as football matches.

- **Terrorism Act 2000**

The requirement under section 43 of this Act is a 'reasonable suspicion' that the person is a terrorist. Under section 44 people can also be stopped without reasonable suspicion – but only within a specific area in which this power has been authorised by a senior police officer. Searches under section 44 of the Act were ruled unlawful by the European Court of Human Rights (ECHR) in January 2010, as they breached Article 8 of the European Convention on Human Rights.

Reasonable suspicion

More detailed information about what constitutes ‘reasonable suspicion’ is laid out in a statutory ‘Code of Practice’ called PACE Code A.¹⁴ This states that:

‘There must be an objective basis for that suspicion based on facts, information and/or intelligence which are relevant to the likelihood of finding an article of a certain kind, or in the case of searches under section 43 of the Terrorism Act 2000, to the likelihood that the person is a terrorist. Reasonable suspicion can never be supported on the basis of personal factors alone without reliable or supporting intelligence or information or some specific behaviour by the person concerned. For example, a person’s age, race, appearance or the fact that the person is known to have a previous conviction, cannot be used alone or in combination with each other as the reason for searching that person. Reasonable suspicion cannot be based on generalisations or stereotypical images of certain groups or categories of people as more likely to be involved in criminal activity.’

Stopping someone solely on racial grounds has always been prohibited. In January 2009, PACE Code A was amended after pressure from the Commission to remove the word ‘alone’ and make it clear that a person’s race or colour can never be a reason for stopping someone, either on its own or in combination (other than where it is part of a witness description of a suspect).

Other relevant legislation

In addition to the legislation specifically governing stop and search there are a number of legal instruments which are relevant to the findings of this paper:

■ **The Human Rights Act 1998**¹⁵

The power to stop and search constitutes a deprivation of liberty and as such should be compatible with Article 5 of the Human Rights Act: the right to liberty and security of person. The use of the power must also be compatible with Article 8, respect for privacy, and Article 14, non-discrimination. This means that use of the power must be legal, proportionate, and non-discriminatory. Under PACE, the police only have the power to carry out a search when they have suspicion that a person is in possession of prohibited articles. Therefore, using the power to collect intelligence, to disperse groups of young people, or as a general deterrent is unlawful.¹⁶

■ **Race Relations Act 1976**

The Race Relations (Amendment) Act 2000 brought the police service within the ambit of UK anti-discrimination legislation by amending the Race Relations Act 1976. Under the Act, it is unlawful for public authorities – including police forces and police officers – to directly or indirectly discriminate or harass persons in carrying out any of their functions including conducting stops and searches or arresting suspects.

If a person believes they have been stopped and searched on the grounds of their race, ethnic or national origins, colour or nationality they can complain of racial discrimination.

The Act also places the police service under a duty to pay due regard to the elimination of discrimination and to promote equality of opportunity and good relations. In practice this means that the police service should be taking proactive steps to achieve better equality outcomes, for example by taking action to reduce levels of disproportionality in the use of stop and search.

The Commission has legal powers with which it can ensure compliance with this duty.

■ The Equality Act

The forthcoming Equality Act reforms all existing discrimination law, not only in relation to race but on other grounds such as gender, disability, sexual orientation, age and religion or belief. The Act will also introduce a new public sector equality duty, covering all the equality strands mentioned before. It is hoped that the proposed Bill will receive Royal Assent to become an Act in about April 2010 and the provisions relating to discrimination by public authorities are likely to come into force in April 2011.

Under the Act discrimination by public authorities including police forces will be prohibited in a similar way as under the Race Relations Act.

The remit of this report

This report focuses on stops and searches conducted under PACE and other legislation where reasonable grounds for suspicion are required which total 1 million stops and searches every year, making it by far the most commonly used stop and search power.

The Commission has also had serious concerns about stops and searches conducted under the Terrorism Act, which are not included in the above figure. These were borne out by the ECHR ruling in January 2010. In 2008/09, 256,000 searches were carried out under section 44 of the Terrorism Act, with only a tiny proportion – 0.6 per cent – of them leading to an arrest.¹⁷

Government figures released in April 2009 showed that between 2006/07 and 2007/08 the number of searches under section 44 of the Terrorism Act had risen by 322 per cent for black people and 277 per cent for Asian people compared with just 185 per cent for white people.¹⁸

The Commission is currently undertaking research into the impact of counter-terrorism laws and policies, in particular in relation to ethnic minority communities.



Case study: Ken Hinds

Ken Hinds is a pillar of his community. He is a youth worker and conflict engagement specialist involved in high risk gang mediation. He lives in Edmonton, north London. He established his own carnival youth group, Ruff Diamonds, and the Home Office recently cleared him to work as a consultant to the police as a gang mediator. Last October he received a commendation from the Metropolitan Police for his 'courage, tenacity and dedication' in tackling knife crime. Most recently he has been part of the Haringey black advisory group who won the Safer Communities award 2010 in the category of most outstanding volunteers within the criminal justice system for their work in tackling local gang violence.

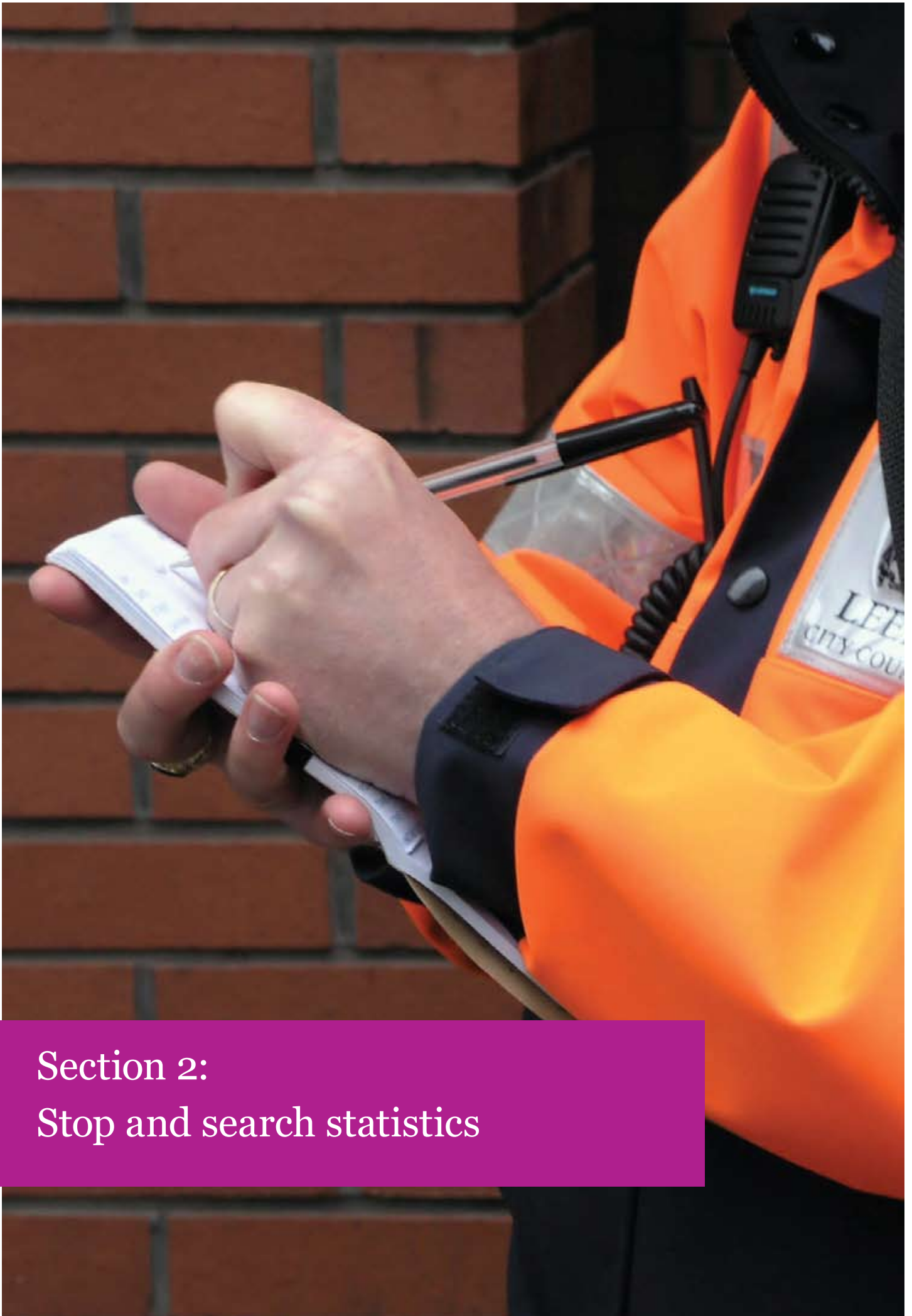
In his day-to-day encounters with the police, however, Hinds says he is often assumed to be a criminal. 'I'm stopped and searched on average five to six times a year,' he says. 'It started happening when I was 13 or 14 and I'm 50 now, so you can work out the numbers. It can happen anywhere – when I'm driving, or on the train, or when I step out of my house to go to the sweet shop. It always starts with a question about something small, and then escalates to a search. They usually say you fit a description.'

In 2007, Hinds took legal action against the British Transport Police claiming false imprisonment and malicious prosecution over an incident that occurred in May 2004. Hinds witnessed police stopping and searching a young black man in Seven Sisters train station, and he stayed to observe the scene in case the man needed a witness. The police involved arrested him and charged

him with threatening and abusive behaviour. The charges were dismissed at his trial in 2005 as Hinds points out 'after the court heard that statements from the two officers involved were suspiciously similar'. Hinds pursued the police for an apology, but only once they were faced with a High Court trial did he get one, along with £22,000 compensation. 'Getting the apology after everything I've been through with the police was worth more than money,' he says.

As a young man, Hinds says his experiences of stop and search formed his perception of the police as 'the enemy': 'it was made clear to me that there were two sides, and the police were not on my side. As a result, I felt that I could not approach the police when I had a problem. I had to deal with the problem myself.' This is not very different to how many youngsters are dealing with the issues today, but the consequences of their action has become more severe. He says that in recent years the situation has, if anything, become worse for young black men. 'I hear first-hand accounts from victims, awful stories about the way people are being treated on the street, resulting in their DNA being held on the police database for life!' he says. 'Rather than tackling crime in the black community strategically, the police are often adding fuel to the fire.'

'Everyone I speak to holds their hands up and recognises that we need policing. But it should also be possible to stop people in a fair and professional way; if that was the case, people would accept it. The only way to do it is change the culture within the police by engaging with them at a strategic level to hold them accountable.'



Section 2:
Stop and search statistics

‘Both black/white and Asian/white disproportionality ratios have remained approximately constant over the last five years.’

2.1 Introduction

The police are required to record all stops and searches and these are published each year by the Ministry of Justice. This information allows us to draw some conclusions about the experiences of ethnic groups in different police force areas, and also to see patterns of disproportionality nationwide.

This chapter looks at stop and search data from two main sources:

- The Ministry of Justice's annual publication *Statistics on race and the criminal justice system* published under section 95 of the Criminal Justice Act 1991 (and earlier editions published by the Home Office), available online at: <http://www.justice.gov.uk/publications/raceandcjs.htm>
- Metropolitan Police Stop and Search Monitoring reports for 29 of the 32 London Boroughs, available online at: http://www.met.police.uk/stopandsearch/borough_data.htm

Please note that this research concentrates on stops and searches under section 1 of the Police and Criminal Evidence Act 1984 (PACE) and other legislation such as section 23 of the Misuse of Drugs Act 1971 and section 47 of the Firearms Act 1968. It does not cover the separate figures published relating to stops and searches under section 60 of the Criminal Justice and Public Order Act 1994, nor those carried out under section 44 of the Terrorism Act 2000.

To put into context the numbers of stops and searches by ethnic group, which will generally be of very different population sizes, these numbers will be turned into rates per 1,000 people in the population. This will allow comparisons to be made between ethnic groups and between areas. However definitive estimates of the population by police force area and ethnic groups are not currently available. This analysis therefore uses two sources of population data by ethnic group:

- Section 2.2 is based on the approach followed by the Ministry of Justice in their annual publication referenced above. Their estimates of populations by ethnic group use 2001 Census data for ethnic composition combined with the appropriate mid-year population estimates for the 10 and over age group in each police force area. They themselves recognise that this approach has its weaknesses: that the people in an area may not be resident in an area, for example this is particularly the case in the City of London, and that 2001 Census data may no longer reflect the ethnic composition of an area.¹⁹ However it has the advantage of providing a consistent approach to analysing the stop and search data from 2001 onwards.

- Section 2.3 takes advantage of a new series of population estimates by ethnic group, developed by the Office for National Statistics and first published in January 2006, to investigate the impact of the changing ethnic composition in England.
- Section 2.4 then draws together the two sets of data to highlight those conclusions that can be drawn from the combination of the two sets of results.

In each case the analysis uses ‘ethnic appearance’ as the main measure of ethnic group, which is the term used for the police’s classification of people according to their appearance and differs from self-reported ethnicity which is defined by the people themselves. Although self-reported ethnicity is preferred, ethnic appearance is used here to permit analysis over time, since stop and search statistics by self-reported ethnicity were published for the first time for 2007/08 and still include a higher percentage of ‘not knowns’ than the ethnic appearance classification. When comparing with population estimates which use the 2001 Census ethnic group classification, the four ethnic appearance categories are estimated as follows:

- white = white British, white Irish and other white
- black = black Caribbean, black African, other black, mixed white and black Caribbean and mixed white and black African
- Asian = Indian, Pakistani, Bangladeshi, other Asian and mixed white and Asian
- other = Chinese, other mixed and ‘other other’.

Throughout Section 2, the terms ‘white’, ‘black’, ‘Asian’ and ‘other’ have the above definitions. Note that, as a result of using this ethnic appearance classification, it is not possible to compare different white populations. The following common measures are used:

- Stop and search rates by ethnic group are calculated from the number of stops and searches divided by the estimated resident population in that ethnic group. These are expressed per 1,000 people aged 10 and over.
- Disproportionality ratios refer to the ratios of the stop and search rates for different ethnic groups. These allow comparison of rates for different ethnic groups and are used here to compare black and Asian populations with the white population by dividing the black or Asian stop and search rate by the white rate.
- Excess stops and searches in comparison with the white population are calculated from the number of black or Asian stops and searches that would result if their stop and search rates were equal to that of the white population in the same area. The ‘excess’ is obtained by subtracting this figure from the actual number of stops and searches. This is equivalent to the product of the size of the black or Asian population multiplied by the difference between the stop and search rates for the black or Asian and white populations. Excesses will therefore be higher where there are larger black/Asian populations and/or the difference between the black/Asian and white stop and search rates is greater.

The following sections provide results from the two analyses. Detailed tables can be found in the appendix.

2.2 Results using the Ministry of Justice approach

All the results in this section are based on the Ministry of Justice approach which estimates the ethnic composition of each area from 2001 Census data. Comparisons with the alternative approach will be made in the following sections.

Stop and search in England and Wales

Across England and Wales (see table 1) there were 22 stops and searches per 1,000 people in 2007/08. Breaking this down for the different ethnic groups reveals significantly different rates. The black population had the highest rate of stop and search at 129 per 1,000. The rate for Asian people was 40 per 1,000, and it was 17 per 1,000 for white people.

Combined with the overall disproportionality ratios for stops and searches (7.6 for black compared to white, and 2.3 for Asian compared to white) we can calculate that 150,000 'excess' stops and searches were conducted on black people than would be expected if they were stopped and searched at the same rate as the white population. This is the majority of the 172,000 black stops and searches in total. There were similarly 52,000 'excess' stops and searches conducted on Asian people out of a total of 90,000.

Trends over time

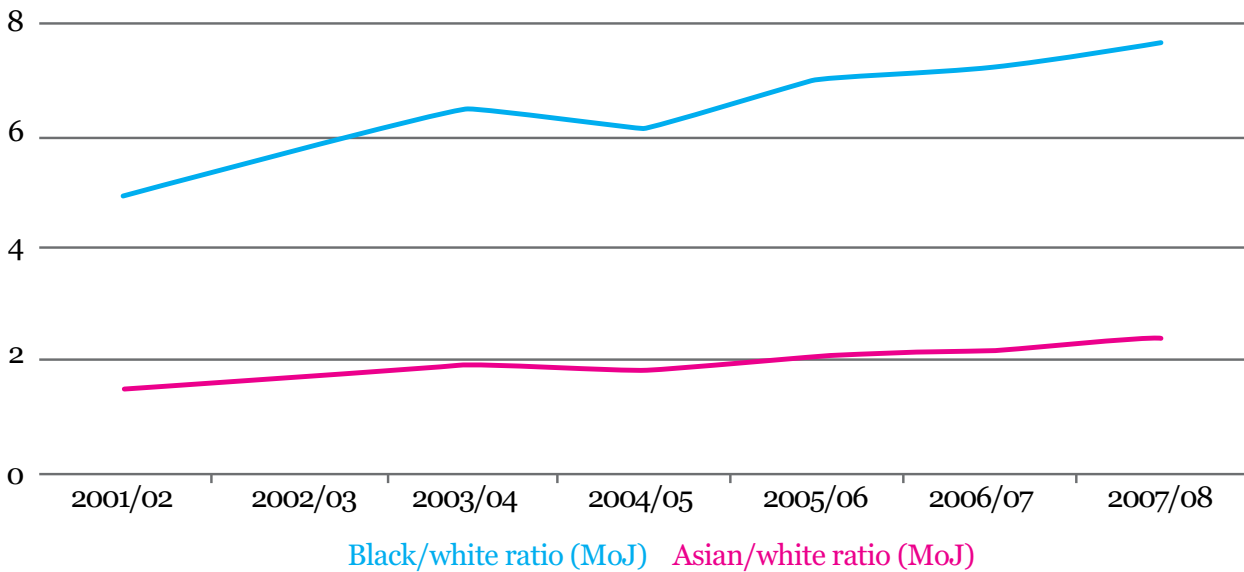
Over the period 2001/02 to 2007/08 the disproportionality ratios climbed slowly: from 4.9 to 7.6 for the black/white disproportionality ratio and from 1.5 to 2.3 for the Asian/white disproportionality ratio.

The London effect

A major influence on the England and Wales figures (see table 1 above) is the high stop and search rate in London,²⁰ which in 2007/08 was 60 per 1,000 people. In 2001 the London area was also home to around three-fifths of the black population aged 10 and over in England and Wales,²¹ which means that its relatively low disproportionality ratio (4.1) in fact has a big impact on this group's experience of stop and search nationwide.

The large numbers of excess stops and searches conducted on ethnic minority people in London, 104,000 for the black population and 19,000 for the Asian population, are the result of large minority populations and high stop and search rates rather than exceptionally high disproportionality ratios.

If the Metropolitan and City of London Police are excluded from the figures, the national average rate of stop and search drops to 15 per 1,000, and the rates for the black and Asian populations to 68 per 1,000 and 26 per 1,000 respectively.

Figure 2: Disproportionality ratios, 2001/02 to 2007/08, England and Wales

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2001/02 to 2007/08 editions published by the Home Office and Ministry of Justice.

Table 1: Stop and search rates, disproportionality ratios and excess stops and searches in England and Wales, 2007/08

	England and Wales	England and Wales excluding London	London
Rates per 1,000			
White	16.9	14.0	40.8
Black	128.8	67.7	167.8
Asian	39.7	25.8	62.6
Other	32.1	15.0	55.4
Total	21.6	15.5	60.4
Disproportionality ratios			
Black/white	7.6	4.8	4.1
Asian/white	2.3	1.8	1.5
Excess stops and searches (to nearest thousand)*			
Black	150,000	28,000	104,000
Asian	52,000	17,000	19,000

* The excess figures for London and England and Wales excluding London do not add to the totals for England and Wales since each is compared with the rate of white stops and searches for that area. Source: Equality and Human Rights Commission analysis of Statistics on race and the criminal justice system 2007/08, Ministry of Justice, 2009.

Stop and think

Disproportionality ratios also fall to 4.8 for black compared to white people and 1.8 for Asian compared to white people. The excess searches conducted on black and Asian people fall to 28,000 and 17,000 respectively.

The latest figures from the Metropolitan Police Service show an even higher stop and search rate for the Metropolitan area (see table A8). From November 2008 to October 2009, the overall stop and search rate was 71 per 1,000, with the rates for the black, Asian and white populations also high at 195 per 1,000, 78 per 1,000 and 49 per 1,000 respectively.

These rates resulted in higher excesses of 120,000 excess black stops and searches and 25,000 excess Asian stops and searches, as well as a black/white disproportionality ratio of 4.0 and an Asian/white ratio of 1.6, similar to the ratios for London in 2007/08.

A breakdown of London boroughs

As the London figures have such a significant effect on the overall disproportionality and excess searches in England and Wales, we looked in more detail at how stop and search figures break down across the different boroughs, using stop and search figures published by the Metropolitan Police (see section 2.1 for reference) covering the period November 2008 to October 2009 (see table A8).

Stop and search rates are highest in Westminster at 188 per 1,000. Other inner London boroughs with rates above 100 per 1,000 are Islington, Hackney, Tower Hamlets and Southwark, while Brent has the highest rate (91 per 1,000) for outer London.

Black stop and search rates are even higher than overall rates, with all boroughs recording rates over 90 per 1,000 and the highest rates in the inner London boroughs of Westminster, Tower Hamlets, Camden, Islington and Kensington and Chelsea.

Black/white disproportionality ratios (see figure 3) are highest (5.6 or higher) in South West Inner London (Hammersmith and Fulham, Kensington and Chelsea and Wandsworth) and also in Haringey, Harrow, Hillingdon and Bromley.

High excess stops and searches (over 5,800) were associated with large black populations in Hackney, Lewisham, Southwark, Lambeth, Wandsworth, Brent and Croydon, but not in Newham which had the lowest black stop and search rate and disproportionality ratio of all the boroughs considered.

Boroughs with the most disproportionate figures for Asian stops and searches (see figure 4) were mainly in the north east: Hackney, Tower Hamlets and Barking and Dagenham had rates of over 100 per 1,000; Tower Hamlets, Barking and Dagenham, Havering, Redbridge and Waltham Forest all had Asian/white disproportionality ratios above 2.0; Newham, Tower Hamlets and Redbridge had high excesses (each over 2,000 with Tower Hamlets over 6,000), again associated with large Asian populations (81,000, 73,000 and 61,000 respectively in the 2001 Census). Outside the north east area, Westminster and Islington had high Asian stop and search rates (183 per 1,000 and 142 per 1,000 respectively), Wandsworth and Ealing had high disproportionality ratios (2.3 and 2.1 respectively) and Ealing also had a high excess of 2,600.

Bromley, Bexley and Greenwich in South East London plus Lambeth and Brent have Asian/white disproportionality ratios of 0.9–1.1, whilst Sutton in the South West and Haringey and Enfield in the North West have ratios of 0.8 or below. The lowest disproportionality ratio was 0.7 in Enfield, where white people were 1.5 times as likely to be stopped and searched as Asian people.

Black people and stop and search across England and Wales

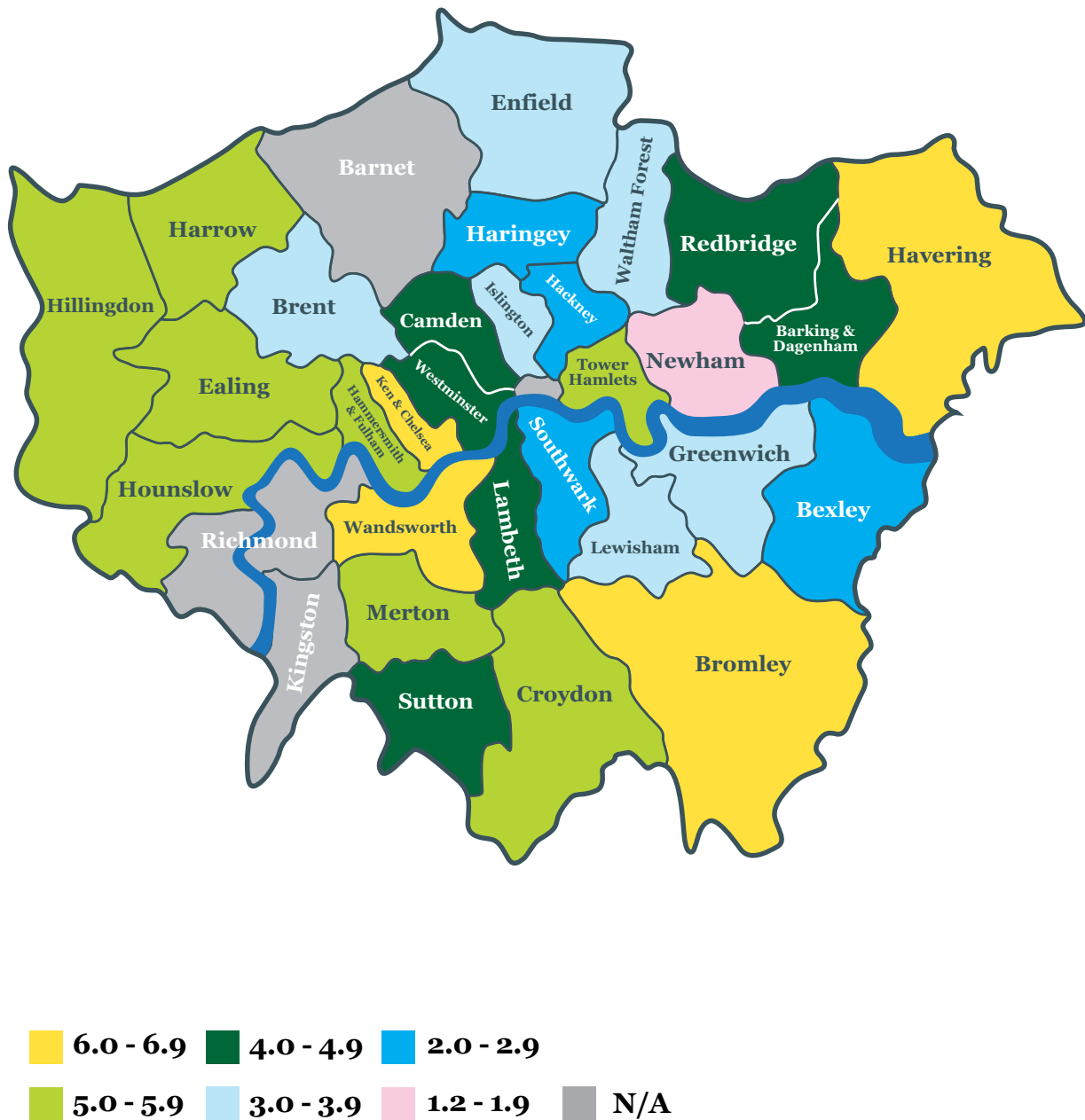
In areas outside London, stop and search is used less frequently but even more disproportionately against black and Asian people (see tables A1-2). The highest disproportionality ratios for black compared to white people were in Dorset (12.5), Hampshire (11.5), Essex (9.5) and Norfolk (9.0).

The lowest ratio of disproportionality for black people is in Durham (0.5) where white people are twice as likely as black people to be stopped and searched.

The **ten highest** black/white disproportionality ratios (see figure 5) form four geographical blocks: Norfolk, Suffolk, Essex and Hertfordshire in the east; Dorset, Hampshire, Avon and Somerset in the South/South West; Leicestershire and Nottinghamshire in the Midlands; plus West Mercia.

With the exception of Dyfed-Powys, the **ten lowest** black/white disproportionality ratios form one geographical block taking in areas from Merseyside up to Cumbria on the west coast and from Northumbria down to Lincolnshire on the east coast.

Figure 3: Black/white disproportionality ratios in London boroughs, November 2008–October 2009



Source: Equality and Human Rights Commission analysis of data from Metropolitan Police Stop and Search Monitoring reports, October 2009; Office for National Statistics, 2004, Census 2001 National report for England and Wales; Office for National Statistics, 2009, Mid-2008 population estimates.

Figure 4: Asian/white disproportionality ratios in London boroughs, November 2008–October 2009



Source: Equality and Human Rights Commission analysis of data from Metropolitan Police Stop and Search Monitoring reports October 2009; Office for National Statistics, 2004, Census 2001 National report for England and Wales; Office for National Statistics, 2009, Mid-2008 population estimates.

Figure 5: Black/white disproportionality ratios in England and Wales, 2007/08



Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2007/08, Ministry of Justice, 2009.

Urban/mixed areas

Unsurprisingly perhaps, the highest stop and search rates outside London are seen in the large urban areas of Merseyside (35 per 1,000) and West Yorkshire (26 per 1,000), with Greater Manchester in sixth place with 22 per 1,000. High excesses for black stops and searches are seen in the large urban areas of the West Midlands, Greater Manchester and West Yorkshire plus the Thames Valley, Leicestershire and Hampshire.

■ Merseyside

The small black population in Merseyside (12,000) had a stop and search rate of 87 per 1,000 which was 2.5 times that of the white population, so although stop and search rates were generally high the number of excess stops and searches was fairly low at 636. Stops and searches of Asian people were below average for the area at 27 per 1,000. Looking at crime rates,²² Merseyside has the highest rate of drug offences of 11 per 1,000 population, which is possibly related to the high stop and search rate.

■ West Yorkshire

West Yorkshire's black population is larger (31,000) and the black stop and search rate of 78 per 1,000 compared to the white stop and search rate of 23 per 1,000 gave a disproportionality ratio of 3.4. These factors combined to give a black excess of 1,731 stops and searches, the fifth largest after London. While the excess Asian stop and search rate was lower at 36 per 1,000 and the disproportionality ratio of 1.6

was not particularly high, the large Asian population in West Yorkshire (174,000) meant that the number of excess Asian stops and searches was the third highest after London and the West Midlands at 2,356. Crime rates in West Yorkshire are high overall at 100 per 1,000 population with particularly high rates for burglary and offences against vehicles (18 and 14 per 1,000 respectively).

■ West Midlands

The West Midlands has the largest black and Asian populations outside London. The area has a low overall stop and search rate of 13 per 1,000, but high disproportionality ratios for both black/white (6.0) and Asian/white (2.8) comparisons. Excess stops and searches amount to over 4,000 for both black and Asian populations.

■ Greater Manchester

The next largest black population after the West Midlands is in Greater Manchester, and the Asian population in this area is the largest after the West Midlands and West Yorkshire. It has a high overall stop and search rate of 22 per 1,000 and moderately high rates for the black (92 per 1,000) and Asian populations (30 per 1,000). It therefore has mid-range disproportionality ratios of 4.8 for the black/white ratio and 1.5 for the Asian/white ratio.

Predominantly rural areas

■ Dorset

Dorset has consistently shown some of the highest black/white disproportionality ratios, most recently at 12.5. This is much higher than two other areas considered 'similar' to Dorset; both Surrey and Sussex have lower black/white disproportionality ratios. Dorset also has a very high stop and search rate for the black population at 142 per 1,000 compared to the England and Wales average outside London of 68 per 1,000 – despite having one of the lowest crime rates in the country at 72 per 1,000.

These figures imply that Dorset may be a particular area of concern. It is important to note, however, that as the area has a very small black population (3,000) it only contributed 395 excess searches of black people compared with an England and Wales figure of 150,000. In other words, although stop and search may be being used particularly disproportionately, it contributes relatively little to numbers of black people being stopped and searched in England and Wales.

We looked into an explanation advanced by Dorset police that visitors and students in Bournemouth are the cause of the high disproportionality ratio in the area. Figures provided by Dorset police²³ do not support this explanation, as stop and search statistics for Bournemouth show exceedingly high stop and search rates for the black population, even if students, visitors and 'not stated' are excluded. In fact, 82 per cent of the black people stopped and searched in Bournemouth are residents.

Even if visitors are excluded from the Bournemouth figures, the stop and search rate for black²⁴ people is a very high 366 per 1,000 and the disproportionality ratio similarly high at 9.9.

Norfolk also has a high black stop and search rate at 99 per 1,000 and a high black/white disproportionality of 9.0 but, as with Dorset, a low excess of 284 black stops and searches. Like Dorset, Norfolk has a very low crime rate, in fact, the lowest in England at 58 per 1,000.

■ Other areas of concern

Leicestershire and Hampshire also had very high stop and search rates for the black population, at 148 per 1,000 and 135 per 1,000 respectively, compared with average or lower stop and search rates overall. Like Dorset, these areas also provided some of the highest black/white disproportionality ratios of 7.3 and 11.5 respectively. Unlike Dorset, however, Leicestershire and Hampshire also had high excesses for black stops and searches of 1,903 and 1,423 respectively.

Thames Valley also has a high excess for black stops and searches and a moderately high disproportionality ratio of 6.4.

■ More equitable areas

Only a handful of areas have disproportionality ratios in the range 0.9–1.1: Cumbria when comparing black and white groups, and the following five when comparing Asian and white groups: Kent, Northumbria, Devon & Cornwall, Dyfed-Powys and North Wales.

Asian people and stop and search in England and Wales

Stop and search is used most disproportionately on black people. However, there are also significant concerns around the use of stop and search on Asian people, even without considering the separate but related question of stops and searches under the Terrorism Act, which the Commission will examine separately.

Looking only at stops and searches conducted under PACE (see figure 6 and table A2), the highest disproportionality ratio for Asian compared to white people was in Cumbria (3.7), followed by Thames Valley, North Yorkshire and West Mercia (all 3.0).

Cumbria also has the highest rate of stop and search for Asian people (69 per 1,000). This is despite generally low crime rates apart from an above average rate of 18 per 1,000 for criminal damage.

North Yorkshire and Thames Valley both have high Asian stop and search rates and high Asian/white disproportionality ratios. High Asian stop and search rates are also seen in areas with slightly lower disproportionality ratios (South Yorkshire and Staffordshire) and mid-range ratios (West Yorkshire and Northamptonshire). Of these, West Yorkshire and Thames Valley have the highest excess Asian stops and searches which is as a result of the large Asian populations in these areas.

West Mercia also has a high Asian disproportionality ratio resulting from an Asian stop and search rate just above average and a low white rate, but combined with a small Asian population, the excess is low.

Another area with a high Asian disproportionality ratio is the West Midlands. It has a low white stop and search rate and large black and Asian populations, so excesses are very high for both black and Asian stops and searches.

The **ten highest** Asian/white disproportionality ratios form three geographical blocks: Dorset, Hampshire, Thames Valley and Hertfordshire; Gwent, West Mercia and West Midlands; Cumbria, North Yorkshire and South Yorkshire.

The lowest ratio of disproportionality for Asian people is in Durham (0.3) that is white people are three times as likely as Asian people to be stopped and searched.

The **ten lowest** Asian/white disproportionality ratios form three geographical blocks: Northumbria, Durham and Cleveland; Humberside and Lincolnshire; Norfolk, Suffolk, Cambridgeshire and Leicestershire; North Wales and Dyfed-Powys, plus three separate police force areas; Merseyside, Kent and Devon & Cornwall.

Figure 6: Asian/white disproportionality ratios in England and Wales, 2007/08



Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2007/08, Ministry of Justice, 2009.

Families of forces

It is instructive to consider forces in relation to others from similar areas. As we have seen, in many cases it is hard to explain why neighbouring areas should have very different disproportionality ratios, for example in terms of black/white disproportionality Lincolnshire had a low ratio (1.5) while Norfolk had a high ratio (9.0).

This analysis looks at nine ‘families’ of forces, derived from HM Inspectorate of Constabulary’s groupings for the purposes of comparisons in inspections,²⁵ which group areas with their most similar and in most cases second most similar areas. These are shown in table A3. For example, the large, urban areas of London, Greater Manchester, Merseyside, West Midlands and West Yorkshire form one family and the mainly rural areas of Cumbria, Derbyshire, Dyfed-Powys, Lincolnshire, Norfolk and North Wales form another.

There are striking differences in disproportionality ratios even within families of similar forces. For example, in terms of black/white ratios Norfolk has a high figure (9.0) while in the same family Cumbria (0.9) and Lincolnshire (1.5) have low values. Similarly Lancashire (1.7) and Essex (9.5) have very different ratios as do North Yorkshire (1.9) and Suffolk (7.4). In terms of Asian/white ratios, Lincolnshire (0.6) has a much lower ratio than Cumbria (3.7) and Cleveland (0.5) has a lower ratio than South Yorkshire (2.7).

The large, urban areas also show a range of disproportionality ratios with Merseyside having the lowest values and the West Midlands the highest values for both black/white and Asian/white disproportionality.

Trends over time by area

By ranking the police force areas according to their disproportionality ratios, that is putting them in order with the largest given rank 1, it is possible to see consistent patterns over the period 2003/04 to 2007/08.

Many areas are fairly consistent in their rankings according to black/white disproportionality (see table A5). Dorset, for example, is never lower than second place and Hampshire is generally in the top seven. Similarly Durham has remained in the bottom three and Cumbria in the bottom seven. Some have moved up the rankings: both West Mercia and Hertfordshire have moved up from mid-table positions. Others have moved down: Warwickshire from 5th in 2003/04 and Gwent from 2nd in 2004/05.

Looking across the last five years, the areas most often reporting high black/white disproportionality ratios (see table A4) are Dorset, Hampshire, Essex, Norfolk and Wiltshire, each having disproportionality ratios above 7.0 in at least three of the last five years. Similar patterns are seen in the Asian/white disproportionality ratios (see table A7). Thames Valley and West Mercia are in the top four in all five years, while Durham and Cleveland have been in the bottom seven. Both Cumbria and North Yorkshire have moved to the top of the table, while Cambridgeshire has moved down from 5th to 27th place and Cheshire has gone from 6th to 32nd place.

Looking across the last five years (see table A6), the areas most often reporting high Asian/white disproportionality ratios are Thames Valley, North Yorkshire, West Mercia, South Yorkshire and Gwent, each having disproportionality ratios of 2.3 or above in at least four of the last five years. In the top five, both Cumbria and the West Midlands have seen high ratios in only the last two years.

2.3 Adjusting for ethnic population changes

The following analysis addresses the issue of changes in the resident population since the 2001 Census by recalculating stop and search rates, disproportionality ratios and excesses using estimates of the population by ethnic group produced by the Office for National Statistics. Since these estimates only cover England, the following text relates to England and English police force areas only.

Stop and search in England

Summary statistics for England produced using the two approaches are compared in table 2 below for 2007/08. Since both analyses are based on the mid-2007 population estimates for the 10 and over age group, the overall stop and search rates are identical at 22 per 1,000.

Differences appear when we consider the black and Asian populations. The stop and search rate for the black population decreases from 129 per 1,000 to 113 per 1,000 and the Asian rate is also reduced from 40 per 1,000 to 34 per 1,000.

Note however that these rates are still high compared with the white rate of 17 per 1,000 and, although reduced, the disproportionality ratios of 6.5 for black versus white populations and 1.9 for Asian versus white populations remain high. Excess stops and searches are also only slightly lower in number.

Trends over time

Section 2.2 showed disproportionality ratios for England and Wales climbing slowly up to 2007/08 and, not surprisingly, the same is true for England. However in basing the calculations on the 2001 Census statistics, it has been assumed that all ethnic groups have increased at the same rate, 3 per cent over the four years, whereas ONS estimates show that the black population in England has increased by 17 per cent and the Asian population by 21 per cent. The white population has in comparison increased by only 1 per cent over the same period.

Calculating the disproportionality ratios for England using the ONS population estimates by ethnic group suggests that disproportionality ratios have in fact changed little since 2003/04. Except for 2004/05 when both ratios were slightly lower, the black/white disproportionality ratio had a value of 6.4 or 6.5 and the Asian/white ratio was 1.9.

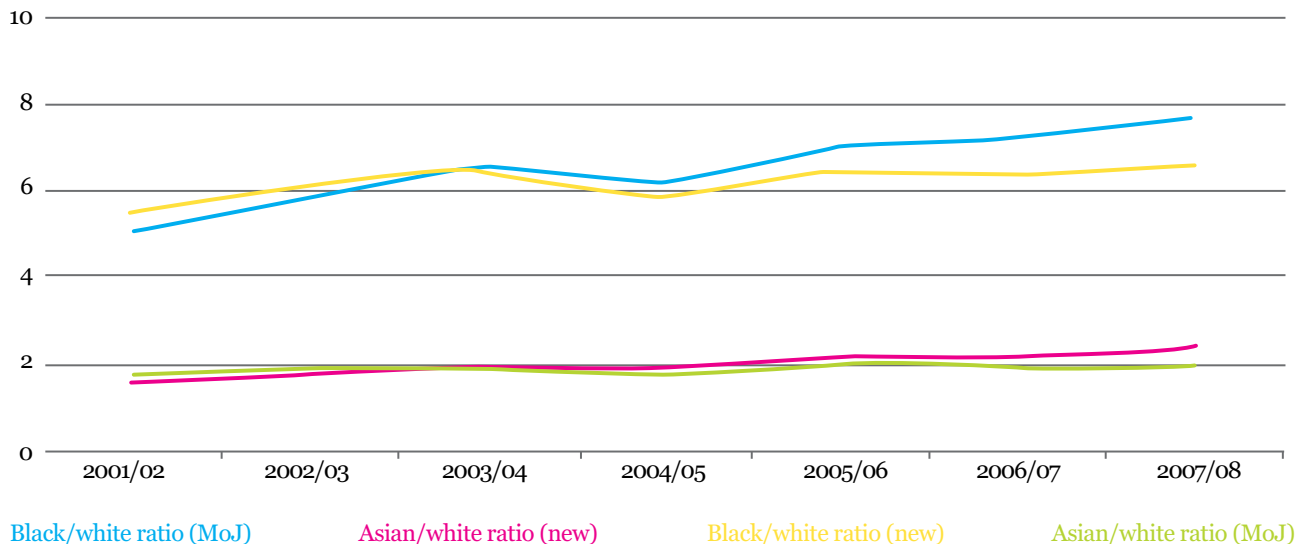
At a national level therefore the apparent increase in disproportionality since 2001/02 appears mainly to be explained by change in the ethnic composition of the population.

Table 2: Stop and search rates, disproportionality ratios and excesses in England, 2007/08

	Estimating ethnic composition from the 2001 Census	Using ONS population estimates by ethnic group
Rates per 1,000		
White	17.0	17.4
Black	129.5	113.1
Asian	39.9	33.7
Other	32.6	20.4
Total	22.0	22.0
Disproportionality ratios		
Black/white	7.6	6.5
Asian/white	2.3	1.9
Excess stops and searches (to nearest thousand)*		
Black	150,000	145,000
Asian	52,000	43,000

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2007/08, Ministry of Justice, 2009; Population estimates by ethnic group mid-2007 (experimental), Office for National Statistics, 2009; Mid-2007 population estimates, Office for National Statistics, 2008.

Figure 7: Disproportionality ratios, 2001/02 to 2007/08, England



Source: Equality and Human rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice; Population estimates by ethnic group mid-2007 (experimental) and earlier years, Office for National Statistics, 2009; Mid-2007 population estimates and earlier years, Office for National Statistics, 2008.

The London effect

Once again, London has a major effect on the national figures as a result of its high stop and search rate overall of 60 per 1,000. The ONS estimates now show only around half of the black population of England living in London and, related to this, the black/white disproportionality ratio has increased to 4.4 and excess stops and searches to 106,000. In contrast, the Asian population in London has increased and the disproportionality ratio decreased slightly to 1.4 and excess stops and searches to 16,000.

Outside London both black and Asian populations are larger than in 2001, so both disproportionality ratios and excess stops and searches have decreased. The black/white disproportionality ratio is now 3.2 and the Asian/white disproportionality ratio is 1.5, while the number of excess black stops and searches decreased to 23,000 and the number of excess Asian stops and searches to 11,000.

The more recent Metropolitan Police Service stop and search statistics were again similar to the London ratios for 2007/08 with the black/white disproportionality ratio at 4.3 and the Asian/white disproportionality ratio at 1.5.

Table 3: Stop and search rates and disproportionality ratios and excess stops and searches in England, 2007/08

	England	England excluding London	London
Rates per 1,000			
White	17.4	14.3	41.3
Black	113.1	45.1	182.9
Asian	33.7	20.8	58.3
Other	20.4	8.1	44.9
Total	22.0	15.4	60.4
Disproportionality ratios			
Black/white	6.5	3.2	4.4
Asian/white	1.9	1.5	1.4
Excess stops and searches (to nearest thousand)*			
Black	145,000	23,000	106,000
Asian	43,000	11,000	16,000

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2007/08, Ministry of Justice, 2009; Population estimates by ethnic group mid-2007 (experimental), Office for National Statistics, 2009; Mid-2007 population estimates, Office for National Statistics, 2008.

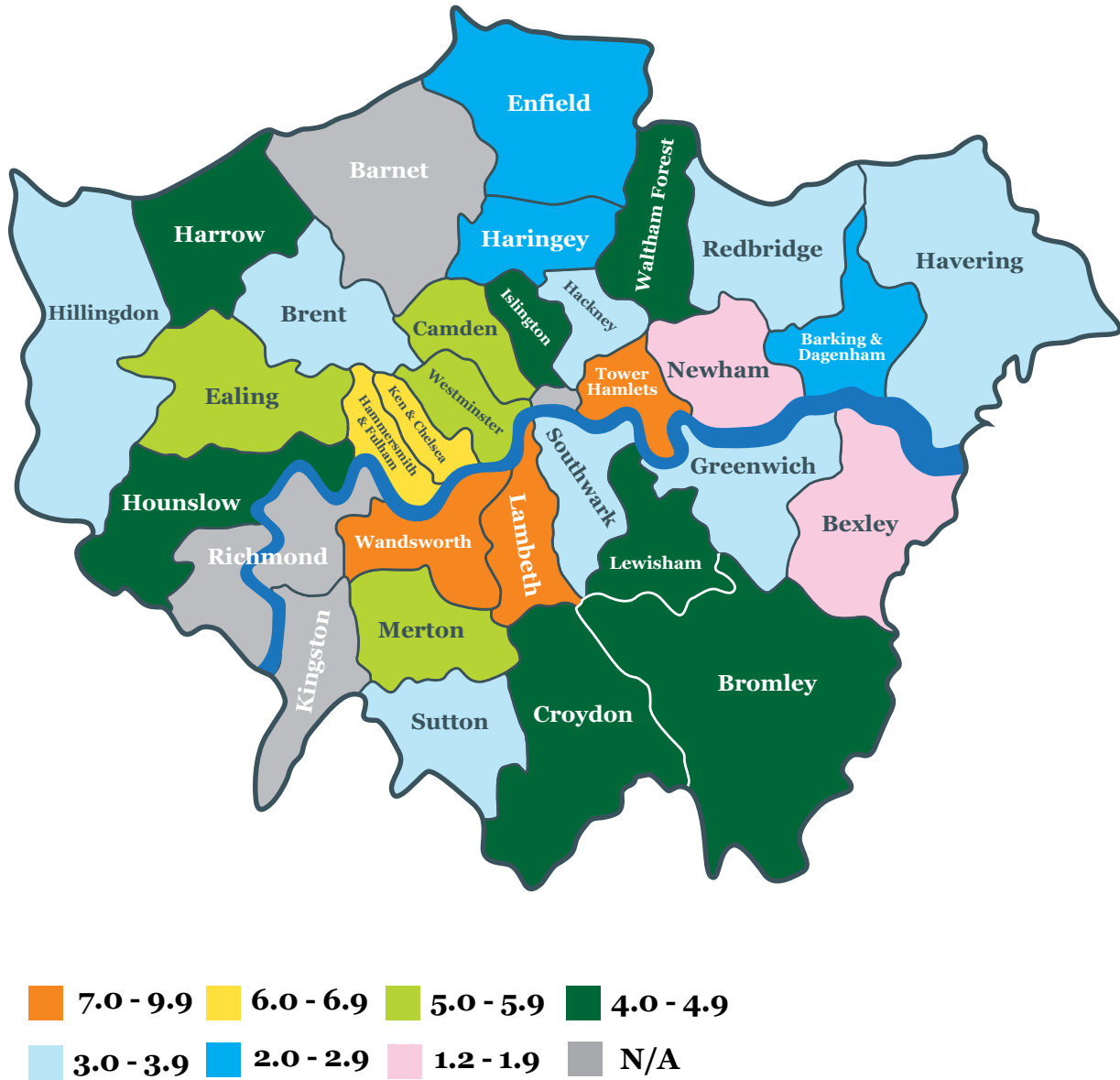
A breakdown of London boroughs

Looking in more detail at borough-level data covering the period November 2008 to October 2009 (see table A16), stop and search rates are highest in Westminster (188 per 1,000), followed by Islington, Hackney, Tower Hamlets and Southwark all with rates above 100 per 1,000.

With some exceptions, the overall trends in the population figures are decreasing black populations in inner London and increasing black populations in outer

London, plus increasing Asian populations in both inner and outer London. As a result, black stop and search rates are even higher than before in inner London ranging from 107 per 1,000 in Newham to 750 per 1,000 in Westminster. Apart from Bexley (84 per 1,000), all outer London boroughs had black stop and search rates above 100 per 1,000. Black/white disproportionality ratios (see figure 8) were highest in the inner London boroughs of Wandsworth (9.1), Lambeth (7.3) and Hammersmith and Fulham (6.9) in the south west, plus Tower Hamlets (7.2) in the north east.

Figure 8: Black/white disproportionality ratios in London boroughs, November 2008– October 2009

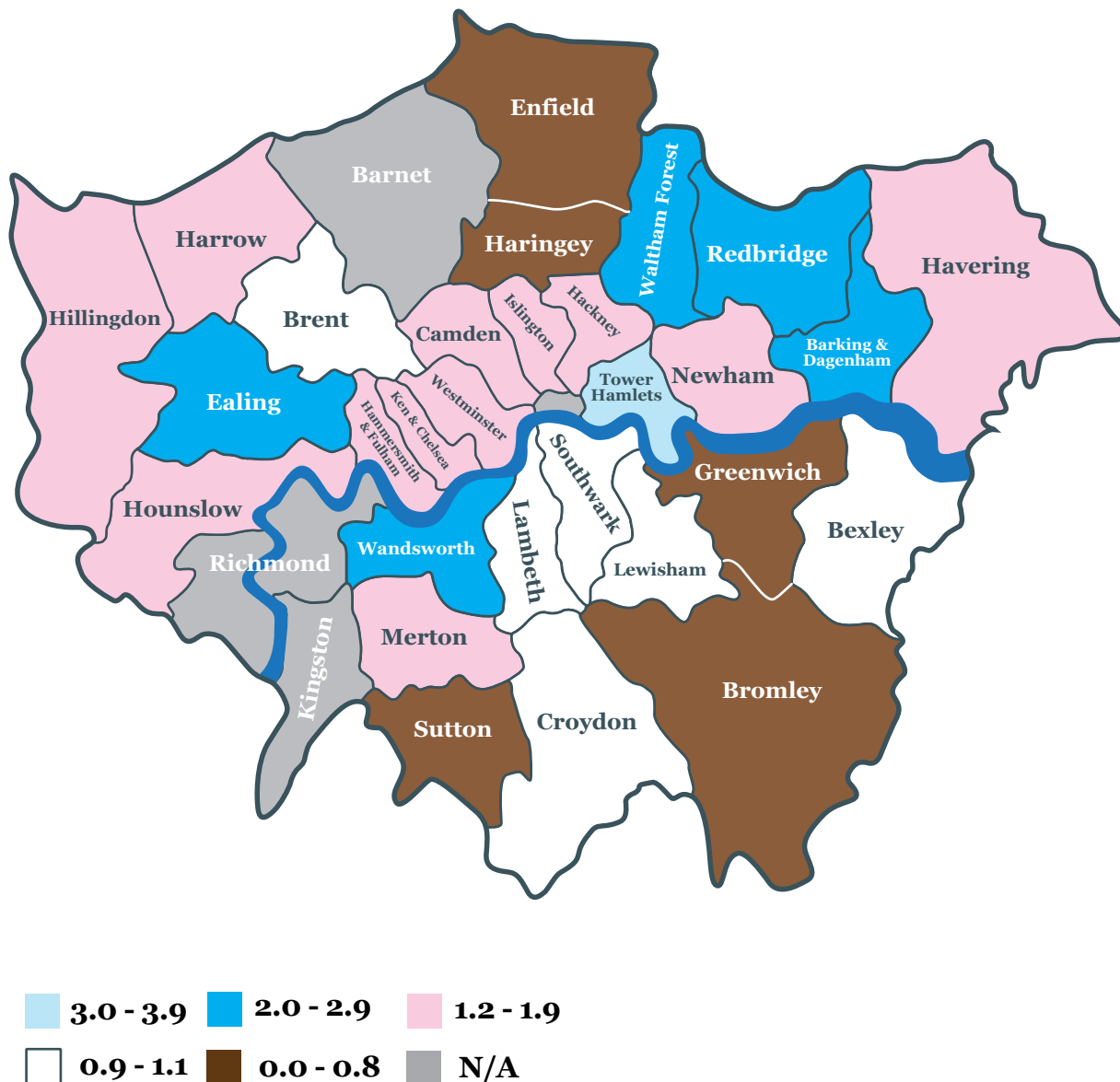


Source: Equality and Human Rights Commission analysis of data from Metropolitan Police Stop and Search Monitoring reports October 2009; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2009, Mid-2008 population estimates.

High excess black stops and searches (over 6,000) are again seen in Hackney, Lewisham, Southwark, Lambeth, Wandsworth, Westminster, Brent and Croydon.

The north east again provided some of the highest disproportionality ratios (see figure 9) for Asian stops and searches in Tower Hamlets (3.1), Barking and Dagenham (2.6), Redbridge (2.4) and Waltham Forest (2.5), as well as high excesses in Newham (2,200), Tower Hamlets (7,100) and Redbridge (2,500).

Figure 9: Asian/white disproportionality ratios in London boroughs, November 2008– October 2009



Source: Equality and Human Rights Commission analysis of data from Metropolitan Police Stop and Search Monitoring reports October 2009; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2009, Mid-2008 population estimates.

Most of the boroughs with Asian/white disproportionality ratios below one were again in south east London: Lewisham,

Southwark, Bexley, Bromley, Croydon and Greenwich, and in addition Enfield and Haringey in the north west and Sutton in the south west.

Police force areas across England

Similar population changes affect stop and search statistics in police force areas. Comparing population estimates by ethnic group for 2007 with 2001 Census estimates suggests that in many areas population estimates for black and/or Asian populations have more than doubled, which combined with only small changes in the white populations reduces some disproportionality ratios for 2007/08 by at least half and in some cases by over two-thirds (see tables A9-10).

The highest disproportionality ratio for black compared to white people is now in Hampshire (5.7), followed by Nottinghamshire (5.5), West Midlands (5.3) and Dorset is now in fourth place (5.0). Essex and Norfolk have fallen further down the rankings, to 13th and 18th place respectively. Note that in addition to changing the order of the areas, the more extreme ratios have disappeared.

There are also six police force areas with black/white disproportionality ratios below one: Northumbria, North Yorkshire, Cleveland, Lincolnshire, Cumbria and Durham. In these areas white people are stopped more frequently than black people, five times as likely in Durham and more than three times as likely in Cumbria.

Geographically the 10 areas with the highest black/white disproportionality ratios now form two main blocks and one separate area (see figure 10): one block in the south stretches from Avon and Somerset, through Dorset, Hampshire and Thames Valley to London; one in the midlands takes in West

Mercia, the West Midlands, Leicester and Nottinghamshire; plus Suffolk in the East. The differences from the previous section are that the West Midlands, Thames Valley and London have replaced Hertfordshire, Essex and Norfolk in the top 10.

More equitable black/white disproportionality ratios fall in the range 0.9–1.1 and these are seen in Humberside and Lancashire.

The lowest 11 ratios again form a block in the north of England this time including Cheshire in addition to the nine areas from Merseyside round the coast to Lincolnshire, and with Devon and Cornwall replacing Dyfed-Powys (not covered in this section).

Returning to those areas looked at in more detail in section 2.1, the same six areas have the highest excesses for black stops and searches after London and continue to be of concern: West Midlands, Greater Manchester, Thames Valley, Leicestershire, West Yorkshire and Hampshire. Black/white disproportionality ratios remain high in four of these areas: Hampshire, West Midlands, Thames Valley and Leicestershire.

High disproportionality also remains a concern in Dorset with a ratio of 5.0. However Norfolk has dropped down the ranking to 18th with a mid-range ratio of 3.4.

The highest disproportionality ratio for Asian compared to white people is now in the West Midlands (2.7), followed by Thames Valley (2.4) and South Yorkshire (2.0). Cumbria with a ratio of 1.2 has fallen from 1st to 16th place and North Yorkshire (1.0) from 3rd to 21st place.

There are now 15 police force areas with an Asian/white disproportionality ratio below one with the greatest disproportionality in Durham where white people were 6.5 times as likely as Asians to be stopped and searched and also three or more times as likely in each of Devon and Cornwall, Humberside and Lincolnshire.

The 11 areas with the highest Asian/white disproportionality ratios (see figure 11) form two blocks: one London with nearby Thames Valley, Hertfordshire and Bedfordshire; and one stretching from West Mercia, Staffordshire and the West Midlands, up through Leicestershire and Nottinghamshire to South and West Yorkshire. No longer in the top 10 ratios are: Dorset, Hampshire, Cumbria and North Yorkshire.

More equitable Asian/white disproportionality ratios fall in the range 0.9–1.1 and these are seen in eight areas: Northamptonshire, Sussex, Cambridgeshire, Surrey, North Yorkshire, Wiltshire, Dorset and Gloucestershire. Of these the greatest decrease is for North Yorkshire, which previously had an Asian/white disproportionality ratio of 3.0.

The lowest ratios are for Devon and Cornwall plus three blocks: Merseyside and Cheshire; Northumbria, Durham and Cleveland; and Humberside, Lincolnshire, Norfolk and Suffolk.

Trends over time by area

Tables A12–15 show trends over the period 2003/04 to 2007/08 in disproportionality ratios and rankings. Again there is a high degree of consistency in the rankings by black/white disproportionality over time but with some changes at the top. This time, Dorset has only once fallen below 4th place but, unlike the preceding analysis, Thames Valley is now in the top five. Hampshire's move up the rankings in 2007/08 is seen even more clearly in this analysis, from 10th place or below before jumping to first place in 2007/08.

Six areas have had black/white disproportionality ratios of 5.0 or above for at least three of the last five years: Nottinghamshire, West Midlands, Dorset, Thames Valley, Avon and Somerset and Wiltshire. Of these only Dorset and Wiltshire are common to the previous analysis of those areas with persistently high ratios.

Regarding Asian/white disproportionality ratios, Thames Valley and West Mercia are again in the top ranks, this time always in the top six, along with the West Midlands and South Yorkshire. These areas form the top four in 2007/08 and are also the only areas with Asian/white ratios of 2.0 or above in at least three of the last five years. Of these Thames Valley, West Mercia and South Yorkshire were also identified in the preceding section as having high ratios over time.

Figure 10: Black/white disproportionality ratios in England, 2007/08



Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2008, Mid-2007 population estimates.

Figure 11: Asian/white disproportionality ratios in England, 2007/08



Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2008, Mid-2007 population estimates.

2.4 Conclusions

Comparing the main results from the two analyses it is possible to draw the following conclusions:

- Black people are at least six times as likely to be stopped and searched as white people.
- Asian people are around twice as likely to be stopped and searched as white people.
- Both black/white and Asian/white disproportionality ratios have remained approximately constant over the last five years if changing population composition is taken into account.
- The biggest impact in terms of numbers of 'excess' stops and searches is seen in London where the stop and search rate is highest and where a high percentage of the black and Asian population lives.
- Outside London, large excesses are also seen in the West Midlands, Greater Manchester, West Yorkshire, Thames Valley, Leicestershire and Hampshire for black stops and searches.
- Large excesses are also seen in the West Midlands, West Yorkshire and Thames Valley for Asian stops and searches.
- Some of the highest black/white disproportionality ratios are seen in Dorset, Hampshire and Leicestershire. In Hampshire the ratio has increased dramatically in 2007/08.
- Some of the highest Asian/white disproportionality ratios over the last five years are seen in the West Midlands, Thames Valley, West Mercia and South Yorkshire.
- In some areas, such as Durham, white people are more likely to be stopped and searched than either black or Asian people.
- Similar and/or neighbouring areas will often have very different results which cannot be easily explained.

‘Stop and search is used **most disproportionately on black people.** However, there are **also significant concerns** around the use of stop and search on **Asian people.**’



Case study: Staffordshire police

In 2005, Adrian Bloor was Detective Chief Inspector of Crime for Stoke on Trent in Staffordshire. He wanted to improve neighbourhood policing in the area and identified stop and search as a key factor affecting the relationship between the police and local communities.

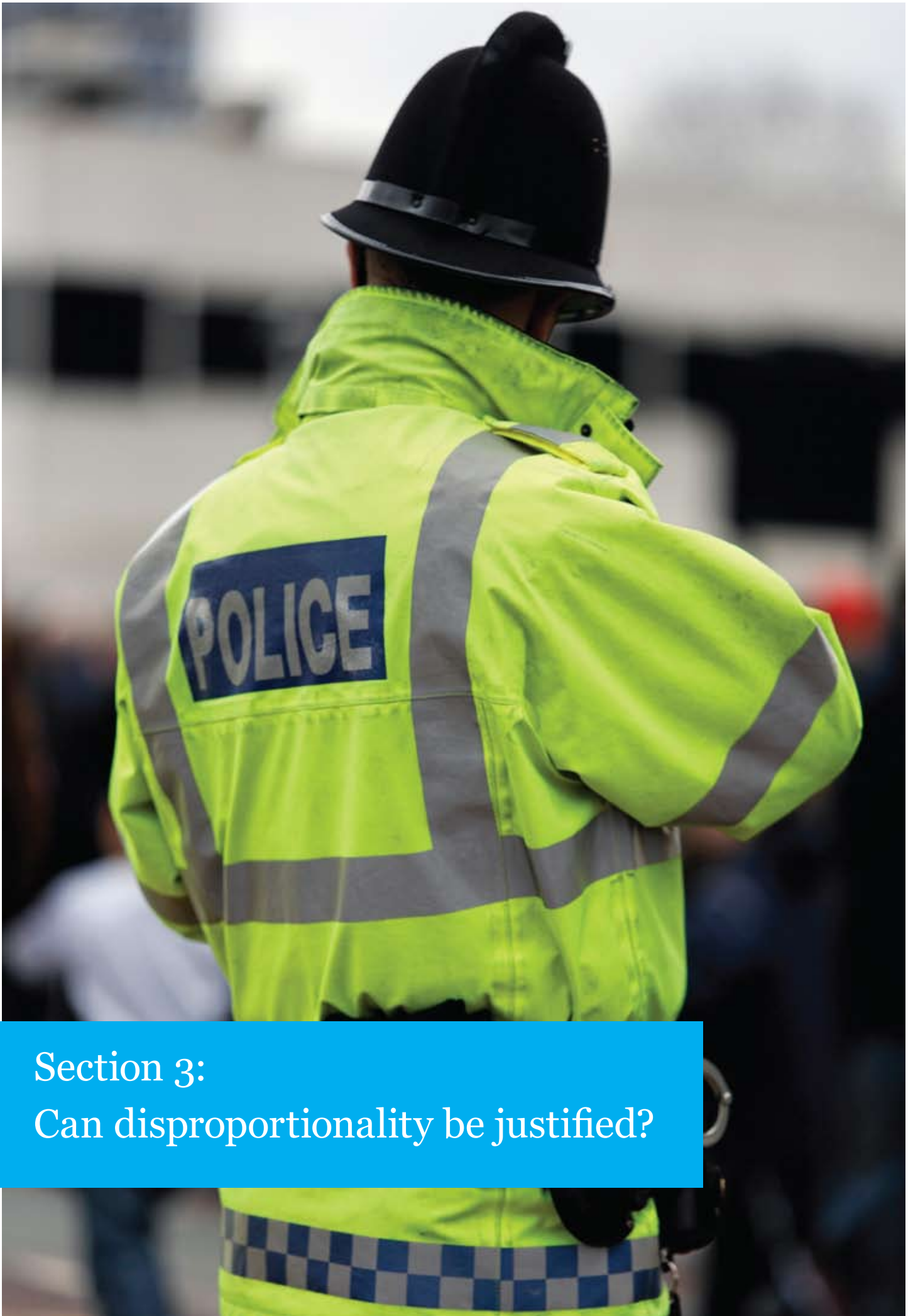
‘At that time we were doing about 400–500 stops and searches per month, and this was disproportionately affecting ethnic minority communities in Stoke,’ he says. At the time, black people in Stoke were 4.5 times more likely to be stopped and searched than white people. ‘We wanted to improve communication with those communities, which meant being able to explain to them why stop and search powers were being used and reassure them that they were used appropriately.’

The force implemented the Practice Oriented Package (POP), an initiative produced by the Government’s Office for Criminal Justice Reform setting out best practice in stop and search. ‘We went through every single stop and search form for 2005, to identify the reasons why the powers were being used, who was using them, and against whom,’ says Bloor. ‘That meant we were able to feed that information back to the community. It also meant that if we could see a particular officer was using stop and search inappropriately there was a process in place for identifying and dealing with that problem.’

In the period shortly after the initiative was adopted in Stoke the disproportionality ratio dropped to 1.5 when comparing black and white people. The ratio for Staffordshire as a whole dropped from 4.4 in 2003/04 to 2.9 in 2006/07. Over the same period, crime rates in Staffordshire dropped from 104 per 1,000 in 2003/04 to 99 per 1,000 in 2006/07.²⁶

For Bloor, however, the principal benefit of the initiative was that the police in Stoke were able to explain their use of stop and search to the communities in question. ‘In 2005 we had some conflict between a mixed black and white drug gang and an Asian drug gang. We used stop and search in the area affected, but we were able to explain to local communities why we were doing that and they were largely supportive.’

In more recent years Bloor acknowledges that other priorities have meant that there has not been such a focus on stop and search in Staffordshire – and unfortunately the figures have started to slip back. However, he says the experiment shows how tackling the disproportionate use of stop and search is ‘really just a matter of taking the time and putting the resources in to do it.’



Section 3:
Can disproportionality be justified?

‘According to the PACE Codes of Practice, the **decision to stop and search must be based on objective information** relating to a specific individual suspected of involvement in a specific offence **at a specific time**. In other words, that **decision cannot be based on a generalised belief** that a particular group of people are more likely to be involved in crime.’

Various explanations have been put forward to justify disproportionality in the police use of stop and search.

‘Street availability’

The ‘street availability’ theory posits that instead of considering the resident population per area, we should compare the numbers of stops and searches among the population ‘available’ to be stopped and searched. In this way, it is argued, the measure recognises that some demographic groups – depending on their age, ethnic origin, gender, etc – are more likely than others to spend time at home, at work or otherwise in private spaces where they are ‘unavailable’ to be stopped and searched by the police. Conversely, people who are more often out and about in public spaces are ‘available’ to be searched.

This theory is one of the most frequently cited explanations for the existing ratios and excess stop and search numbers. We acknowledge that an explanation based on ‘availability’ has some mileage, particularly in clearly defined areas with small resident populations. However as a general explanation for the overall pattern, it doesn’t hold up to scrutiny as it is self-fulfilling. Street availability is influenced by police decisions where and when to do stops and searches and these decisions heavily influence the people that are ‘available’ to be stopped and searched. This is compounded by policing that is geared toward street visibility. In what follows we consider the pros and cons of the argument.

A Home Office research paper exploring this explanation concluded that resident populations give a poor indication of the populations who spend time in public places and are therefore ‘available’ to be searched. When the population ‘available’ to be searched – based on observations of who is on the street when stops and searches are carried out – is used, white people tend to be stopped and searched at a higher than expected rate, Asian people tend to be under-represented and black people are sometimes over- and sometimes under-represented.²⁷

The street availability argument is best illustrated by looking at a particular location (such as an outer London borough) with a relatively small resident population from ethnic minority backgrounds, but with a daytime ‘street population’ of people from more ethnically diverse neighbourhoods who travel into the area to work, attend schools or colleges, or for shopping or entertainment. Senior police officers have long argued that the proportion of the population stopped and searched in such locations should not be compared with the **resident** population but with the population ‘out and about’ in the area. This argument has some force when it is applied in the most local context.

There are significant problems, however, with the notion of ‘street availability’. Firstly, it is not a neutral criterion; it depends on other factors such as unemployment, exclusion from school, homelessness, or working in occupations that involve evening and night work, all of which are known to be associated with ethnic origin.²⁸ Stop and search is also more frequently used in neighbourhoods with large ethnic minority populations. In other words, particular ethnic groups are bound to be more ‘available’ than others.

It is also difficult to explain the regional pattern of disproportionality with reference to street availability. For example: why would black people be so much more ‘available’ for stops and searches than white people in Dorset, but not in Devon and Cornwall?

Another problem with this explanation is that the research looks not at the amount of time people spend in public space in general, but rather at the amount of time they spend in the places where stop and search powers are most extensively used.²⁹ This means that the measure is self-reinforcing: police decisions about where and when to target stops and searches will affect the characteristics of the ‘available’ population.

Other research has attempted to control for the factors that place an individual at greater risk of being ‘available’ to be

stopped. In the British Crime Survey, for example, a large sample of interviewees were asked whether they had been stopped by the police in the previous year as well as a range of demographic, socio-economic and lifestyle questions. This showed that the likelihood of being stopped in a vehicle was still higher for black respondents even once age, sex, academic qualifications, owning a car, unemployment, occupation, earnings, living in an inner city, being a student, living in London and going out after dark more than three times a week were accounted for.³⁰

The persistence of racial disproportionality after these factors have been controlled for suggests that based on a national random sample, being black increases the likelihood that a person will be stopped regardless of the demographic and lifestyle variables that make them ‘available’ to the stopped.

The key point is that **per capita** rates provide, by definition, an estimate of the population group experience of police stop and search powers. So in a large geographical context such as a police force area (or taking England and Wales as a whole), statistics based on resident populations provide an important indicator of how often members of different ethnic communities are actually stopped or searched within that area. As Home Office researchers put it, stop and search rates based on residential populations show clearly that ‘being black means that you get stopped more often’.³¹

Crime rates

Another explanation for racial disproportionality in the use of stop and search has been that some ethnic groups are more likely to offend, and to commit particular types of crimes, than others. Assuming that any differences in patterns of crime are reflected in differences in patterns of suspicious behaviour, it might then be argued that disproportionality in stop and search is simply a product of differences in involvement in crime.

There are no robust measures of general crime rates and how these vary among different ethnic groups. One of the most commonly used measures is the arrest rate. In England and Wales, 82 per cent of the people arrested for criminal offences are white, 9 per cent are black and 5 per cent are Asian.³² Black people are therefore more likely to be arrested than would be expected from their numbers in the population, especially for specific offences such as robbery.³³

There are, however, several problems in using arrest data to make comparisons between the different racial groups' involvement in crime. First, Home Office statistics show an overall detection rate of 28.4 per cent for crimes recorded by the police.³⁴ For the overwhelming majority of crimes, therefore, we have no information about the offender. Second, the fact that someone is arrested does not mean they are guilty of an offence. About 20 per cent of people arrested have no further action taken against them, and only about 40 per cent will be found guilty at court.

Finally, the decision to arrest someone relies – like the decision to stop and search – on a police officer's 'reasonable suspicion' that a person has committed, or is about to commit, an offence. As the proportion of all arrests that arise from the use of stop and search powers for black people is about twice that for white people, arrest rates may significantly exaggerate the extent to which black people are involved in crime.

An alternative to the use of arrest rates as a measure of crime is the 'self-report' study which involves asking a sample of young people whether in the past year they have committed any from a list of criminal offences. These studies have shown consistently that rates of involvement in offending and drug use are similar among white and black respondents and significantly lower among Asian respondents.³⁵ These studies have two main weaknesses. First, they are only as reliable as the honesty of the people being interviewed. Second, although they may accurately estimate the extent of offending in the overall population, they tend not to capture the small proportion of people, regardless of ethnicity, who are extensively involved in crime.

Even if it were possible accurately to calculate the offending rates of different ethnic groups, or if it is assumed that arrest rates are evidence of differential involvement in crime, that would not in itself justify disproportionate use of stop and search. According to the PACE Codes of Practice, the decision to stop and search must be based on objective information relating to a specific individual suspected of involvement in a specific offence at a specific time. In other words, that decision cannot be based on a generalised belief that a particular group of people are more likely to be involved in crime, or to commit certain offences.

Data accuracy

It has been suggested that police officers are more likely to record stops and searches conducted on black people than they are to record those conducted on white people.³⁶ The reasons given for this are that: a) officers want to 'cover their backs' for fear of a complaint, and b) because stops and searches involving black people are more confrontational so any search was less likely to be 'voluntary'.

Conversely, there is also evidence in relation to the use of section 44 counter-terrorism stop and search powers that white people have been stopped to reduce racial disproportionality in figures for the use of the powers.³⁷

Although it is theoretically possible that stops and searches are inaccurately recorded, it is difficult to explain how this would produce such a consistent pattern of race disproportionality in particular forces around the country. Why, for example, would this problem apply notably in the south, but apparently never in the area north of York up to the Scottish border?

There is also one further point about data accuracy and that relates to the 'denominator' in per 1,000 population stop/search rates. That is, that in the Ministry of Justice report the proportions of each ethnic group are based on the 2001 census combined with total mid-year population estimates for each area. If the census under-estimates the size of the ethnic minority population (which it almost certainly does in some places), then the stop/search rate will be artificially inflated, and similarly if some ethnic groups have increased by more than the white population since 2001 then this will also inflate the stop and search rates. The effect of incorporating more recent estimates of the population by ethnic group has been explored and further details can be found in section 2.

Effectiveness

There is evidence that while searches play some role in preventing crime, the impact is small. The most recent study of the effectiveness of stop and search estimated that searches reduced the number of ‘disruptable’ crimes by just 0.2 per cent.³⁸ It also found that it was unlikely that searches made a substantial contribution to undermining drug markets or drug-related crime, given that drug searches tend to focus in practice on users rather than dealers, and cannabis rather than class A drugs.³⁹ Although stop and search clearly leads to the detection and confiscation of drugs and weapons, its contribution to overall crime reduction is unproven.

Any benefits of stop and search also need to be carefully weighed against the negative impact on public confidence in the police among ethnic minority communities. The public generally supports stop and search in principle, provided the powers are used properly. However, bad feeling results from the perception that officers are not polite and do not provide adequate explanations for stopping people.⁴⁰

The experience of being unfairly targeted for stop and search undermines the legitimacy of policing which, in turn, has material effects on the willingness of victims of crime and witnesses to pass information to the police and voluntary compliance with the law.⁴¹ No democratic policing practice can survive without legitimacy and consent.

In the most extreme cases, the inappropriate use of stop and search carries the risk of creating confrontations between police and public that can trigger disorder. As Carole Willis put it nearly a quarter of a century ago:

‘Without a secure base of community support (‘consent’) the use of [stop and search powers]... rapidly becomes hazardous and ineffective. To maintain their effectiveness, therefore, their exercise needs constantly to be reassessed not merely in relation to arrests or clear up rates, but also in the light of the effect on the community as a whole. In other words, the satisfactory and fruitful exercise of powers in this area depends crucially in the long term on police action being perceived by individuals and groups as acceptably fair and rational.’⁴²

Discrimination: a continuing problem

The factors examined in this chapter may in some cases provide a partial explanation for racial disproportionality in police use of stop and search. It is clear, however, that even taken together they do not justify the widespread nature of the disproportionality identified in section 2 of this report. It is highly relevant therefore to consider the evidence on racism in policing.

The entrenched pattern of disproportionate use of police stop and search powers is consistent with the research evidence on police prejudice, discrimination and selective enforcement based on stereotyping.⁴³ Studies of police attitudes and behaviour towards people from ethnic minorities conducted in the 1980s found that rather than merely being a reflection of the racism and racial discrimination found in wider society, these were more widespread and more extreme.⁴⁴ Since then, the extent and acceptance of racist language and behaviour have diminished within both British society and its police service. Unfortunately, however, recent evidence suggests that racist attitudes, stereotyping and discrimination continue to be found among a number of police officers.

A decade ago, the Stephen Lawrence Inquiry – based on submissions from both within the police service and from the general public – concluded that the police were ‘institutionally racist’. The Inquiry also reached a ‘clear core conclusion [that] racist stereotyping’ explained the pattern of stop and search.⁴⁵ In 2003, despite four years of reform, the BBC’s *Secret Policeman* documentary showed that some police officers still used extreme racist language, expressed intense racial hatred and declared their intention to stop and search people from ethnic minorities out of spite. These officers claimed that their views and behaviour were shared among their colleagues. The most recent Home Office study in this area found that explicit racist language was gradually disappearing but that racist attitudes and behaviour may have gone ‘underground’.⁴⁶

In the area of stop and search, there is good evidence that stereotyping – making an automatic assumption that individuals from particular groups are more likely to be involved in crime – affects police officers’ decision-making.⁴⁷ Police officers repeatedly explain to researchers that they stop black people because ‘nine times out of 10 they would have drugs’ or ‘whenever a robbery comes in... 90 per cent you’ll be thinking it’s a black man’.⁴⁸ In one Home Office study, a constable argued that, ‘if 99 per cent of people committing robberies are black – and in an area like this they are – then you would expect to find 99 per cent of the stops/searches to be of black people’.⁴⁹ Research evidence shows that police officers routinely use skin colour as a criterion for stop and search based on stereotyping and over-generalisations about the involvement of different ethnic groups in crime. Stereotypes shape the formation of suspicion and affect police officers’ decision-making. As one Home Office study put it:

‘the police contribute to the large ethnic differences in the PACE data by virtue of their heightened suspiciousness of black people. This is pervasive and deeply entrenched; and it may significantly increase the chances of black people coming to the attention of the police relative to other groups.’⁵⁰

Policing strategy

There is also evidence that the use of stop and search is influenced by policing strategy. A recent study by the Institute for Criminal Policy Research, for example, found that different police force areas ‘adopted markedly different styles of policing, and these styles affected the profile of young people entering the youth justice system’. The study found that some areas used a professional ‘rule of law’ style of policing while others were characterised by a more adversarial style ‘which placed less priority on respectful and fair treatment.’⁵¹

Conclusion

The pattern of entrenched disproportionate use of stop and search powers on people from ethnic minority communities is consistent with the evidence on racial prejudice and stereotyping. On the other hand, none of the arguments set out earlier in this chapter provide a satisfactory explanation as to why in some areas of the country different racial groups are targeted relatively equitably, while in others black people in particular are much more likely to be stopped and searched than white people.

Arguments based on generalisations about some racial groups being more ‘available’ to stop and search or more likely to commit particular types of crime are highly problematic. The evidence supporting such claims is unreliable and, in any case, when making the decision to stop and search police officers are legally obliged to have ‘reasonable suspicion’ that the person involved has committed an offence. Reasonable suspicion must be based on objective evidence in each case rather than generalised beliefs about the behaviour of people from particular social or racial groups.

The evidence points to racial discrimination being a significant reason why in many areas of the country people from ethnic minority communities, black people in particular, are so much more likely to be stopped and searched by the police than their white neighbours. It implies, in other words, that stop and search powers are being used in a discriminatory and unlawful way.

‘Any **benefits** of stop and search need to be carefully **weighed against the negative impact on public confidence in the police among ethnic minority communities.**’



Section 4:
Emerging good practice

‘It should be possible for forces with high disproportionality and numbers of excess searches to address this problem by **learning from the approach taken by other similar forces** with more equitable stop and search outcomes.’

On a positive note, the comparisons illustrated by the present report also indicate that it should be possible for forces with high disproportionality and numbers of excess searches to address this problem by learning from the approach taken by other similar forces with more equitable stop and search outcomes.

Several policy initiatives have been launched in response to the debate around the use of stop and search in Britain. After the issue was highlighted in the Lawrence Inquiry report in 1999, a Home Office Action Plan was published which conceded that there was a disproportionate use of stop and search powers against people from ethnic minorities, and that discrimination was likely to be a contributory factor.

Despite the subsequent implementation of more rigorous reporting, the extent of disproportionality has remained high. Recognising the growing public concern that little progress was being made on the issue, the Home Office launched a Stop and Search Action Team (SSAT) in July 2004. The team was answerable to key government ministers and was overseen by a panel of community members.

The SSAT aimed to ensure that the police used their stop and search powers fairly to increase trust between people from ethnic minorities and the police, and to reduce disproportionality. In 2005, the SSAT produced a stop and search manual setting out expectations of police forces.

This included a Practice Oriented Package (POP) intended to help forces to identify the reasons for racial disproportionality and remedial actions to address it. This was fully implemented in Staffordshire (see case study, page 49) with positive results.

The Next Steps initiative

In 2007, responsibility for developing practice in stop and search passed from the Home Office to the National Policing Improvement Agency (NPIA). The NPIA Next Steps initiative, launched in late 2009, provides some helpful principles and policies which, if effectively implemented, may help to bring down rates of disproportionality in stop and search.

Next Steps is designed to secure practice which is focused, intelligence-based and underpinned by community confidence and support. It has been refined and updated from the earlier Practice Oriented Package (POP).

Among other measures it includes the allocation of specific roles for officers at key ranks and positions, measures to combat non-recording, analysis of trends down to local level, including individual officer patterns, and reinforcement of training messages (for example what constitutes and does not constitute 'reasonable grounds for suspicion') and information from analysis at daily briefings. It has a scheduled 'roll out' to forces successively through 2010, with central quality control, instead of its full or partial introduction being left to chief officers' discretion, as it was previously with the POP.

Next Steps:⁵²

- argues that disproportionality which cannot be accounted for shows that the power, which requires a significant resource to use, is not being used efficiently or effectively
- sets out to improve community confidence and states categorically that no stop and search should be undertaken without specific reasonable grounds and no stops/searches will be undertaken to meet performance targets
- emphasises the need for recording including information which if given to a responsible third party would satisfy them that reasonable grounds were present

- also notes that targeting stop and search in areas where crime rates are low and where there is high disproportionality suggests that the power is being used unfairly, inefficiently and wasting public money
- calls for guidance on reasonable suspicion in specific circumstances and to ensure that suspect descriptions are sufficiently precise to ensure that racial profiling is not taking place
- also recommends a whole range of managerial and other responses including the proactive involvement of communities through Neighbourhood Policing initiatives, and proactive marketing of the Association of Police Authorities' Know Your Rights leaflet

The Commission fully supports the aims and recommendations of the Next Steps initiative and calls for its full implementation in forces across the country. The matter of greatest concern, however, is that despite more than a decade of statements of intent, policy documents and advice, the police power to stop and search continues to have a strikingly disproportionate impact on ethnic minority communities.



Case study: Operation Pennant

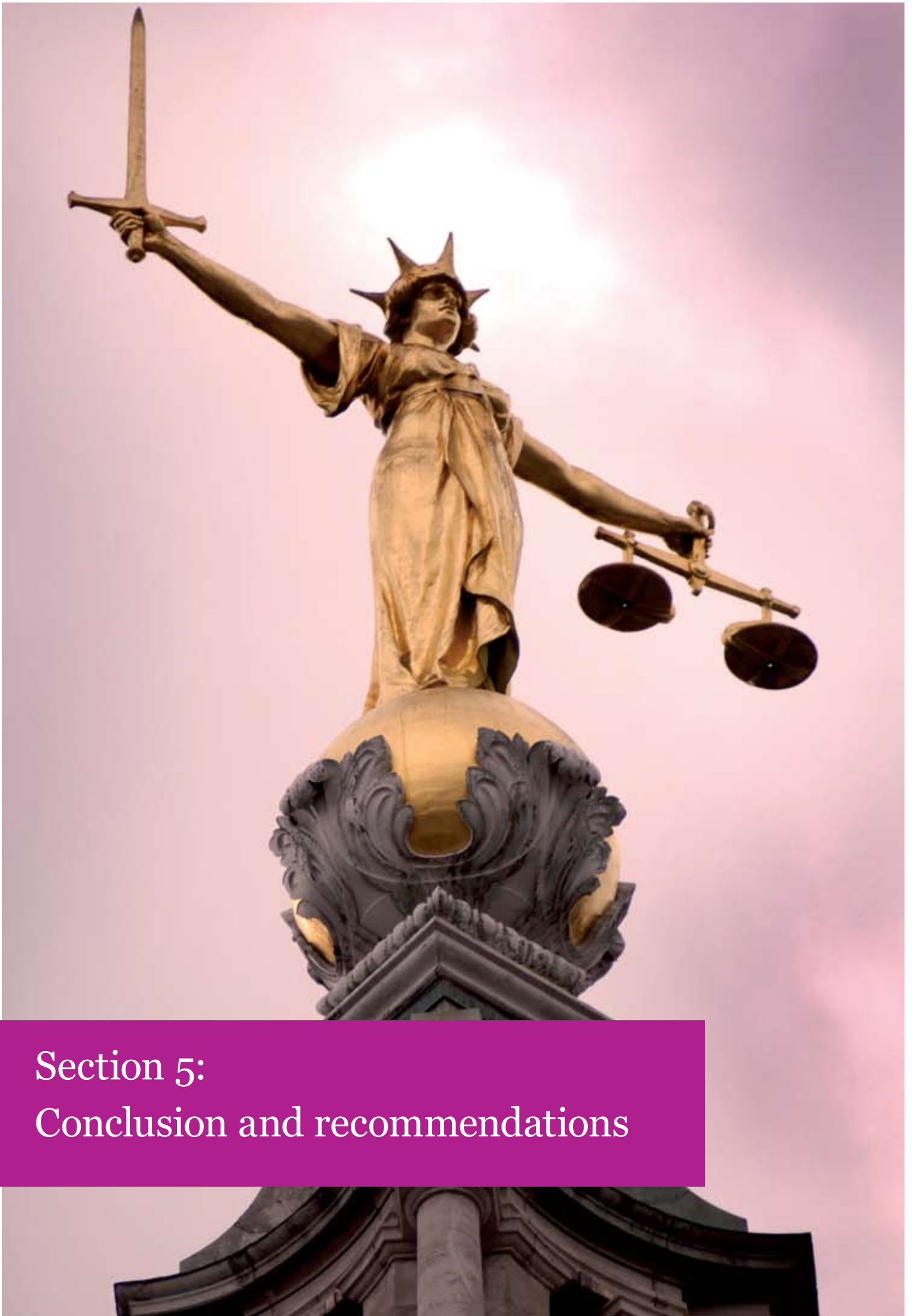
Operation Pennant was introduced in October 2006 by the Metropolitan Police (the Met) as a performance framework for the use of stop and search. It aimed to increase accountability, and to ensure that the powers were being used effectively to target crime. The Met wanted to improve perceptions of fairness about the use of stop and search and increase community confidence in the service.

Under Operation Pennant, the performance of all 32 boroughs regarding stop and search was measured. Boroughs were then ranked in relation to six weighted performance indicators, including the volume of searches and the disproportionality ratios, overall arrest rates and 'housekeeping' factors such as prompt recording of data. The five boroughs identified as being most problematic with respect to their use of stop and search were then reviewed and representatives from them met with the territorial policing patrol commander. The boroughs in question were asked to formulate and execute an action plan detailing how they intended to address their performance issues.

'These meetings were open to members of the community too, and a lot of difficult questions were asked,' explains Ted Henderson, the stop and search team manager for the Metropolitan Police. 'When the representatives came back in for a review meeting three months later performance had invariably improved dramatically.'

While the figures showed great improvements in the 'housekeeping' factors, however, they were less conclusive on reducing disproportionality with the force's black/white ratio dropping from 4.5 to 4.1 between 2005/06 and 2007/08. Over this period parity in black/white arrest rates did demonstrate a considerable improvement. 'The way that disproportionality is measured based on census data', says Henderson, 'tended to focus attention on areas such as Kingston and Richmond, which have high disproportionality but small black populations, rather than boroughs like Hackney, which has large black and Asian populations and a high rate of stop and search.'

Following a review, Operation Pennant has now been scaled back and focuses on more straightforward data monitoring. Local commanders are no longer required to draw up action plans. However, says Henderson, the initiative did have a positive effect. 'All the superintendents we called in would say that the process had been beneficial. As soon as their attention was drawn to the data, performance would begin to improve,' says Henderson. 'For the first time they could have full confidence around their use of stop and search. We would have liked to see more of an improvement around disproportionality but the performance framework at the very least ensured that answers were provided in instances where there were high levels, and stop and search practice was scrutinised in far more detail.'



Section 5:
Conclusion and recommendations

‘We believe that if an initiative such as Next Steps is fully implemented and properly monitored it should be possible for the police to show real improvements. After a succession of initiatives around this issue, however, it is now necessary to see results. We will consider what steps we need to take in relation to those forces where there is evidence of significant and long-standing disproportionality.’

The need for real change

Our analysis of stop and search data has revealed that the police use of the powers in England and Wales remains disproportionately weighted against black and Asian people.

This has persisted despite years of debate and several police initiatives aimed at tackling the problem. It is long overdue that forces around the country focus on this issue and achieve real improvements.

The fact that levels of disproportionality and excess searches of black and Asian people vary so much around the country indicates that these are products of policing strategy rather than justifiable responses to crime levels or any other social or demographic factor.

Indeed, none of the arguments advanced to explain the continuing disproportionality provide a satisfactory justification for it. Attempts to base the analysis on 'street availability' rather than population figures are problematic as they rely upon non-neutral criteria. Neither can this analysis explain why forces around the country show such different levels of disproportionality.

The belief that black people are generally more likely to be involved in crime is not substantiated by robust evidence. Even if it were assumed that arrest rates are evidence of differential involvement in some forms of crime in some places, that would not in itself justify disproportionate use of stop and search.

In any event, individual officers and their supervisors are legally obliged to base their decision to stop and search on 'reasonable suspicion' that the person concerned has committed, or is about to commit, a particular offence. It is unlawful to target people on the basis of a generalised belief about the behaviour of a particular group.

As the Metropolitan police's own guidance states, it is incumbent on officers to be able to show that each decision to stop and search has been taken after considering:

- Proportionality
- Legality
- Accountability
- Necessity, and
- Best information available.

The Commission does not believe that the disproportionality and numbers of excess searches evident around the country are consistent with these requirements. The evidence would indicate that the police, at least in some areas, appear to be using the power in ways that are unlawful and discriminatory.

The fact that there are pockets of emerging good practice in certain forces indicates, furthermore, that it is possible to tackle this problem. Not only does addressing the disproportionate use of stop and search appear to have no adverse impact on crime rates; it is likely to improve relations between the police and the public and facilitate effective community policing.

Particular areas of concern

The records show that there are specific forces around the country that have consistently generated problematic stop and search figures. These forces are of particular concern to the Commission. They can be divided into three categories:

■ Forces with high ‘excess’ numbers of black and Asian stops and searches

The Metropolitan and City forces in London together generate the large majority of excess stops and searches of black people: over 100,000 compared with around 150,000 in England and Wales. This is not because the disproportionality ratio of these forces is exceptionally high (although the use of these powers remains disproportionate), but because they use stop and search very frequently, and in areas with large black and Asian populations. Clearly,

rationalising the use of stop and search powers in London and decreasing their disproportionate use is key to improving the picture nationwide.

Outside London, large excesses are also seen in the West Midlands, Thames Valley, Greater Manchester, West Yorkshire, Leicestershire and Hampshire.

■ Forces with high disproportionality ratios

While London generates the majority of excess stops and searches, in other areas the powers are used much more disproportionately against black and Asian people. Dorset has persistently stopped and searched black people disproportionately. Leicestershire and Hampshire also have high black/white disproportionality ratios.

Some of the highest Asian/white disproportionality ratios over the last five years are seen in the West Midlands, Thames Valley, West Mercia and South Yorkshire.

■ Forces in which disproportionality ratios or numbers of excess searches are going up

We will closely monitor the figures and focus on areas, for example Hampshire in 2007/08, in which the use of stop and search is becoming more disproportionate over time.

Moving forward

The Commission will continue to monitor how the police are using their stop and search powers. We want to see:

- A reduction in the national figures for race disproportionality in the use of stop and search powers.
- A reduction in the number of excess stops and searches carried out on black and Asian people.
- Forces with high excesses, in particular the Metropolitan Police, taking action to ensure that the powers are being used in a non-discriminatory and lawful manner.
- Forces that currently have particularly high rates of disproportionality, in particular some southern rural forces, taking action to reduce their race disproportionality ratios.
- Forces with race disproportionality close to 1.0 collaborating and sharing good practice with their neighbours.

We believe that if an initiative such as Next Steps is fully implemented and properly monitored it should be possible for the police to show real improvements. After a succession of initiatives around this issue, however, it is now necessary to see results. We will consider what steps we need to take in relation to those forces where there is evidence of significant and long-standing disproportionality. If there is little evidence of real change the Commission will consider taking enforcement action under the Race Equality Duty to achieve progress.

For those forces who have demonstrated the most significant and persistent disproportionalities and excesses, we intend to take more immediate steps. Following publication, we will be contacting several of these forces with a view to taking enforcement action under the Race Equality Duty if necessary.

Our vision of ‘good enough’ policing

It is unhelpful and unrealistic to demand ‘perfect police’. We should, however, aim to achieve ‘good enough’ policing, by which we mean that police services should strive to work fairly and effectively while respecting human rights.⁵³

The right for people to be able to go about their daily lives without unjustified interference from the police is a fundamental one. Stopping a person and requiring them to undergo a search of their clothing, personal possessions or vehicle represents the use of coercion to deprive a person of their liberty and to intrude into their private lives. This was acknowledged by the European Court of Human Rights in its judgment on stops and searches under section 44 of the Terrorism Act.

Stopping and searching should only be permitted where there is good reason to do so. It is clear from the research evidence that in many cases no reasonable grounds exist for such an intrusion. It is therefore unlawful under PACE.⁵⁴

In 2007 the House of Commons Home Affairs Committee Inquiry into Young Black People and Criminal Justice concluded that stop and search is ‘not a notably productive means of tackling crime, particularly if done on an uninformed basis’ and recommended that alternatives to stop and search that might help the police engage better with young people should be considered.

Disappointingly, the Government rejected this recommendation on the grounds that ‘the alternative to stop and search would be to arrest’, which would be ‘excessive and further impact negatively on trust and engagement with the police’.

Arresting young people is clearly an inappropriate alternative to stop and search especially where officers do not have reasonable suspicion of wrongdoing. However, the Commission believes that more could be done to encourage police forces to think constructively about ways that police officers can communicate with young people and people from black and Asian communities that do not require them to be treated as suspects, and where less confrontational methods of interfacing with the public could be used.

The values that should drive forward policing practice should be those of fairness, equality, protection of human rights and effectiveness in providing community safety. The Commission believes that the police service should be engaging positively, rather than negatively, with communities, in the spirit of neighbourhood policing. Fundamental to this is the building of confidence and trust that police powers will be used without discrimination and in ways that respect human rights. Only then will police in England and Wales truly be providing a service which is ‘good enough’.



Case study: Cleveland police

When Sean Price became Chief Constable of Cleveland Police in 2003, he was convinced that the culture and style of policing in the area needed a radical overhaul. At the time the force was still suffering the after-effects of a corruption scandal in the late 1990s. Crime rates were high, and performance was low. Cleveland police's rate of stop and search was among the highest in the country. Media coverage of the force was highly critical.

'The force had previously made a commitment to a zero tolerance policy based on the New York model, which meant a culture of stopping and searching had developed,' he explains. 'When I went out on the streets it was clear to me that public confidence in us was at a real low. We needed to fix our culture and start putting people first.'

This meant work with the community – getting involved in neighbourhood meetings and listening to local concerns. The force engaged with the media to increase a sense of transparency and accountability. Price also instituted a programme of internal reform aimed at creating cultural change. Reference groups were set up to assess where performance was weakest, and staff were given training in fairness and equality.

'The problem was that stopping and searching had become almost routine when officers met people on the street,' he says. 'This meant we were alienating people, and once you have done that it is very difficult to get them back.

I wanted officers to work with communities rather than going in as an army of occupation.'

Price concentrated resources on intelligence-led and neighbourhood policing which led to a decrease in stops and searches. In 1997/98 the rate of stop and search in Cleveland was the highest in the country at 100 white people and 400 black people searched per 1,000 population; 10 years later in 2007/08, both disproportionality and the overall rate had fallen dramatically, with 35 black people and 20 white people searched per 1,000.

In that time crime rates have also fallen – by 15 per cent last year – and detection rates have risen. Most importantly for Price, public confidence in the force has been transformed. 'In every measure of public confidence in recent years we have come first, second or third in the country,' he says. 'We really have turned around how Cleveland police are viewed.'

Price believes that stop and search is a useful tool for the police – but only in specific circumstances. 'There are occasions when it is successful but statistically it is never going to be hugely effective,' he says. 'The real problem is when police use stop and search rather than having a simple conversation first. If someone is behaving suspiciously ask them to explain themselves. If they can't, you can tell them you have real grounds for a search and generally people understand that. It's just common sense.'

Appendix:

Statistical tables

Table A1: Stop and search rates, disproportionality ratios and excesses, black populations, MoJ approach, England and Wales, 2007/08

Rank	Police force area	Rate overall (per 1,000)	Rate for white group (per 1,000)	Rate for black group (per 1,000)	Disproportionality ratio	Excess stops and searches
1	Dorset	12.1	11.4	142.1	12.5	395
2	Hampshire	13.0	11.7	134.7	11.5	1,423
3	Essex	7.8	7.1	67.5	9.5	840
4	Norfolk	11.3	10.9	98.9	9.0	284
5	Suffolk	8.8	8.0	59.6	7.4	380
6	Leicestershire	24.5	20.3	147.7	7.3	1,903
7	West Mercia	10.1	9.4	66.9	7.1	357
8	Nottinghamshire	6.6	5.7	38.1	6.7	713
9	Hertfordshire	12.6	11.1	74.0	6.6	1,012
10	Avon & Somerset	8.3	7.6	50.3	6.6	777
11	Kent	10.6	9.9	65.5	6.6	598
12	Thames Valley	14.3	11.4	73.4	6.4	2,551
13	Wiltshire	7.5	7.1	45.7	6.4	166
14	Sussex	18.7	15.7	99.4	6.4	901
15	South Yorkshire	18.1	15.8	97.7	6.2	1,268
16	West Midlands	12.6	8.2	49.4	6.0	4,721
17	Surrey	17.0	16.1	92.4	5.7	642
18	Warwickshire	8.3	7.8	44.4	5.7	134
19	South Wales	14.6	13.8	70.1	5.1	522
20	Northamptonshire	23.4	21.2	107.4	5.1	940
21	Cambridgeshire	14.9	14.0	69.0	4.9	432
22	North Wales	19.0	18.5	88.3	4.8	98
23	Bedfordshire	8.4	6.8	32.2	4.8	516

Table A1 continued

24	Greater Manchester	21.6	19.4	92.4	4.8	3,159
25	Gwent	14.4	13.7	65.1	4.7	125
26	Gloucestershire	10.4	9.9	46.7	4.7	198
27	Derbyshire	9.1	8.7	38.0	4.4	267
28	Devon & Cornwall	14.7	13.1	55.2	4.2	208
29	London	60.4	40.8	167.8	4.1	103,791
30	Staffordshire	18.3	17.1	59.7	3.5	290
31	West Yorkshire	26.0	22.7	78.1	3.4	1,731
32	Cheshire	6.0	5.9	18.8	3.2	47
33	Humberside	14.4	14.1	39.3	2.8	79
34	Merseyside	35.5	34.8	86.6	2.5	636
35	Dyfed-Powys	15.6	15.4	36.5	2.4	21
36	Northumbria	22.8	22.7	45.6	2.0	104
37	North Yorkshire	13.7	12.7	24.5	1.9	25
38	Cleveland	19.6	19.6	34.5	1.8	27
39	Lancashire	16.4	16.0	27.9	1.7	77
40	Lincolnshire	19.1	18.6	27.7	1.5	22
41	Cumbria	19.1	18.8	16.5	0.9	-2
42	Durham	14.7	14.7	7.4	0.5	-10

Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08.

Table A2: Stop and search rates, disproportionality ratios and excesses, Asian populations, MoJ approach, England and Wales, 2007/08

Rank	Police force area	Rate overall (per 1,000)	Rate for white group (per 1,000)	Rate for Asian group (per 1,000)	Disproportionality ratio	Excess stops and searches
1	Cumbria	19.1	18.8	68.9	3.7	61
2	Thames Valley	14.3	11.4	34.6	3.0	2,206
3	North Yorkshire	13.7	12.7	38.2	3.0	106
4	West Mercia	10.1	9.4	27.7	3.0	233
5	West Midlands	12.6	8.2	23.1	2.8	4,674
6	South Yorkshire	18.1	15.8	43.4	2.7	903
7	Hertfordshire	12.6	11.1	24.8	2.2	438
8	Gwent	14.4	13.7	30.2	2.2	84
9	Hampshire	13.0	11.7	25.7	2.2	355
10	Dorset	12.1	11.4	24.5	2.2	55
11	Staffordshire	18.3	17.1	36.7	2.1	353
12	Nottinghamshire	6.6	5.7	10.9	1.9	137
13	Sussex	18.7	15.7	29.3	1.9	318
14	Wiltshire	7.5	7.1	13.1	1.8	37
15	Northamptonshire	23.4	21.2	38.4	1.8	231
16	South Wales	14.6	13.8	24.1	1.7	187
17	Bedfordshire	8.4	6.8	11.7	1.7	226
18	Derbyshire	9.1	8.7	15.0	1.7	144
19	Essex	7.8	7.1	12.1	1.7	106
20	Warwickshire	8.3	7.8	12.8	1.6	71
21	West Yorkshire	26.0	22.7	36.3	1.6	2,356
22	Norfolk	11.3	10.9	17.5	1.6	27
23	Leicestershire	24.5	20.3	32.0	1.6	1,198
24	Surrey	17.0	16.1	25.2	1.6	235
25	Greater Manchester	21.6	19.4	30.0	1.5	1,427
26	London	60.4	40.8	62.6	1.5	18,552
27	Cambridgeshire	14.9	14.0	21.5	1.5	147

Table A2 continued

28	Avon & Somerset	8.3	7.6	11.5	1.5	72
29	Gloucestershire	10.4	9.9	14.9	1.5	31
30	Suffolk	8.8	8.0	11.2	1.4	17
31	Lancashire	16.4	16.0	22.0	1.4	434
32	Cheshire	6.0	5.9	6.8	1.2	6
33	Kent	10.6	9.9	11.2	1.1	36
34	Northumbria	22.8	22.7	22.0	1.0	-14
35	Devon & Cornwall	14.7	13.1	12.5	1.0	-3
36	Dyfed-Powys	15.6	15.4	14.6	0.9	-2
37	North Wales	19.0	18.5	17.2	0.9	-3
38	Merseyside	35.5	34.8	26.8	0.8	-79
39	Humberside	14.4	14.1	9.9	0.7	-32
40	Lincolnshire	19.1	18.6	10.6	0.6	-27
41	Cleveland	19.6	19.6	9.5	0.5	-107
42	Durham	14.7	14.7	4.8	0.3	-31

Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08.

Table A3: Families of forces with disproportionality ratios, MoJ approach, England and Wales, 2007/08

Police force area	Black/white disproportionality ratio	Asian/white disproportionality ratio
Avon & Somerset	6.6	1.5
Essex	9.5	1.7
Kent	6.6	1.1
Lancashire	1.7	1.4
Leicestershire	7.3	1.6
Family 1	6.9	2.1
Bedfordshire	4.8	1.7
Dorset	12.5	2.2
Hampshire	11.5	2.2
Hertfordshire	6.6	2.2
Surrey	5.7	1.6
Sussex	6.4	1.9
Thames Valley	6.4	3.0
Family 2	6.3	2.1
North Yorkshire	1.9	3.0
Suffolk	7.4	1.4
West Mercia	7.1	3.0
Family 3	5.7	2.6
Cheshire	3.2	1.2
Northamptonshire	5.1	1.8
Staffordshire	3.5	2.1
Family 4	5.5	2.3
London	4.1	1.5
Greater Manchester	4.8	1.5
Merseyside	2.5	0.8
West Midlands	6.0	2.8
West Yorkshire	3.4	1.6
Family 5	5.2	1.7

Table A3 continued

Cambridgeshire	4.9	1.5
Devon & Cornwall	4.2	1.0
Gloucestershire	4.7	1.5
Warwickshire	5.7	1.6
Wiltshire	6.4	1.8
Family 6	4.8	1.4
Cleveland	1.8	0.5
Northumbria	2.0	1.0
Nottinghamshire	6.7	1.9
South Wales	5.1	1.7
South Yorkshire	6.2	2.7
Family 7	3.9	1.6
Cumbria	0.9	3.7
Derbyshire	4.4	1.7
Dyfed-Powys	2.4	0.9
Lincolnshire	1.5	0.6
Norfolk	9.0	1.6
North Wales	4.8	0.9
Family 8	3.5	1.2
Durham	0.5	0.3
Gwent	4.7	2.2
Humberside	2.8	0.7
Family 9	3.0	1.1

Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08.

Table A4: Black/white disproportionality ratios, MoJ approach, England and Wales, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
Dorset	9.5	10.3	11.8	9.4	12.5
Hampshire	6.1	6.3	7.8	7.3	11.5
Essex	7.2	6.5	7.2	7.4	9.5
Norfolk	6.6	8.6	10.3	9.4	9.0
Suffolk	5.0	6.9	6.0	5.3	7.4
Leicestershire	4.7	6.3	6.3	6.7	7.3
West Mercia	4.5	4.4	5.6	6.7	7.1
Nottinghamshire	4.6	5.6	6.7	8.4	6.7
Hertfordshire	4.2	5.8	4.9	5.0	6.6
Avon & Somerset	6.0	6.4	6.4	7.7	6.6
Kent	5.3	5.6	3.7	5.0	6.6
Thames Valley	6.8	6.9	6.4	6.3	6.4
Wiltshire	7.9	8.6	8.7	8.0	6.4
Sussex	5.9	7.9	7.4	6.3	6.4
South Yorkshire	5.7	5.7	7.8	6.7	6.2
West Midlands	4.8	5.2	5.2	5.6	6.0
Surrey	5.3	6.2	5.1	4.8	5.7
Warwickshire	6.7	6.1	4.9	4.1	5.7
South Wales	2.7	3.5	3.5	4.3	5.1
Northamptonshire	4.6	4.3	5.0	5.3	5.1
Cambridgeshire	4.2	4.6	4.7	4.6	4.9
North Wales	1.4	1.7	2.5	3.5	4.8
Bedfordshire	3.4	4.3	5.1	5.7	4.8
Greater Manchester	4.6	4.5	5.0	5.5	4.8
Gwent	5.2	8.7	6.4	7.1	4.7
Gloucestershire	3.9	4.7	5.5	5.3	4.7
Derbyshire	3.4	4.0	5.3	4.8	4.4
Devon & Cornwall	3.4	2.8	3.8	3.8	4.2

Table A4 continued

London	4.1	4.2	4.3	4.4	4.1
Staffordshire	4.4	3.9	3.1	2.9	3.5
West Yorkshire	3.6	3.3	3.8	3.7	3.4
Cheshire	4.6	3.3	4.5	4.5	3.2
Humberside	2.6	3.4	3.5	3.0	2.8
Merseyside	4.0	2.6	3.1	2.8	2.5
Dyfed-Powys	2.2	1.6	2.3	2.1	2.4
Northumbria	0.7	0.9	0.8	1.3	2.0
North Yorkshire	1.9	1.1	2.4	2.0	1.9
Cleveland	2.0	1.6	1.4	2.7	1.8
Lancashire	1.5	1.8	1.6	1.9	1.7
Lincolnshire	1.9	1.8	1.3	1.0	1.5
Cumbria	0.3	1.3	2.4	1.5	0.9
Durham	0.7	0.8	0.7	0.8	0.5

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice.

Table A5: Rank by black/white disproportionality ratio, MoJ approach, England and Wales, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
Dorset	1	1	1	2	1
Hampshire	7	11	5	7	2
Essex	3	8	7	6	3
Norfolk	6	4	2	1	4
Suffolk	14	6	13	19	5
Leicestershire	16	10	12	10	6
West Mercia	21	22	14	9	7
Nottinghamshire	18	16	8	3	8
Hertfordshire	24	14	22	20	9
Avon & Somerset	8	9	11	5	10
Kent	11	17	29	21	11
Thames Valley	4	7	9	12	12
Wiltshire	2	3	3	4	13
Sussex	9	5	6	13	14
South Yorkshire	10	15	4	11	15
West Midlands	15	18	17	15	16
Surrey	12	12	19	23	17
Warwickshire	5	13	23	28	18
South Wales	32	28	31	27	19
Northamptonshire	19	24	21	18	20
Cambridgeshire	23	20	24	24	21
North Wales	39	36	34	31	22
Bedfordshire	31	23	18	14	23
Greater Manchester	17	21	20	16	24
Gwent	13	2	10	8	25
Gloucestershire	27	19	15	17	26
Derbyshire	29	26	16	22	27
Devon & Cornwall	30	32	28	29	28

Table A5 continued

London	25	25	26	26	29
Staffordshire	22	27	33	33	30
West Yorkshire	28	30	27	30	31
Cheshire	20	31	25	25	32
Humberside	33	29	30	32	33
Merseyside	26	33	32	34	34
Dyfed-Powys	34	37	37	36	35
Northumbria	41	41	41	40	36
North Yorkshire	36	40	35	37	37
Cleveland	35	38	39	35	38
Lancashire	38	34	38	38	39
Lincolnshire	37	35	40	41	40
Cumbria	42	39	36	39	41
Durham	40	42	42	42	42

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice.

Table A6: Asian/white disproportionality ratios, MoJ approach, England and Wales, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
Cumbria	1.0	1.4	2.1	2.3	3.7
Thames Valley	2.8	3.0	2.8	2.8	3.0
North Yorkshire	1.4	2.3	2.3	2.3	3.0
West Mercia	2.4	2.6	2.7	4.0	3.0
West Midlands	1.9	2.0	2.1	2.3	2.8
South Yorkshire	2.0	2.4	2.9	2.4	2.7
Hertfordshire	2.7	2.3	1.9	1.9	2.2
Gwent	2.8	2.4	3.2	2.4	2.2
Hampshire	1.3	1.1	1.1	1.0	2.2
Dorset	1.4	1.2	1.9	1.7	2.2
Staffordshire	1.6	2.2	1.9	1.8	2.1
Nottinghamshire	1.8	1.6	1.9	2.3	1.9
Sussex	1.9	2.2	2.2	1.9	1.9
Wiltshire	1.3	1.6	2.0	1.4	1.8
Northamptonshire	0.8	0.9	1.1	1.6	1.8
South Wales	1.1	1.3	1.5	1.5	1.7
Bedfordshire	1.6	1.8	2.0	2.3	1.7
Derbyshire	1.6	1.9	2.5	1.9	1.7
Essex	1.9	1.4	1.4	1.3	1.7
Warwickshire	1.2	1.2	1.0	1.3	1.6
West Yorkshire	1.4	1.3	1.6	1.5	1.6
Norfolk	1.4	1.3	2.6	1.4	1.6
Leicestershire	1.6	1.7	2.0	1.6	1.6
Surrey	1.6	1.6	1.3	1.6	1.6
Greater Manchester	1.1	1.0	1.5	1.7	1.5
London	1.3	1.3	1.4	1.5	1.5
Cambridgeshire	2.1	2.0	2.0	1.8	1.5
Avon & Somerset	1.0	1.2	1.5	1.8	1.5

Table A6 continued

Gloucestershire	0.9	1.0	2.0	1.7	1.5
Suffolk	0.9	1.9	2.0	1.2	1.4
Lancashire	1.4	1.3	1.5	1.3	1.4
Cheshire	2.1	1.7	1.0	1.1	1.2
Kent	1.9	0.9	0.7	0.7	1.1
Northumbria	0.6	0.6	0.6	0.6	1.0
Devon & Cornwall	1.5	0.9	1.4	1.0	1.0
Dyfed-Powys	1.0	0.8	1.2	1.1	0.9
North Wales	0.8	0.9	0.7	1.5	0.9
Merseyside	0.7	0.6	0.6	0.6	0.8
Humberside	1.0	2.5	1.0	0.8	0.7
Lincolnshire	1.4	1.6	0.6	0.7	0.6
Cleveland	0.7	0.8	0.8	0.8	0.5
Durham	0.6	0.4	0.4	0.8	0.3

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice.

Table A7: Rank by Asian/white disproportionality ratio, MoJ approach, England and Wales, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
Cumbria	34	21	10	9	1
Thames Valley	2	1	3	2	2
North Yorkshire	20	7	7	8	3
West Mercia	4	2	4	1	4
West Midlands	9	10	9	5	5
South Yorkshire	7	4	2	3	6
Hertfordshire	3	6	18	12	7
Gwent	1	5	1	4	8
Hampshire	26	31	32	34	9
Dorset	19	29	20	16	10
Staffordshire	13	9	19	14	11
Nottinghamshire	12	20	17	6	12
Sussex	10	8	8	10	13
Wiltshire	27	17	11	27	14
Northamptonshire	38	34	31	21	15
South Wales	30	25	22	25	16
Bedfordshire	17	14	16	7	17
Derbyshire	15	13	6	11	18
Essex	8	22	26	30	19
Warwickshire	28	28	34	28	20
West Yorkshire	21	27	21	24	21
Norfolk	22	24	5	26	22
Leicestershire	16	16	12	20	23
Surrey	14	18	29	19	24
Greater Manchester	29	32	24	18	25
London	25	26	28	22	26
Cambridgeshire	5	11	14	13	27
Avon & Somerset	32	30	23	15	28

Table A7 continued

Gloucestershire	35	33	13	17	29
Suffolk	36	12	15	31	30
Lancashire	23	23	25	29	31
Cheshire	6	15	33	33	32
Kent	11	37	38	40	33
Northumbria	42	40	41	42	34
Devon & Cornwall	18	35	27	35	35
Dyfed-Powys	33	38	30	32	36
North Wales	37	36	37	23	37
Merseyside	39	41	39	41	38
Humberside	31	3	35	38	39
Lincolnshire	24	19	40	39	40
Cleveland	40	39	36	37	41
Durham	41	42	42	36	42

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice.

Table A8: Stop and search rates, disproportionality ratios and excesses, MoJ approach, London boroughs, 2008/09

	Stop and search rate per 1,000				Disproportionality ratio			Excess stops and searches		
	White	Black	Asian	Total	Black/white	Asian/white	Black	Asian	Black	Asian
Inner London										
Camden	69.0	308.8	95.0	94.0	4.5	1.4	4,926	625	4,926	625
Hackney	79.6	218.8	115.2	119.5	2.7	1.4	6,749	599	6,749	599
Hammersmith & Fulham	44.6	248.9	95.6	75.4	5.6	2.1	4,042	421	4,042	421
Haringey	77.4	181.8	58.4	98.4	2.3	0.8	4,534	-290	4,534	-290
Islington	92.1	298.4	142.2	124.2	3.2	1.5	4,883	536	4,883	536
Kensington & Chelsea	56.6	337.8	93.9	88.5	6.0	1.7	3,838	364	3,838	364
Lambeth	34.8	168.6	39.4	73.5	4.9	1.1	9,206	59	9,206	59
Lewisham	42.9	149.4	54.8	71.3	3.5	1.3	6,268	120	6,268	120
Newham	60.8	94.4	93.2	78.3	1.6	1.5	1,641	2,240	1,641	2,240
Southwark	76.5	178.7	99.5	106.5	2.3	1.3	6,992	259	6,992	259
Tower Hamlets	61.2	308.1	147.6	112.8	5.0	2.4	3,609	6,119	3,609	6,119
Wandsworth	37.7	246.1	86.3	65.0	6.5	2.3	5,866	950	5,866	950
Westminster	125.9	619.1	183.4	187.6	4.9	1.5	9,392	1,264	9,392	1,264

Table A8 continued

Outer London										
Barking & Dagenham	39.8	186.2	179.7	59.9	4.7	4.5	1,699	1,066		
Bexley	49.6	144.3	56.0	53.0	2.9	1.1	638	48		
Brent	61.6	195.8	63.8	91.2	3.2	1.0	6,827	153		
Bromley	41.6	255.0	36.2	49.4	6.1	0.9	2,121	-45		
Croydon	37.4	186.6	45.3	61.9	5.0	1.2	6,725	288		
Ealing	32.9	177.2	70.4	57.3	5.4	2.1	3,979	2,596		
Enfield	43.2	150.7	29.1	55.0	3.5	0.7	3,130	-300		
Greenwich	50.4	180.3	45.1	67.1	3.6	0.9	3,110	-75		
Harrow	20.6	115.6	29.3	30.4	5.6	1.4	1,278	501		
Havering	28.3	192.6	62.0	32.0	6.8	2.2	625	147		
Hillingdon	37.9	219.7	76.6	50.9	5.8	2.0	1,667	1,226		
Hounslow	40.8	206.6	70.3	57.2	5.1	1.7	1,724	1,468		
Merton	20.5	108.2	28.3	29.0	5.3	1.4	1,400	167		
Redbridge	26.4	123.2	74.6	47.4	4.7	2.8	1,866	2,755		
Sutton	36.2	153.7	26.3	39.4	4.3	0.7	662	-88		
Waltham Forest	31.5	123.6	80.1	55.7	3.9	2.5	3,047	1,435		
Metropolitan	48.7	195.0	78.1	71.4	4.0	1.6	120,249	25,232		

Source: Equality and Human Rights Commission analysis of data from Metropolitan Police Stop and Search Monitoring reports October 2009; Office for National Statistics, 2004, Census 2001 National report for England and Wales; Office for National Statistics, 2009, Mid-2008 population estimates.

Table A9: Stop and search rates, disproportionality ratios and excesses, black populations, new population estimates, England, 2007/08

Rank	Police force area	Rate overall (per 1,000)	Rate for white group (per 1,000)	Rate for black group (per 1,000)	Disproportionality ratio	Excess stops and searches
1	Hampshire	13.0	12.0	68.9	5.7	1,287
2	Nottinghamshire	6.6	5.8	32.2	5.5	686
3	West Midlands	12.6	8.4	44.8	5.3	4,599
4	Dorset	12.1	11.6	58.1	5.0	343
5	Thames Valley	14.3	11.7	54.7	4.7	2,373
6	Leicestershire	24.5	20.8	96.7	4.7	1,732
7	Suffolk	8.8	8.2	38.0	4.6	344
8	Avon & Somerset	8.3	7.8	35.3	4.5	713
9	London	60.4	41.3	182.9	4.4	106,203
10	West Mercia	10.1	9.6	38.4	4.0	312
11	South Yorkshire	18.1	16.2	65.2	4.0	1,137
12	Wiltshire	7.5	7.2	28.9	4.0	148
13	Essex	7.8	7.4	27.9	3.8	691
14	Hertfordshire	12.6	11.6	43.7	3.8	876
15	Northamptonshire	23.4	21.8	81.1	3.7	857
16	Bedfordshire	8.4	7.0	25.6	3.6	474
17	Greater Manchester	21.6	20.0	68.9	3.5	2,841
18	Norfolk	11.3	11.2	38.6	3.4	226
19	Warwickshire	8.3	8.0	26.1	3.3	113
20	Gloucestershire	10.4	10.1	33.0	3.3	175
21	Derbyshire	9.1	8.8	26.9	3.0	233
22	Sussex	18.7	16.1	46.5	2.9	700
23	Cambridgeshire	14.9	14.5	38.3	2.6	337
24	Kent	10.6	10.2	26.2	2.6	430
25	West Yorkshire	26.0	23.3	56.5	2.4	1,434
26	Surrey	17.0	16.7	38.9	2.3	444
27	Staffordshire	18.3	17.4	35.7	2.1	208

Table A9 continued

28	Merseyside	35.5	35.3	63.0	1.8	467
29	Cheshire	6.0	6.0	9.7	1.6	26
30	Devon & Cornwall	14.7	13.4	20.3	1.5	93
31	Humberside	14.4	14.4	15.7	1.1	10
32	Lancashire	16.4	16.2	15.9	1.0	-3
33	Northumbria	22.8	23.2	17.4	0.8	-68
34	North Yorkshire	13.7	13.0	9.0	0.7	-24
35	Cleveland	19.6	19.9	13.2	0.7	-32
36	Lincolnshire	19.1	19.0	11.9	0.6	-40
37	Cumbria	19.1	19.0	6.1	0.3	-27
38	Durham	14.7	15.0	3.0	0.2	-40

Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2008, Mid-2007 population estimates.

Table A10: Stop and search rates, disproportionality ratios and excesses, Asian populations, new population estimates, England, 2007/08

Rank	Police force area	Rate overall (per 1,000)	Rate for white group (per 1,000)	Rate for asian group (per 1,000)	Disproportionality ratio	Excess stops and searches
1	West Midlands	12.6	8.4	22.4	2.7	4,539
2	Thames Valley	14.3	11.7	28.5	2.4	1,932
3	South Yorkshire	18.1	16.2	33.0	2.0	722
4	West Mercia	10.1	9.6	16.7	1.7	150
5	Hertfordshire	12.6	11.6	17.5	1.5	269
6	Bedfordshire	8.4	7.0	10.6	1.5	179
7	Leicestershire	24.5	20.8	30.7	1.5	1,058
8	Staffordshire	18.3	17.4	25.5	1.5	209
9	West Yorkshire	26.0	23.3	33.7	1.4	1,944
10	London	60.4	41.3	58.3	1.4	15,578
11	Nottinghamshire	6.6	5.8	7.9	1.4	76
12	Greater Manchester	21.6	20.0	25.9	1.3	928
13	Hampshire	13.0	12.0	15.5	1.3	147
14	Derbyshire	9.1	8.8	11.4	1.3	77
15	Lancashire	16.4	16.2	20.9	1.3	356
16	Warwickshire	8.3	8.0	9.8	1.2	33
17	Cumbria	19.1	19.0	22.4	1.2	13
18	Northamptonshire	23.4	21.8	24.7	1.1	60
19	Sussex	18.7	16.1	18.2	1.1	79
20	Cambridgeshire	14.9	14.5	15.6	1.1	31
21	Surrey	17.0	16.7	17.4	1.0	25
22	North Yorkshire	13.7	13.0	13.5	1.0	5
23	Wiltshire	7.5	7.2	7.1	1.0	-2
24	Dorset	12.1	11.6	11.0	0.9	-6
25	Gloucestershire	10.4	10.1	9.2	0.9	-9
26	Essex	7.8	7.4	6.2	0.8	-52
27	Avon & Somerset	8.3	7.8	6.1	0.8	-60

Table A10 continued

28	Kent	10.6	10.2	7.4	0.7	-121
29	Northumbria	22.8	23.2	13.8	0.6	-312
30	Cheshire	6.0	6.0	3.4	0.6	-33
31	Norfolk	11.3	11.2	6.3	0.6	-56
32	Suffolk	8.8	8.2	4.4	0.5	-50
33	Merseyside	35.5	35.3	14.2	0.4	-390
34	Cleveland	19.6	19.9	7.2	0.4	-180
35	Humberside	14.4	14.4	4.9	0.3	-147
36	Devon & Cornwall	14.7	13.4	4.1	0.3	-174
37	Lincolnshire	19.1	19.0	4.1	0.2	-127
38	Durham	14.7	15.0	2.3	0.2	-82

Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2008, Mid-2007 population estimates.

Table A11: Families of forces with disproportionality ratios, new population estimates, England, 2007/08

Police force area	Black/white disproportionality ratio	Asian/white disproportionality ratio
Avon & Somerset	4.5	0.8
Essex	3.8	0.8
Kent	2.6	0.7
Lancashire	1.0	1.3
Leicestershire	4.7	1.5
Family 1	3.6	1.6
Bedfordshire	3.6	1.5
Dorset	5.0	0.9
Hampshire	5.7	1.3
Hertfordshire	3.8	1.5
Surrey	2.3	1.0
Sussex	2.9	1.1
Thames Valley	4.7	2.4
Family 2	3.7	1.5
North Yorkshire	0.7	1.0
Suffolk	4.6	0.5
West Mercia	4.0	1.7
Family 3	3.1	1.2
Cheshire	1.6	0.6
Northamptonshire	3.7	1.1
Staffordshire	2.1	1.5
Family 4	3.5	1.4
Greater Manchester	3.5	1.3
London	4.4	1.4
Merseyside	1.8	0.4
West Midlands	5.3	2.7
West Yorkshire	2.4	1.4
Family 5	5.2	1.5

Table A11 continued

Cambridgeshire	2.6	1.1
Devon & Cornwall	1.5	0.3
Gloucestershire	3.3	0.9
Warwickshire	3.3	1.2
Wiltshire	4.0	1.0
Family 6	2.6	0.9
Cleveland	0.7	0.4
Northumbria	0.8	0.6
Nottinghamshire	5.5	1.4
South Yorkshire	4.0	2.0
Family 7	2.4	1.1
Cumbria	0.3	1.2
Derbyshire	3.0	1.3
Lincolnshire	0.6	0.2
Norfolk	3.4	0.6
Family 8	1.9	0.7
Durham	0.2	0.2
Humberside	1.1	0.3
Family 9	0.8	0.3

Source: Equality and Human Rights Commission analysis of data from Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2008, Mid-2007 population estimates.

Table A12: Black/white disproportionality ratios, new population estimates, England, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
Hampshire	4.6	4.2	4.7	4.0	5.7
Nottinghamshire	4.6	5.3	6.1	7.3	5.5
West Midlands	4.8	5.0	4.9	5.1	5.3
Dorset	6.5	5.9	6.0	4.3	5.0
Thames Valley	6.4	6.0	5.2	4.9	4.7
Leicestershire	4.3	5.1	4.8	4.5	4.7
Suffolk	4.6	5.7	4.4	3.6	4.6
Avon & Somerset	5.6	5.4	5.0	5.7	4.5
London	4.5	4.5	4.7	4.8	4.4
West Mercia	4.1	3.5	3.9	4.3	4.0
South Yorkshire	5.1	4.7	5.9	4.7	4.0
Wiltshire	7.3	6.9	6.3	5.5	4.0
Essex	5.1	3.9	3.7	3.4	3.8
Hertfordshire	3.5	4.3	3.3	3.1	3.8
Northamptonshire	4.4	3.9	4.2	4.2	3.7
Bedfordshire	3.2	3.9	4.4	4.6	3.6
Greater Manchester	4.2	3.8	4.1	4.2	3.5
Norfolk	4.7	5.0	5.1	4.1	3.4
Warwickshire	5.9	4.7	3.4	2.7	3.3
Gloucestershire	3.8	4.1	4.4	4.0	3.3
Derbyshire	3.1	3.4	4.3	3.7	3.0
Sussex	4.3	5.0	4.1	3.2	2.9
Cambridgeshire	3.3	3.2	3.0	2.7	2.6
Kent	3.6	3.1	1.8	2.2	2.6

Table A12 continued

West Yorkshire	3.3	2.8	3.0	2.7	2.4
Surrey	3.6	3.6	2.6	2.2	2.3
Staffordshire	3.8	3.0	2.2	1.8	2.1
Merseyside	3.7	2.3	2.5	2.1	1.8
Cheshire	4.0	2.4	2.7	2.5	1.6
Devon & Cornwall	2.1	1.5	1.8	1.5	1.5
Humberside	1.7	1.8	1.6	1.2	1.1
Lancashire	1.2	1.4	1.1	1.1	1.0
Northumbria	0.4	0.5	0.4	0.5	0.8
North Yorkshire	1.3	0.6	1.1	0.8	0.7
Cleveland	1.1	0.8	0.7	1.1	0.7
Lincolnshire	1.3	1.1	0.7	0.5	0.6
Cumbria	0.2	0.7	1.1	0.7	0.3
Durham	0.5	0.5	0.4	0.4	0.2

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental) and earlier years; Office for National Statistics, 2008, Mid-2007 population estimates and earlier years.

Table A13: Rank by black/white disproportionality ratio, new population estimates, England, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
Hampshire	10	15	11	16	1
Nottinghamshire	11	6	2	1	2
West Midlands	8	8	8	4	3
Dorset	2	3	3	10	4
Thames Valley	3	2	5	5	5
Leicestershire	16	7	9	9	6
Suffolk	12	4	14	18	7
Avon & Somerset	5	5	7	2	8
London	13	13	10	6	9
West Mercia	18	22	19	11	10
South Yorkshire	7	11	4	7	11
Wiltshire	1	1	1	3	12
Essex	6	19	20	19	13
Hertfordshire	25	14	22	21	14
Northamptonshire	14	18	16	13	15
Bedfordshire	28	17	12	8	16
Greater Manchester	17	20	18	12	17
Norfolk	9	9	6	14	18
Warwickshire	4	12	21	23	19
Gloucestershire	21	16	13	15	20
Derbyshire	29	23	15	17	21
Sussex	15	10	17	20	22
Cambridgeshire	26	24	24	24	23
Kent	24	25	29	27	24

Table A13 continued

West Yorkshire	27	27	23	22	25
Surrey	23	21	26	26	26
Staffordshire	20	26	28	29	27
Merseyside	22	29	27	28	28
Cheshire	19	28	25	25	29
Devon & Cornwall	30	31	30	30	30
Humberside	31	30	31	31	31
Lancashire	34	32	34	32	32
Northumbria	37	38	37	36	33
North Yorkshire	32	36	32	34	34
Cleveland	35	34	36	33	35
Lincolnshire	33	33	35	37	36
Cumbria	38	35	33	35	37
Durham	36	37	38	38	38

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental) and earlier years; Office for National Statistics, 2008, Mid-2007 population estimates and earlier years.

Table A14: Asian/white disproportionality ratios, new population estimates, England, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
West Midlands	2.0	2.1	2.1	2.3	2.7
Thames Valley	2.7	2.8	2.4	2.4	2.4
South Yorkshire	2.0	2.2	2.5	2.0	2.0
West Mercia	2.0	2.0	1.9	2.5	1.7
Hertfordshire	2.4	1.9	1.5	1.4	1.5
Bedfordshire	1.6	1.7	1.9	2.1	1.5
Leicestershire	1.7	1.7	2.0	1.5	1.5
Staffordshire	1.5	1.8	1.5	1.3	1.5
West Yorkshire	1.5	1.3	1.6	1.4	1.4
London	1.3	1.3	1.4	1.5	1.4
Nottinghamshire	1.7	1.4	1.5	1.8	1.4
Greater Manchester	1.1	1.0	1.4	1.5	1.3
Hampshire	1.1	0.9	0.8	0.7	1.3
Derbyshire	1.5	1.7	2.1	1.5	1.3
Lancashire	1.5	1.4	1.5	1.3	1.3
Warwickshire	1.1	1.1	0.9	1.1	1.2
Cumbria	0.6	0.7	0.9	0.8	1.2
Northamptonshire	0.7	0.8	0.9	1.1	1.1
Sussex	1.7	1.7	1.6	1.3	1.1
Cambridgeshire	2.0	1.7	1.6	1.4	1.1
Surrey	1.5	1.3	1.0	1.1	1.0
North Yorkshire	0.9	1.2	1.0	0.9	1.0
Wiltshire	1.0	1.2	1.3	0.8	1.0
Dorset	1.0	0.8	1.0	0.8	0.9

Table A14 continued

Gloucestershire	0.8	0.8	1.4	1.1	0.9
Essex	1.5	0.9	0.9	0.7	0.8
Avon & Somerset	0.9	0.9	0.9	1.0	0.8
Kent	1.7	0.7	0.5	0.5	0.7
Northumbria	0.5	0.5	0.4	0.4	0.6
Cheshire	1.7	1.1	0.6	0.6	0.6
Norfolk	0.9	0.7	1.3	0.6	0.6
Suffolk	0.7	1.1	1.0	0.5	0.5
Merseyside	0.6	0.4	0.4	0.4	0.4
Cleveland	0.6	0.7	0.7	0.6	0.4
Humberside	0.8	1.7	0.6	0.4	0.3
Devon & Cornwall	0.9	0.4	0.6	0.4	0.3
Lincolnshire	0.9	0.9	0.3	0.3	0.2
Durham	0.5	0.3	0.3	0.4	0.2

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental) and earlier years; Office for National Statistics, 2008, Mid-2007 population estimates and earlier years.

Table A15: Rank by Asian/white disproportionality ratio, new population estimates, England, 2003/04 to 2007/08

Police force area	2003/04	2004/05	2005/06	2006/07	2007/08
West Midlands	4	3	4	3	1
Thames Valley	1	1	2	2	2
South Yorkshire	6	2	1	5	3
West Mercia	3	4	6	1	4
Hertfordshire	2	5	13	13	5
Bedfordshire	12	7	7	4	6
Leicestershire	11	8	5	7	7
Staffordshire	14	6	12	14	8
West Yorkshire	16	16	9	11	9
London	19	17	16	10	10
Nottinghamshire	8	14	11	6	11
Greater Manchester	21	23	17	9	12
Hampshire	22	26	29	27	13
Derbyshire	13	11	3	8	14
Lancashire	18	13	14	16	15
Warwickshire	20	22	28	20	16
Cumbria	36	32	26	25	17
Northamptonshire	32	30	27	19	18
Sussex	9	9	10	15	19
Cambridgeshire	5	10	8	12	20
Surrey	17	15	22	17	21
North Yorkshire	28	18	21	22	22
Wiltshire	24	19	18	24	23
Dorset	23	29	20	23	24

Table A15 continued

Gloucestershire	30	28	15	18	25
Essex	15	24	25	26	26
Avon & Somerset	29	25	24	21	27
Kent	7	33	34	32	28
Northumbria	37	35	35	35	29
Cheshire	10	20	31	30	30
Norfolk	27	31	19	29	31
Suffolk	33	21	23	31	32
Merseyside	35	37	36	36	33
Cleveland	34	34	30	28	34
Humberside	31	12	32	34	35
Devon & Cornwall	25	36	33	37	36
Lincolnshire	26	27	37	38	37
Durham	38	38	38	33	38

Source: Equality and Human Rights Commission analysis of data from Statistics on race and the criminal justice system 2003/04 to 2007/08 editions published by the Home Office and Ministry of Justice; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental) and earlier years; Office for National Statistics, 2008, Mid-2007 population estimates and earlier years.

Table A16: Stop and search rates, disproportionality ratios and excesses, new population estimates, London boroughs, 2008/09

	Stop and search rate per 1,000				Disproportionality ratio			Excess stops and searches		
	White	Black	Asian	Total	Black/white	Asian/white	Black	Asian		
Inner London										
Camden	70.1	390.4	85.4	94.0	5.6	1.2	5,205	411		
Hackney	75.3	261.4	107.1	119.5	3.5	1.4	7,556	577		
Hammersmith & Fulham	44.1	305.2	77.8	75.4	6.9	1.8	4,214	342		
Haringey	76.0	210.5	51.5	98.4	2.8	0.7	5,046	-424		
Islington	91.0	383.8	119.0	124.2	4.2	1.3	5,388	358		
Kensington & Chelsea	57.8	400.4	70.1	88.5	6.9	1.2	3,945	162		
Lambeth	31.6	229.4	32.5	73.5	7.3	1.0	9,998	13		
Lewisham	42.5	168.2	36.7	71.3	4.0	0.9	6,569	-86		
Newham	59.4	106.6	90.9	78.3	1.8	1.5	2,045	2,235		
Southwark	72.9	240.4	63.9	106.5	3.3	0.9	8,523	-158		
Tower Hamlets	54.8	395.8	171.7	112.8	7.2	3.1	3,880	7,120		
Wandsworth	36.7	332.8	80.9	65.0	9.1	2.2	6,164	922		
Westminster	129.0	750.4	150.0	187.6	5.8	1.2	9,762	563		

Table A16 continued

Outer London										
Barking & Dagenham	44.0	124.3	116.0	59.9	2.8	2.6	1,396	849		
Bexley	51.9	83.6	47.4	53.0	1.6	0.9	369	-40		
Brent	59.5	226.3	62.2	91.2	3.8	1.0	7,340	187		
Bromley	43.1	188.6	25.6	49.4	4.4	0.6	1,955	-206		
Croydon	39.7	174.6	37.7	61.9	4.4	0.9	6,497	-89		
Ealing	32.4	192.7	74.3	57.3	5.9	2.3	4,065	2,750		
Enfield	46.3	124.1	24.7	55.0	2.7	0.5	2,749	-541		
Greenwich	52.3	167.3	39.1	67.1	3.2	0.7	2,969	-215		
Harrow	21.7	104.2	27.8	30.4	4.8	1.3	1,231	373		
Havering	29.5	103.4	34.0	32.0	3.5	1.2	524	35		
Hillingdon	40.3	149.3	69.0	50.9	3.7	1.7	1,471	1,011		
Hounslow	42.6	192.3	65.0	57.2	4.5	1.5	1,673	1,209		
Merton	20.9	107.9	26.5	29.0	5.2	1.3	1,392	128		
Redbridge	28.3	105.2	68.9	47.4	3.7	2.4	1,735	2,511		
Sutton	37.8	114.1	19.7	39.4	3.0	0.5	579	-216		
Waltham Forest	31.6	127.8	80.2	55.7	4.0	2.5	3,080	1,434		
Metropolitan	49.4	210.2	72.1	71.4	4.3	1.5	122,590	21,085		

Source: Equality and Human Rights Commission analysis of data from Metropolitan Police Stop and Search Monitoring reports October 2009; Office for National Statistics, 2009, Population estimates by ethnic group mid-2007 (experimental); Office for National Statistics, 2009, Mid-2008 population estimates.

Endnotes

- 1 See Section 2 for details.
- 2 European Court of Human Rights, 2010, Chamber Judgment *Gillan and Quinton v the United Kingdom*, Press Release, 12 January 2010.
- 3 Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08; Home Office, 2009, 'Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes and stops & searches Great Britain 2008/09', *Statistical Bulletin*, 18/09, <http://www.homeoffice.gov.uk/rds/pdfs09/hosb1809.pdf>
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- 5 See Section 3 for details.
- 6 Metropolitan Police, 'Blunt 2 cracks down on violence', Bulletin 0000001491, 16 October 2009.
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- 8 Lord Scarman, 1981, *The Brixton Disorders April 10-12 1981: Report of an Enquiry*, London: HMSO.
- 9 Note that the stop and search statistics analysed in this report also include searches carried out under other legislation in addition to PACE, including the Misuse of Drugs Act 1971 and the Firearms Act 1968. They do not include stops and searches that do not require reasonable suspicion, i.e. under S44 of the Terrorism Act 2000 or S60 of the Criminal Justice and Public Order Act 1994.
- 10 See Section 2 for details.
- 11 William Macpherson, 1999, *The Stephen Lawrence Inquiry, Report of an Inquiry by Sir William Macpherson of Cluny*, London: Home Office.
- 12 European Court of Human Rights, 2010, Chamber Judgment *Gillan and Quinton v the United Kingdom*, Press Release, 12 January 2010.
- 13 See the Office of Public Sector Information (OPSI) website: www.opsi.gov.uk for full texts for these Acts of Parliament.
- 14 See the Office of Public Sector Information (OPSI) website: www.opsi.gov.uk for full texts for these Acts of Parliament.
- 15 See the Office of Public Sector Information (OPSI) website: www.opsi.gov.uk
- 16 Although there is no basis in law for the police to use the power to stop and search for these purposes, there is evidence that the practice is widespread. See, for example, P. Quinton, N. Bland, and J. Miller, 2000, *Police Stops, Decision-making and Practice*, Police Research Series,

London: Home Office, Policing and Reducing Crime Unit; T. May, T. Gyateng and Mike Hough, 2010, *Differential treatment in the youth justice system*, Equality and Human Rights Commission Research Report no. 50, Manchester: Equality and Human Rights Commission.

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- 18** Ministry of Justice, 2009, Statistics on race and the criminal justice system 2007/08.
- 19** See page 2 in Statistics on race and the criminal justice system 2007/08, Ministry of Justice, 2009.
- 20** 'London' covers the Metropolitan and City of London Police Force Areas.
- 21** Equality and Human Rights Commission analysis of ONS, 2004, Census 2001 CD supplement to the National report for England and Wales and Key statistics for local authorities in England and Wales.
- 22** Home Office, 2009, Crime in England and Wales 2008/09.
- 23** Letter from Dorset Police to the Equality and Human Rights Commission, 4 August 2009, tabular data attached to letter.
- 24** Note that these data use self-defined ethnicity so here 'black' includes the 2001 Census categories Black African, Black Caribbean and Black other.
- 25** HMIC, 2009, iQuanta list of similar forces/force families.
- 26** Home Office, 2004, Crime in England and Wales 2003/04 and Home Office, 2007, Crime in England and Wales 2006/07.
- 27** MVA and J. Miller, 2000, *Profiling Populations Available for Stops and Searches*, Police Research Series Paper 131, London: Home Office. Similar results have been produced by more recent academic studies. See P.A.J. Waddington, K. Stenson, and D. Don, 2004, 'In Proportion: Race and Police Stop and Search', 44 *British Journal of Criminology* 889. S. Hallsworth and M. Maguire, 2004, *Assessing the Impact of the City of London Police exercise of Stop and Search Report for City of London Police* (unpublished).
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- 37** Lord Carlile's independent report on the Operation in 2008 of the Terrorism Act para 140: <http://security.homeoffice.gov.uk/legislation/independent-review-legislation/>
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Stop and think

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