



# Stop & Search Complaints Report

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January 2020

Reporting Period

Jan 19

to

Dec 19

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Produced by DPS PAU

## Counting Rules

**Cases** - Are the incidents that generate complaints. One incident will contain one or more allegation made by one or more complainant, which will subsequently be recorded against one or more officer/staff member.

**Allegations** - Are an interpretation of officer/staff behaviour at the incident. The conduct alleged is categorised by IPCC Statutory Guidance into 'Categories' (e.g. Failure in Duty and Oppressive Behaviour). There can potentially be multiple allegations on one incident. Allegations are counted against the borough of incident.

**Officer/staff Allegations** - Are an interpretation of who did what at the incident. Officers/staff are counted against each allegation made against them (i.e. the number of allegations on a case, multiplied by the officers/staff involved). Officer Allegations are counted against the *officers/staff unit at time of incident*. If an officer is unidentified, then the officer allegation is counted against the *borough of incident*.

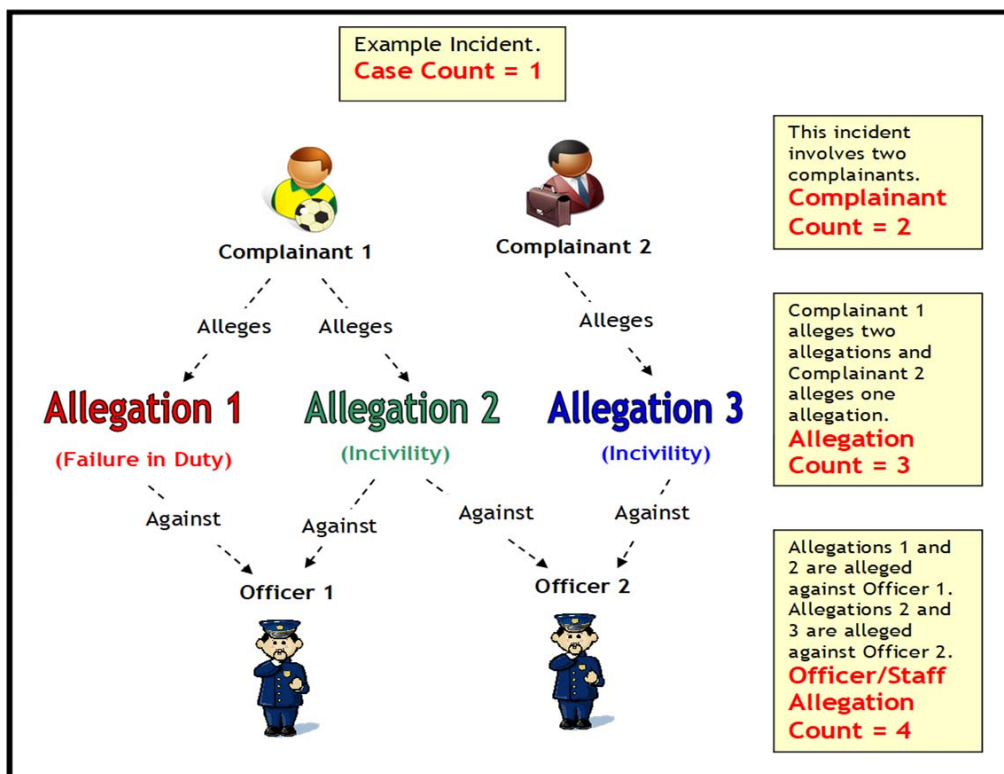
**Per 100 Workforce (Cases/ Officer/staff Allegations)** - The 'per 100' calculation divides the number of cases/ officer/staff allegations by the workforce for the Borough/OCU and is multiplied by 100. This calculation is used to allow even comparison between those boroughs with a large/small workforce.

**Complainants** - Are the number of people complaining on a case. Depending on the number of complainants, allegations and officer/staff allegations may be multiplied further - in these cases there is double counting.

**Officers/Staff Involved** - Are the number of officers / staff recorded on a case. This is *not allegation related* - it purely counts the number of officers/staff recorded on the case.

All the figures within this report are based on 'Recorded' complaints. This means that anything resulted as 'Not Recorded' is excluded, unless otherwise stated.

**Definition of 'Not Recorded' Public Complaints** - refers to instances where a force or police authority determines that an allegation should not be recorded. Instances where this may occur include: If the allegation is part of another complaint which they have already recorded, the complaint has been withdrawn by the person who made it, the allegation is about direction and control, the allegation has been made by someone serving with the police, the complaint is not covered by the Police Reform Act 2002.



## Allegation Categories

Allegation Category	Allegation Code & Type	Definition
Oppressive Behaviour	A Serious non-sexual assault	Section 18 or 20 assaults, but up to and including homicide.
Oppressive Behaviour	B Sexual assault	Including female or male rape, attempted rape and paedophilia (including sexual assaults on children).
Oppressive Behaviour	C Other assault	A person serving with the police must never knowingly use more force than is reasonable, nor should they abuse their authority. This category includes any unjustified use of force or personal violence (but not technical assaults arising from unlawful arrest) and any incident involving police dogs or horses where the incident is attributable to the conduct of the member in control, unless the severity of injury put them into category 'A' above.
Oppressive Behaviour	D Oppressive conduct or harassment	Unjustified interference, questioning or surveillance, improper requests for driving documents.
Oppressive Behaviour	E Unlawful/unnecessary arrest or detention	Where a person serving with the police makes an unlawful or unnecessary arrest or detains any person unnecessarily.
Discriminatory Behaviour	F Discriminatory behaviour	Acts towards an individual that a person serving with the police may have come into contact with whilst on or off duty, which amount to an abuse of authority or maltreatment. Includes acts committed on grounds of another person's nationality or ethnicity; sexual orientation, or religion.
Malpractice	G Irregularity in relation to evidence /perjury	It is of paramount importance that the public has faith in the honesty and integrity of all those serving with the police. All such persons should therefore be open and truthful in their dealings; avoid being improperly beholden to any person or institution; and discharge their duties with integrity. A breach of this category includes perjury or other allegations of falsehood, including an allegation that evidence was obtained by irregularity or under duress.
Malpractice	H Corrupt practice	It is of paramount importance that the public has faith in the honesty and integrity of all persons serving with the police and that they avoid being improperly beholden to any person or institution; and discharge their duties with integrity. A breach of this category includes any criminal allegation of corruption or any other form of corrupt practice.
Malpractice	J Mishandling of property	A person serving with the police must exercise reasonable care to prevent loss or damage to property (excluding their own personal property but including police property). A breach of this category includes the theft or loss of property (including money); unreasonable retention of property, damage to property in Police custody; failure to account for money or property; improper disposal of property. In all cases save complaints of theft, these matters should be included under S (failures in duty) if the complaint is specifically one of negligence, with no implication of dishonesty.
Failures in Duty	K Breach of Code A PACE on stop and search	Unjustified use of the relevant power, particularly where reasonable suspicion cannot be supported failure to act appropriately before or during a search or to make the necessary record where practicable.
Failures in Duty	L Breach of Code B PACE on searching of premises and seizure of property	Unauthorised entry on search; failure to provide information to occupier; improper or excessive search; failure to record searches properly; not securing premises where necessary; breach of rules on seizure or retention.
Failures in Duty	M Breach of Code C PACE on detention, treatment and questioning	Failure to inform detained persons of their rights and entitlements; unjustified obstruction of access to legal advice; holding persons incommunicado; not providing necessary support/advice to young/vulnerable detained persons; failure to maintain proper custody/property records; not providing mandatory physical conditions whenever practicable; not carrying out searches on detained persons in accordance with the code; conducting review of detention improperly or at inappropriate intervals. Failure to caution or charge when required, interviewing oppressively or in inappropriate circumstances; not making proper records of interviews and allowing them to be checked by suspects where practicable; not providing interpreters where necessary.
Failures in Duty	N Breach of Code D PACE on identification procedures	Failure to provide suspects with information about identification procedures or to offer them a choice between procedures where appropriate; not conducting or recording identification procedures properly; not obtaining necessary consents to the taking of fingerprints, photographs or body samples; not providing suspects with opportunity to witness destruction of fingerprints or photographs where appropriate.
Failures in Duty	P Breach of Code E PACE on tape recording	Failure to tape record (without good reason); failure to handle tapes openly and in front of the suspect or to maintain adequate tape security; not making a proper record of objections, complaints (breaks etc).
Discriminatory Behaviour	Q Lack of fairness and impartiality	A person serving with the police has a particular responsibility to act with fairness and impartiality in all of their dealings with the public and colleagues. A breach of this code includes unjustified interference, questioning or surveillance, and improper requests for driving documents.
Failures in Duty	R Multiple or unspecified breaches of PACE which cannot be allocated to a specific code	
Failures in Duty	S Other neglect or failure in duty	A person serving with the police should be conscientious and diligent in the performance of their duties. They should attend work promptly when rostered or informed of their duties. If absent through sickness or injury, they should avoid activities likely to retard their return to duty.
Failures in Duty	T Other irregularity in procedure	Other procedural irregularities not caused by neglect except breaches in the Codes of Practice.
Incivility	U Incivility, impoliteness and intolerance	A person serving with the police should treat members of the public and colleagues with courtesy and respect, avoiding abusive or deriding attitudes or behaviour. In particular they must avoid; favouritism of an individual or group; all forms of harassment, victimisation or unreasonable discrimination; and overbearing conduct to a colleague, particularly to one junior in rank or service.
Traffic Irregularity	V Traffic irregularity	Complaints about the driving or use of vehicles on Police business (but not about Police conduct in dealing with civilian traffic).
Other	W Other	E.g. criminal damage (except in connection with searches of property).
Failures in Duty	X Improper disclosure of information	From police, national or other records, whether by paper, electronic means, or any other means.
Oppressive Behaviour	Y Other sexual conduct	Indecent assault, sexual harassment, soliciting of prostitutes, incidents relating to the collection or use of child pornography, either in or out of the workplace.

**Public Complaints Received arising from a Stop and Search Incident**

Reporting Period: **Jan 2019** to **Dec 2019**

**Number of Cases**

	Jan 18	Feb 18	Mar 18	Apr 18	May 18	Jun 18	Jul 18	Aug 18	Sep 18	Oct 18	Nov 18	Dec 18	Grand Total
ALL Cases Received	443	398	414	412	464	401	448	469	415	460	456	372	<b>5152</b>
S&S Cases Received	18	15	15	13	17	14	8	12	8	10	18	14	<b>162</b>
S&S Cases as % of All	4%	4%	4%	3%	4%	3%	2%	3%	2%	2%	4%	4%	<b>3%</b>

	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Grand Total
ALL Cases Received	515	499	572	468	510	528	591	552	569	651	523	279	<b>6257</b>
S&S Cases Received	22	26	28	30	30	30	31	22	21	28	20	16	<b>304</b>
S&S Cases as % of All	4%	5%	5%	6%	6%	6%	5%	4%	4%	4%	4%	6%	<b>5%</b>

**Number of Allegations Received by Allegation Category**

Borough of Incident	Oppressive Behaviour		Discrimination		Malpractice		Failures in Duty		Incivility		Traffic Irregularity		Other		Direction & Control		Total This Period	Total Last Period	% Change
	This Period	Last Period	This Period	Last Period	This Period	Last Period	This Period	Last Period	This Period	Last Period	This Period	Last Period	This Period	Last Period	This Period	Last Period			
Central North Command Unit	4	(7)	2	(1)	1	(1)	5	(5)	4	(3)			1				<b>17</b>	(17)	
Central East Command Unit	19	(10)	1	(1)		(1)	16	(9)	7	(5)	1			(1)			<b>44</b>	(27)	63%
Central South Command Unit	23	(20)	5	(7)	2	(3)	53	(36)	13	(3)			1	(3)			<b>97</b>	(72)	35%
Central West Command Unit	13	(17)	5	(3)	2	(4)	18	(35)	8	(11)			1	(3)			<b>47</b>	(73)	-36%
North East Command Unit	16	(14)	4	(5)	1		33	(24)	7	(1)			2				<b>63</b>	(44)	43%
North West Command Unit	8	(10)	1	(4)		(4)	8	(15)	4	(4)			1				<b>22</b>	(37)	-41%
North Area Command Unit	13	(3)	2				17	(5)	2			(1)	1				<b>35</b>	(9)	289%
East Area Command Unit	10	(1)	1		1		11	(2)	3								<b>26</b>	(3)	767%
South East Command Unit	20	(18)	3	(6)	1	(4)	31	(20)	3	(1)			2				<b>60</b>	(49)	22%
South West Command Unit	15	(5)	2	(2)	3		17	(7)	4	(8)			7	(2)			<b>48</b>	(24)	100%
South Area Command Unit	17	(11)	3	(3)	4	(2)	23	(11)	2				1	(1)			<b>50</b>	(28)	79%
West Area Command Unit	21	(10)	4	(3)	3	(2)	17	(5)	5	(5)			2		1		<b>53</b>	(25)	112%
Heathrow (Aviation Policing)	8		3				2						1				<b>14</b>		0%
Outside MPS							1										<b>1</b>		0%
U/K	37	(4)	7		3		33	(9)	9	(2)							<b>89</b>	(15)	493%
<b>Grand Total</b>	<b>224</b>	<b>(130)</b>	<b>43</b>	<b>(35)</b>	<b>21</b>	<b>(21)</b>	<b>285</b>	<b>(183)</b>	<b>71</b>	<b>(43)</b>	<b>1</b>	<b>(1)</b>	<b>20</b>	<b>(10)</b>	<b>1</b>		<b>666</b>	<b>(423)</b>	<b>57%</b>

**Trigger point 10% increase**

**57%**

Complaints Trigger - The Home Office Best Use Scheme requires forces to signpost the appropriate mechanism for members of the community to raise concerns or complaints that they have with the way that a stop and search has been carried out and to indicate the level of complaints that arise from a stop and search. The Metropolitan Police Service will publish the year on year percentage increase/decrease in the number of complaint allegations and have set a trigger point whereby a 10% increase or more will be highlighted to ensure further scrutiny/examination take place to establish the reasons for this. For further information please see [www.met.police.uk/stopandsearch](http://www.met.police.uk/stopandsearch)

**Public Complaints Received arising from a Stop and Search Incident**

**Reporting Period: Jan 2019 to Dec 2019**

**Number of Allegations Received - for Breach of PACE Code A - Stop & Search**

Borough of Incident	This Period		Last Period	
	Code A Allegs	% of Total Allegs	Code A Allegs	% of Total Allegs
Central North Command Unit	5	29%	2	12%
Central East Command Unit	8	18%	5	19%
Central South Command Unit	37	38%	25	35%
Central West Command Unit	7	15%	8	11%
North East Command Unit	16	25%	6	14%
North West Command Unit	5	23%	6	16%
North Area Command Unit	8	23%	4	44%
East Area Command Unit	8	31%	2	67%
South East Command Unit	25	42%	8	16%
South West Command Unit	6	13%	4	17%
South Area Command Unit	10	20%	6	21%
West Area Command Unit	13	25%	2	8%
Aviation Policing	2	14%		
Outside MPS	1	100%		
U/K	23	26%	5	33%
<b>Grand Total</b>	<b>174</b>	<b>26%</b>	<b>83</b>	<b>20%</b>

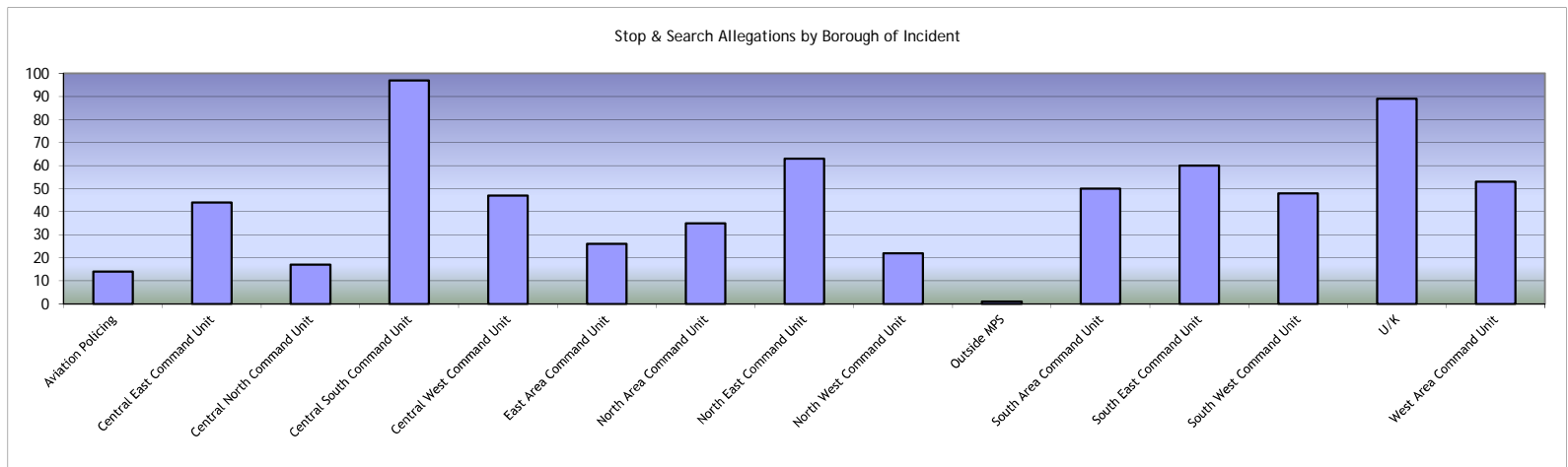
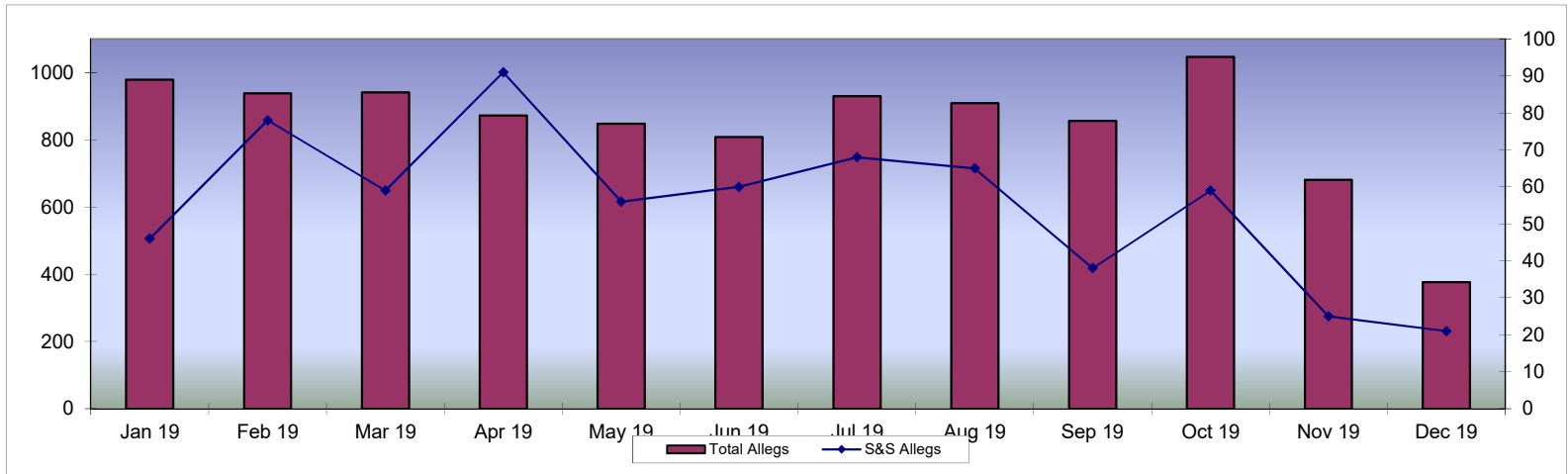
**Number of Allegations Received by month recorded**

Borough of Incident	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	S&S Total
Central North Command Unit	1			6		2		1	4		2	1	17
Central East Command Unit	5	9	5	5	3	2	1	7	3	3	1		44
Central South Command Unit	10	6	3	8	9	3	17	11	4	14	4	8	97
Central West Command Unit	1			13	6	3	3	10	3	8			47
North East Command Unit	13	11	1		4	6	9	3	15		1		63
North West Command Unit	4	4	2	1	2	3	4		1			1	22
North Area Command Unit		3	8	10	1	9		2				2	35
East Area Command Unit	4		1	6	1	3	3		2	2		4	26
South East Command Unit		2	5	5	2	17	5	13	1	4	5	1	60
South West Command Unit		23	4	7		4			2	8			48
South Area Command Unit	2	8	7	4	7		9	8	1	3	1		50
West Area Command Unit	3	6	8	2	9	5	7	3	1	4	4	1	53
Heathrow (Aviation Policing)	1			9	3			1					14
Outside MPS										1			1
U/K	2	6	15	15	9	3	10	6	1	12	7	3	89
<b>Grand Total</b>	<b>46</b>	<b>78</b>	<b>59</b>	<b>91</b>	<b>56</b>	<b>60</b>	<b>68</b>	<b>65</b>	<b>38</b>	<b>59</b>	<b>25</b>	<b>21</b>	<b>666</b>
Total Allegation Recorded	979	938	941	872	848	808	930	909	856	1047	681	376	10185
Stop & Search Allegations as % of Total	5%	8%	6%	10%	7%	7%	7%	7%	4%	6%	4%	6%	7%

Total Allegations Received	S&S Allegs as % of Total Allegs
489	3%
765	6%
762	13%
1120	4%
624	10%
698	3%
578	6%
579	4%
732	8%
689	7%
643	8%
814	7%
85	16%
104	1%
1503	6%
<b>10185</b>	<b>7%</b>

**Public Complaints Received arising from a Stop and Search Incident**

Reporting Period: Jan 2019 to Dec 2019



**Breakdown of figures of last reporting month  
December 2019**

Borough of Incident	Oppressive Behaviour					Discrimination		Malpractice			Failures in Duty							Incivility	Traffic	Other	Direction & Control				Grand Total										
	Serious non-sexual assault	Sexual assault	Other assault	Oppressive conduct or harassment	Unlawful/unnecessary arrest or detention	Other sexual conduct	Discriminatory Behaviour	Lack of fairness and impartiality	Irregularity in evidence/perjury	Corrupt practice	Mishandling of property	Breach Code A PACE	Breach Code B PACE	Breach Code C PACE	Breach Code D PACE	Breach Code E PACE	Multiple or unspecified breaches of PACE	Other neglect or failure in duty	Other irregularity in procedure	Improper disclosure of information	Incivility, impoliteness and intolerance	Traffic irregularity	Other	General policing standards		Operational management decisions	Operational policing policies	Organisational decisions							
Central North Command Unit			1																																1
Central East Command Unit																																			
Central South Command Unit			3	1	1						1						1				1														8
Central West Command Unit																																			
North East Command Unit																																			
North West Command Unit											1																								1
North Area Command Unit						1					1																								2
East Area Command Unit			1								1						1				1														4
South East Command Unit											1																								1
South West Command Unit																																			
South Area Command Unit																																			
West Area Command Unit																																			
Heathrow (Aviation Policing)																																1			1
Outside MPS																																			
U/K											2																								3
<b>Grand Total</b>			<b>5</b>	<b>1</b>	<b>1</b>	<b>1</b>					<b>7</b>					<b>1</b>	<b>1</b>			<b>3</b>											<b>1</b>			<b>21</b>	

## Number of Allegations Finalised arising from a Stop and Search Incident

Reporting Period: Jan 2019 to Dec 2019

### Number of Allegations Finalised by Allegation Result

Borough of Incident	Local Resolution		Dispensation		Discontinuance		Withdrawn		Upheld		Not Upheld		Special Requirements		Grand Total
	No. of Allegs	% of Total	No. of Allegs	% of Total	No. of Allegs	% of Total	No. of Allegs	% of Total	No. of Allegs	% of Total	No. of Allegs	% of Total	No. of Allegs	% of Total	
Central North Command Unit	1	6%	1	6%			1	6%			15	83%			18
Central East Command Unit	3	8%							2	5%	26	67%	8	21%	39
Central South Command Unit	5	14%					2	5%	2	5%	19	51%	9	24%	37
Central West Command Unit	2	4%					2	4%	2	4%	29	64%	10	22%	45
North East Command Unit	1	2%	2	3%			3	5%	7	11%	38	59%	13	20%	64
North West Command Unit	5	18%					1	4%	1	4%	17	61%	4	14%	28
North Area Command Unit	3	18%									6	35%	8	47%	17
East Area Command Unit	1	10%					5	50%	1	10%			3	30%	10
South East Command Unit	1	3%					2	6%	1	3%	31	89%			35
South West Command Unit	1	2%					2	5%	5	12%	23	56%	10	24%	41
South Area Command Unit	2	4%					1	2%	4	9%	40	85%			47
West Area Command Unit	4	10%					2	5%	4	10%	32	76%			42
Aviation Policing	1	7%	1	7%							12	86%			14
Outside MPS															
U/K	7	16%	5	11%					2	4%	29	64%	2	4%	45
<b>Grand Total</b>	<b>37</b>	<b>8%</b>	<b>9</b>	<b>2%</b>			<b>21</b>	<b>4%</b>	<b>31</b>	<b>6%</b>	<b>317</b>	<b>66%</b>	<b>67</b>	<b>14%</b>	<b>482</b>



# Stop & Search Allegations Upheld by Allegation Type

Reporting Period: Jan 2019 to Dec 2019

## Number of Allegations Finalised with result of 'Upheld by Allegation Type

Borough of Incident	Oppressive Behaviour						Discrimination		Malpractice			Failures in Duty							Incivility	Traffic	Other	Direction & Control					Grand Total										
	Serious non-sexual assault	Sexual assault	Other assault	Oppressive conduct or harassment	Unlawful/unnecessary arrest or detention	Other sexual conduct	Discriminatory Behaviour	Lack of fairness and impartiality	Irregularity in evidence/perjury	Corrupt practice	Mishandling of property	Breach Code A PACE	Breach Code B PACE	Breach Code C PACE	Breach Code D PACE	Breach Code E PACE	Multiple or unspecified breaches of PACE	Other neglect or failure in duty	Other irregularity in procedure	Improper disclosure of information	Incivility, impoliteness and intolerance	Traffic irregularity	Other	General policing standards	Operational management decisions	Operational policing policies		Organisational decisions									
Central North Command Unit																																					
Central East Command Unit				1																		1															2
Central South Command Unit											2																										2
Central West Command Unit																		1			1															2	
North East Command Unit											2							3	2																	7	
North West Command Unit																	1																				1
North Area Command Unit																																					
East Area Command Unit											1																										1
South East Command Unit										1																											1
South West Command Unit			1								3										1																5
South Area Command Unit										1	2																										4
West Area Command Unit			1							1	1										1																4
Aviation Policing																																					
Outside MPS																																					
U/K											1								1																		2
<b>Grand Total</b>			2	1						3	12						5	3		4			1													31	

Allegation type as % of Total			6.5%	3.2%							9.7%	38.7%								16.1%	9.7%			12.9%											100%
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