



Equality Impact Assessment

The Equality Impact Assessment Guidance **must** be used when completing this form:

http://intranet.aware.mps/Corporate/Policy/Territorial_Policing/SOP/Equality_Impact_Assessment_SOPs.htm

Freedom of Information Act Document		
Protective Marking: Not protectively marked	Publication (Y/N): Yes	
Title: Merton Borough Stop and Search Equality Impact Assessment		
Summary: Analysis of use of stop and search powers in Merton		
Branch / OCU: Merton		
Date created: 25.06.10	Review date: July 2011	Version: 1
Authors PS 93VW David Williams . Inspector Lukas kelly :		

Directorate/Department/Borough/OCU: Merton BOCU
Name, type or title of proposal (If a corporate policy, a policy workbook must also be completed): Examining the impact on the Community by police use of Stop and Search/Stop and Account Powers

1. Aims and Purpose of Proposal - see Step 1 of the Guidance

Aim : -

To evaluate the use of stop and search/stop and account powers on Merton Borough in order to ensure their use is correct.

Purpose : -

The stop and search/stop and account SOP dictates the correct use and management of these powers. This evaluation monitors the BOCU's adherence to the policy. Additionally the SOP requires engagement with the community to ensure they have trust and confidence in the use of these powers. By evaluating their use and providing transparent details to other agencies this will be achieved. It also serves as an opportunity to discover and address any anomalies within the findings.

2. Examination of Available Information – see Step 2 of the Guidance.

The data collated by the MPS is compared to figures from the 2001 census. At that time Merton had 188,000 residents of which approximately 25% were from BME communities. In a nine-year period these figures may have changed considerably. Unfortunately these are the only figures for comparative purposes available at this time.

The 2007 Merton EIA highlighted the Borough as having one of the fastest growing BME communities in London but could not assess any impact that had on the EIA itself.

It also referred to the difficulty of assessing the impact of people travelling through the Borough. Merton Borough includes Morden LT underground station, Wimbledon Rail Station, Tramlink and Wimbledon Underground Tube Station. All of these are termini and due to their geographical location serve a large hinterland beyond the boundaries of Merton Borough.

Additionally there is no available data for people travelling to the Borough. There is night-time entertainment in the three main Town Centres, several large retail centres, sporting events such as Wimbledon Tennis and Wimbledon greyhound racing and also many secondary schools which have pupils travelling through and to the Borough often by using public transport.

Data is obtained from internal sources (Stops database (now obsolete), Crimint Plus and the Stop and Search Monitoring Mechanism) and external sources (Merton IAG, Independent Stop and Search Monitoring Group).

The MPS produces a monthly monitoring mechanism for all thirty-two London Boroughs and the MPS as a whole. This is published on the MPS internet site. The data includes:

Merton - All searches & stop and account (excluding sec44 and sec 60)

Merton - All sec60 searches

Merton - Stop and search by reason (excluding sec44 and sec60)

Merton - Arrest rates from searches (excluding sec44 and sec60)

Merton - Ethnic appearance of people searched and subsequently arrested (excluding sec44 and sec60)

Merton - Ethnic appearance of people searched per 1000 population (excluding sec44 and sec60)

Merton - Self-defined ethnicity of people searched per 1000 population (excluding sec44 and sec60)

Merton - Self-defined ethnicity of people stopped and held to count

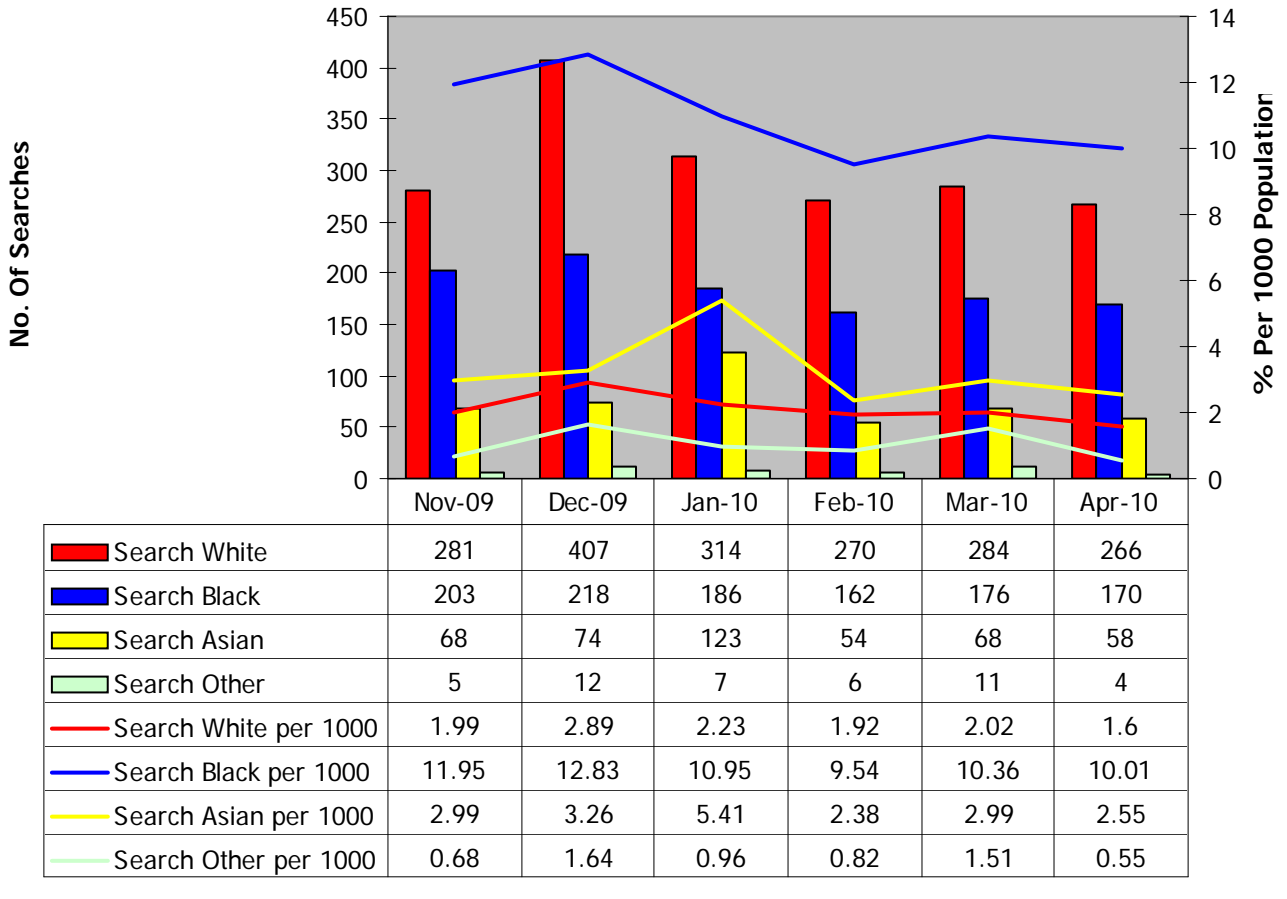
Merton - Searches by age group (excluding sec44 and sec60)

Merton - PACE and other stop and search - last three months vs. 2001 census population data

Merton - Arrests following PACE and other searches

THE CURRENT POSITION

Merton Searches by Ethnic Appearance per 1000 Population



The table above illustrates a six-month period of stop and search activity between November 2009 and April 2010. These figures are broadly representative of previous months and years. The graphs are per 1000 population divided into their ethnic groupings thus making it easier to compare like with like.

The figures below indicate the number of Robberies and the ethnic appearance of Suspects in Merton between 1st Nov 2009 – 30th April 2010

SUSP Ethnic Appearance	Nov	Dec	Jan	Feb	Mar	Apr	Grand Total
African Caribbean	14	19	31	31	35	24	154
White	9	13	11	16	27	1	77
Indian	1	1	4	2	3	12	23
Other	1	2	1	0	0	2	6
NK	9	9	10	3	12	11	54
Grand Total	34	44	57	52	77	50	314

figures below relate to a recent analysis of knife crime and Section 60 Authorisations year to date 2010.

Minor class type	2009	2010	Difference
Assault With Injury	11	8	-3
Business Property	3	8	5
Grievous Bodily Harm	13	12	-1
Personal Property	16	22	6
Rape	1	1	0
Threats To Kill		4	4
Grand Total	44	55	11

25%

Essentially, assaults involving knives are slightly down. We have to accept that there is a 'normal' level of these, and as they are so random and low volume, they are difficult to address.

Knife enabled robberies are increasing. This has been identified across the Met this year and is one of the reasons it is an area priority. Robbery overall is down 5.2%. However, although we are showing a 25% increase in knife crime at the moment, monthly levels have been decreasing this year:

Section 60.

In support of the boroughs efforts to tackle knife and gang related violence , there have been 18 S60 authorisations between January and July 2010.

There have been 166 searches under S60 January to may 2010.

Stops Outcomes.

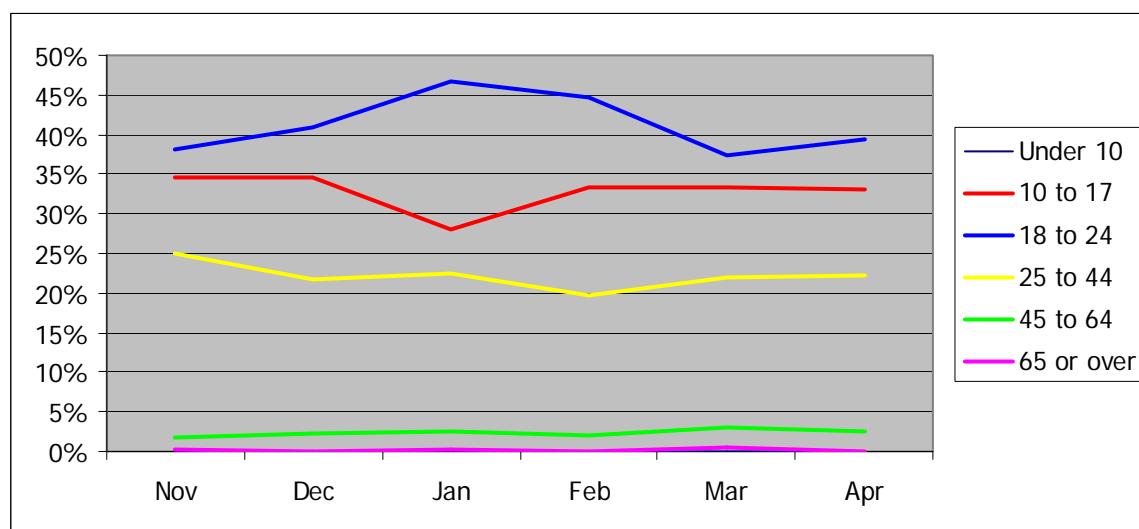
Outcome	April	May	June
Blank (S&A)	1348	1294	1342
NFA	167	121	354
Other	10	12	14
Advised	237	266	498
Verbally Warned	13	27	34
Dispersed Group	4	4	7
Removed from Area	4	4	7
Cannabis Warning	18	13	16
Arrested	28	41	39

NB All census data take from 2001 so all results are vastly out of date.

Disparity between age

The below data shows % stops between different age groups between Nov 2009 – April 2010

	Nov	Dec	Jan	Feb	Mar	Apr	Average Stops
Under 10	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
10 to 17	34.6%	34.6%	28.1%	33.3%	33.3%	33.0%	32.8%
18 to 24	38.2%	40.9%	46.8%	44.6%	37.4%	39.5%	41.2%
25 to 44	25.0%	21.8%	22.5%	19.7%	22.0%	22.1%	22.2%
45 to 64	1.8%	2.3%	2.4%	2.0%	3.1%	2.4%	2.3%
65 or over	0.2%	0.0%	0.2%	0.0%	0.6%	0.0%	0.2%



The graph above shows that disparities remained mostly static between different age groups. In March there was a drop in stops on 18-24yr olds but no notable corresponding increase.

The below figures indicate the average % split between Nov - April between Age groups for Stops and also for all offences between Nov - April.

	Average age of Stops Nov - Apr	Average age of crimes Nov - Apr
Under 10	0.0%	0%
10 to 17	32.8%	18%
18 to 24	41.2%	29%
25 to 44	22.2%	42%
45 to 64	2.3%	9%

65 or over	0.2%	1%
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*These figures indicate that there are more crimes committed by people aged between 25 to 44 years than younger people. This is for all crimes and all stops
It could be that additional crimes committed by people in 25-44yrs age bracket would not be impacted by more stop and searches taking place – eg fraud etc.
To investigate the split of crimes types/stop types and the correlation between the 2 areas would be a detailed and intricate process. At this time there are insufficient resources to carry this out.*

3. Consultation/Involvement - see Step 3 of the Guidance

a. Who is responsible for managing this consultation/involvement?

Merton Borough Public Confidence Inspector - Lukas Kelly

b. Why is this consultation/involvement taking place?

Consultation between the police and the Independent Stop & Search Monitoring Group takes place regularly. This group consists of local people, youth association groups and minority ethnic groups. It enables them to monitor and test the use of these powers by police on Merton Borough. It also provides objective feedback to the police leading to the improved use of these powers through better training and the resolution of any disproportionate use. The group also educates the public regarding their rights in relation to these powers through presentations. These are mainly targeted at schools, colleges and youth clubs.

c. Who is included within the consultation/involvement, including which group(s)? Consider beneficiaries, stakeholders, service users or providers and those who may be affected.

- 1. The Borough Commander discusses any issues regarding stop and search at the quarterly Merton Community Policing Partnership*
- 2. The Independent Advisory Group (IAG) meets quarterly and discusses stop and search in Merton. This group includes representatives from all major faith groups within Merton. The IAG are also advised when police are proposing to use stop and search powers as an operational tactic on the Borough. This means the members of the IAG can inform the group they represent of the appropriate use of stop and search and also their rights regarding stop and search.*
- 3. The Independent Stop & Search Monitoring Group is made up of:*
 - Chairperson*
 - Minute taker. Local Ward Panel Chair*
 - A volunteer from the Merton Appropriate Adult Scheme*
 - A member of a Missing Persons Charity*
 - A representative from Wandle Housing association*
 - A member of Merton's Youth Offending Team*

This group meets every six weeks and discuss monthly returns of stop and search. Within these meetings any disproportionate data is examined. The members of the group can then relate relevant information to their respective groups. This encourages transparency relating to police use of these powers.

These groups are then able to make informed observations relating to the use of stop and search; comment on any actual and potential impact that stop and search has on their respective groups and make suggestions to improve the use of these powers.

- d. What methods of consultation/involvement are employed to ensure full information sharing and participation, e.g. surveys, interviews, community meetings?

Meetings are held every six weeks between police and the Merton Independent Stop & Search Monitoring Group. All available information relating to stop and search is provided and discussed.

The Merton Independent Stop & Search Monitoring Group report on these meetings quarterly to the Merton Community Policing Partnership and IAG.

The Merton Community Policing Partnership and IAG members share this information with the groups they represent such as community organisations, youth groups and clubs.

Safer Neighbourhood Team police officers present stop and search to schools, youth groups and clubs.

The Merton Independent Stop & Search Monitoring Group set up a dedicated phone line for anyone who was subject to stop and search to feedback on their experience. This has now been further supported by a poster campaign, displayed within the boroughs Station Offices.

- e. What are the results of the consultation/involvement? How are these fed back into the process?

The Merton Independent Stop and Search Monitoring Group is fully supportive of the police use of stop and search in Merton. They recognise that it is an effective tool in the prevention and detection of crime. They also see that it can be used to make Merton a safer place and increase public confidence.

This is weighed against the awareness of the damage caused should stop and search be abusively used or carried out without due regard to people's rights and entitlements. The Merton Independent Stop and Search Monitoring Group's raison d'être is to ensure that the police use these powers in a proportionate and sensitive manner.

The Merton Independent Stop and Search Monitoring Group state feedback from the various groups they represent is mostly positive. They have regular meetings at which any adverse comments or observations are raised enabling a timely response to be made.

Historically the Merton Independent Stop and Search Monitoring Group has been able to address issues such as the recording of self-defined ethnicity codes. By raising this with the police it has resulted in an improved performance in this area.

4. Screening Process for relevance to Diversity or Equality issues - see Step 4 of the Guidance

- (i) Will the proposal have significantly higher impact on a particular group, community or person the MPS serves or employs?

Explain:

As per the 2007 EIA the information contained in paragraph 2 above shows that there is currently a disproportionate use of stop and search powers. This is seen in relation to young

males and young black males.

(ii) Will any part of the proposal be directly or indirectly discriminatory?

Explain:

No part of the proposal will be directly discriminatory.

The question of whether any part of the proposal will be indirectly discriminatory is not so simple to answer. Paragraph 2 shows a seemingly disproportionate number of young males are stopped and searched. Additionally it shows that a seemingly disproportionate number of young black males are stopped and searched. There are factors which may explain this data. They include:

- *The 2001 census is the comparator.*
- *Fluctuations in crime rate and public order*
- *Public events that occur in Merton*
- *Intelligence and briefings generate stop and search activity*

In relation to these factors only the last is police led. There has been monitoring of the briefings to ensure they are not biased and they have been found to be reflective of the intelligence available.

The 2007 EIA referred to 9 complaints in a 12 month period and speculated that this may have been as a result of a lack of confidence in the complaints procedure.

To address any possible lack of confidence the Merton Independent Stop and Search Monitoring Group set up an independent dedicated phone line. Additionally they have attended pre-planned police actions involving stop and search (i.e. screening arch) to observe and report on police actions. On these occasions they have issued leaflets to anyone searched providing information on rights and responsibilities and also explaining how to complain.

Merton Police have also ensured all three station offices have posters concerning this issue prominently displayed.

Complaints over the previous 12 month reporting period for this EIA number just 2. This would suggest an improvement in the use of this power by police matched by a greater understanding of the local community about these powers.

Concerns and complaints feature as an agenda item at the Independent Monitoring Group meetings. Local complaints against officers are managed by the borough Management Support Unit. Concerns are raised at the borough performance meetings. Stop and Search features as a training agenda subject at all front line officer training days.

(iii) Is the proposal likely to negatively affect equality of opportunity?

Explain:

No, there is no evidence to support this.

(iv) Is the proposal likely to adversely affect relations between any particular groups or between the MPS and those groups?

Explain:

Yes. The factors mentioned above are not likely to be clear to those adversely affected (young

males/young black males). The work of the Independent Stop and Search Monitoring Group seeks to address this through relating relevant information to the groups they represent.

(v) Are there any other community concerns, opportunities or risks to communities arising from the proposal?

Explain:

There are none apparent.

Recently the Ahmiddyayn Mosque in Morden (the largest Mosque in western European) has been subject to a number of security measures following terrorist activity in Pakistan. Joint measures with the Mosque Security and Safer Neighbourhood Officers were conducted on two dates in May and June 2010. The measures were fully supported by Mosque leaders and the Ahmiddyayn Muslim Community.

The 2007 EIA report mentioned concerns regarding a disproportionate amount of stop and search on Muslims in the community. The problem mentioned in 2007 still exists to date - no record of a person's faith is made when they are stopped. In addition, research has indicated that the majority of people would be reluctant to provide details of their faith.

Local stop and search initiatives, i.e. screening arch are regularly attended and monitored by the Independent Monitoring Group. These are also attended by members of the Independent Advisory Group. The Independent Monitoring Group also distributes leaflets to those who have been searched during an initiative. This gives information about stop and search and information of how to seek further advice/complain. Posters are also displayed in Merton's three Station Offices.

(vi) Is the proposal likely to harm positive attitudes towards others and discourage their participation in public life?

Explain:

If these powers are used well there will be no harm regarding positive attitude to others nor any discouragement regarding participation in public life.

If these powers are occasionally abused or misused there may be some harm regarding this question. Any abuse or misuse is countered by the monitoring mechanisms in place and the information supplied by the Independent Stop and Search Monitoring Group.

For example if schoolchildren at a local school complained regarding a high number of stop and search, the Independent Stop and Search Monitoring Group could bring this to the attention of the police. Checks could be carried out to see if this was the case. If justified then this could be fed back to the schoolchildren and prevent any harm. If unjustified then a review of why could be carried out and any necessary amendments made.

(vii) Is the proposal a major one in terms of scale or significance?

Explain:

Yes. There has been widespread press coverage of the ECHR refusing the UK the right of appeal over section 44 searches contravening human rights.

However complaints on Merton Borough relating to stop and search have historically been very

low (nine in 2007) and have fallen still farther (just 2 in 2010).

There has been little or no anecdotal evidence outside of the complaint framework suggesting this has impacted on this Borough.

From the answers supplied, you must decide if the proposal impacts upon diversity or equality issues. If yes, a full impact assessment is required. If no, complete the following box and enter a review date at the end of the form.

Full Impact Assessment Required	Yes <i>(delete as applicable)</i>
Signed: Lukas Kelly	Date: 20/07/2010
Supervised:	Date:

5. Full Impact Assessment – see Step 5 of the Guidance

a) Explain the likely differential impact (whether intended or unintended, positive or negative) of the proposal on individual service users or citizens on account of:
Age: older people, children and young people.
Details: <i>Merton continues to use stop and search in a similar vein to the 2007 EIA report. There is still a very significant likelihood of being stopped and searched if you are a young male and a greater likelihood of being stopped and searched if you are a young black male.</i> <i>Some of this apparent disparity may be accounted for by the factors listed above. Additionally young males are more significantly represented among NEETs and there may be cultural and age related differences i.e. 10 to 24 year old males may be more likely to socialise outside their home, have little or no access to private transport (thus high numbers of this group in public at peak times for stop/search activity) and be debarred through age, finance etc from pursuing leisure activities (gym, club etc). These may cause a far larger number of this age group to be in public places and encounter police in stop and search scenarios.</i> <i>Borooh</i> (School of Economics) <i>states “the probability of offending may be objectively related to a number of non-ethnic factors (family background; education level; economic circumstances; housing conditions) which, given the particular circumstances of society are relatively more concentrated among ethnic minorities”.</i>
Disability in line with the Social Model.
Details: <i>There is no likely differential impact.</i>
Faith, religion or belief: those with a recognised belief system or no belief.
Details: <i>Stop and search recording still does not contain any reference to faith as per the 2007 EIA. Research has indicated a strong reluctance amongst members of the public in relation to providing this to the police.</i>

<p><i>The 2007 EIA mentions the Muslim community feeling as if they were being targeted. This was not borne out by the stop and search data available at that time. Since then there has been increased information passed to the local Muslim Communities. Additionally there has been a security operation initiated by the Merton Ahmiddyay Mosque itself.</i></p>
<p>Gender or marital status: women and men.</p>
<p>Details:</p> <p><i>Stop and search of males far outweighs stop and search of females. This is broadly reflective of the disparity between males and females in relation to being suspects for crime.</i></p> <p><i>As per faith there is no accurate data regarding marital status. There is no likely differential impact.</i></p>
<p>Race, ethnicity, colour, nationality or national origins.</p>
<p>Details:</p> <p><i>Young black males are more likely to be stopped and searched than any other group. This report has already mentioned the male/female ratio of criminal suspects is skewed towards males and the likelihood increasing significantly if you are young (10 to 24 years of age). That leaves race as a factor. The disproportionality is impossible to fully explain due to a lack of qualitative data. Factors that may affect it include street robbery where young black males significantly outnumber all other suspect groups. Even the offence itself may have some residual effect. Robbery is a serious crime and treated with due importance. Retail crime as a contrast is also seen as important but likely to result in far less harm to the public. Comparing the response to a street robbery versus a shoplifting may highlight how the difference in response affects these figures. The street robbery is far more likely to get an immediate and sizeable reaction. Everyone on duty will pay far greater attention to the location and description and this may impact on the use of stop and search in relation to young black males.</i></p>
<p>Sexual orientation, transgender or transsexual issues.</p>
<p>Details:</p> <p><i>There is no likely differential impact.</i></p>
<p>Other issues, e.g. public transportation users, homeless people, asylum seekers, the economically disadvantaged, or other community groups not covered above.</p>
<p>Details:</p> <p><i>There is no likely differential impact.</i></p>
<p>b) Is the proposal directly or indirectly discriminatory? Is there a genuine occupational requirement?</p>
<p>Details:</p> <p><i>There is no evidence of direct discrimination. Indirect discrimination may occur but is not evident. Stop and search is mostly subjective. Factors influencing each individual officer are unknown.</i></p>

However by assessing the monthly figures on Monitoring we can compare the likelihood of being stopped and searched with the arrest rate per 100 people stopped. This shows us that if you are a young black male you are approximately five times more likely to be stopped and searched than if you are a young white male. If this was a result of direct or indirect discrimination the disparity may continue through to the arrest rate. These are thankfully roughly the same, i.e. of every 100 white or black males stopped and searched between 7% and 8% are arrested. This would seem to indicate the officers grounds are broadly the same in spite of racial differences between these groups.

Disproportionality is monitored at monthly performance meetings and the monthly Community and Partnership meetings. BME /white gap from User Satisfaction Survey also features at the performance meetings. Disproportionality is also an agenda item of the six weekly Independent Monitoring group meeting.

Merton stop and search improvement plan was written in November 2009. In consultation with the Independent Stop and Search Monitoring Group

- Disproportionality was identified as a training action and included within the Core Team training cycle as a standard item.*
- Disproportionality is discussed in depth at the Independent Monitoring Group meetings.*
- Regular dip sampling of form 5090 is carried out where issues of disproportionality are identified.*

c) Explain how the proposal is intended to increase equality of opportunity by permitting positive action.

Details:

Using stop and search responsibly in an open and transparent way will give everyone in Merton a far safer environment and increase their confidence that Merton is a safer place.

d) Explain how the proposal is likely to promote good relations between different groups.

Details:

The SNT, the Independent Stop and Search Monitoring Group and the Muslim Temple initiated operation all promote a flow of information and good relationships to develop.

e) Explain how the proposal is likely to promote positive attitudes towards others and encourage their participation in public life.

Details:

Educating the public regarding stop and search increases confidence in its use. Fully informed people are far more likely to give feedback, act as a witness, complain or praise and also explain where appropriate thus assisting in the monitoring process

f) Explain how the proposal enables decisions and practices to adequately reflect the service user's perspective.

Details:

The Independent Stop and Search Monitoring Group continues to make the Borough far more accountable in relation to this part of police work. It also acts as a conduit for information in both

directions and has created very good relationships within the community.

6. Modifications – see Step 6 of the Guidance

Could the proposal be modified to reduce or eliminate any identified negative impacts, or create or increase positive impacts? What improvements have been made?

Training Days: A recent dip sample of some 400 search forms was conducted in order to establish some areas of disproportionality and search outcomes. Areas of disproportionality are subject to monitoring at the boroughs performance meetings. The chair of the Independent Monitoring group presented the findings to the Borough Commander and also delivered to front line officers during the last training cycle.

Independent Stop and Search Monitoring Group. The following has recently been published by the Group Chair Christine Mathews.

GROUP

The monitoring group consists of members who live or work in the borough, and brings expertise from areas such as the appropriate adult services, student union and youth offending team. The group meet regularly every 6 to 8 weeks and Inspector Kelly is the invited police contact.

TALKS TO YOUTHS

The group have now given in excess of 20 talks on 'know your rights in stop & search' to youth groups including disabled groups throughout the borough.

5090 SAMPLE DIPS

A sample dip on one months 5090 forms was carried out to ascertain the number recorded as 'no further action', this was as a result in feedback from youths . A report was compiled and submitted to the borough commander. It was felt that a number of these outcomes should have been 'warned' and 'advised'. It was considered fitting that these findings were incorporated into the regular training sessions and the Chair attended several of these meetings.

FUTURE PROJECTS

Projects in hand by the monitoring group are persons stopped who live in or out of the borough which reflects on the disproportionality outcomes.

7. Further Research - see Step 7 of the Guidance

Given the analysis so far, what additional research or consultation is required to investigate the impacts of the proposal on the diversity strands?

Since 2007 no areas of concern have been raised through complaints or the Independent Stop and Search Monitoring Group.

No further research is required at this stage.

8. Decision-making - see Step 8 of the Guidance

a. Name, rank or grade of decision maker

b. What is the Decision?

Reject the proposal No

Introduce the proposal Yes

Amend the proposal (an impact assessment should be made of any amendments) No

c. Name, rank or grade of SMT/(B)OCU/Management Board endorsing decision

Superintendent David Paterson

9. Monitoring - see Step 9 of the Guidance

a. How will the implementation of the proposal be monitored and by whom?

Stops and Searches Monthly Monitoring Mechanism to continue.

Interim training to Merton Borough police officers and community support officers to continue.

The Independent Stop and Search Monitoring Group will continue to deliver presentations throughout the next year.

No further research is required at this stage

b. How will the results of monitoring be used to develop this proposal and its practices?

The Independent Stop and Search Monitoring Group will continue to meet every six weeks. This allows any changes in performance to be monitored and effectively assessed.

c. What is the timetable for monitoring, with dates?

Six weekly (Independent Stop and Search Monitoring Group).

10. Public Availability of Report/Results - see Step 10 of the Guidance

What are the arrangements for publishing, where and by whom?

Person completing EIA: PS David Williams	
Signed:	Date: 20/07/2010
Person supervising EIA: Inspector Lukas kelly	
Signed:	Date: 20/07/2010
Quality Assurance Approval:	
Name and Unit: Superintendent Operations David Paterson	Date: 27/07/2010
Date Review Due: 31/07/2011	

Retention period: 7 years
MP 1083/08