



POLICE
SCOTLAND
Keeping people safe

Stop and Search Improvement Plan 2015/16 (Interim Consensual Phase II)

Version 0.2 – October 2015

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Foreword

The main purpose of policing is to improve the safety and well-being of persons, localities and communities across Scotland.

Stop and Search is a valuable policing tactic which contributes to this purpose by helping to prevent, investigate and detect crime whilst at the same time keeping people safe and improving community well-being.

The first version of this improvement plan published in June 2015, supported a three month Testing Phase where additional training and an enhanced national stop and search database was launched. This phase also focused on delivering the 72 recommendations from our own review of stop and search including those from the Scottish Police Authority (SPA), Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) and the Scottish Institute for Policing Research (SIPR).

During this period we carried out a 100% review of all database entries which allowed us to significantly change our approach including improvements to our policy, practice and recording. We have now publicly reported on this enriched data and can report that statutory stop and searches now account for over 80% of the total and consensual searches account for less than 20% which is a complete reversal from our position a year ago.

We also amended our policy making sure that we always use a statutory power of search where it is available and we have continued our policy of not consensually searching children under the age of 12 years.

This revised version of the improvement plan builds on the learning from our testing phase and details our planned approach during the Interim Consensual Phase over the coming months. It also takes account of the additional 10 recommendations from the Independent Advisory Group on Stop and Search (IAG), commissioned by the Scottish Government which has now recommended that, in time the use of consensual stop and search should be brought to an end and that a Code of Practice should be introduced and given effect by statute.

Prior to these significant further changes taking effect, Police Scotland remains confident that the ongoing improvements contained within this second revision of our improvement plan, will provide the foundations on which to build any changes in preparation for the introduction of a Code of Practice on the Exercise by Constables of Powers of Stop and Search of the Person in Scotland.

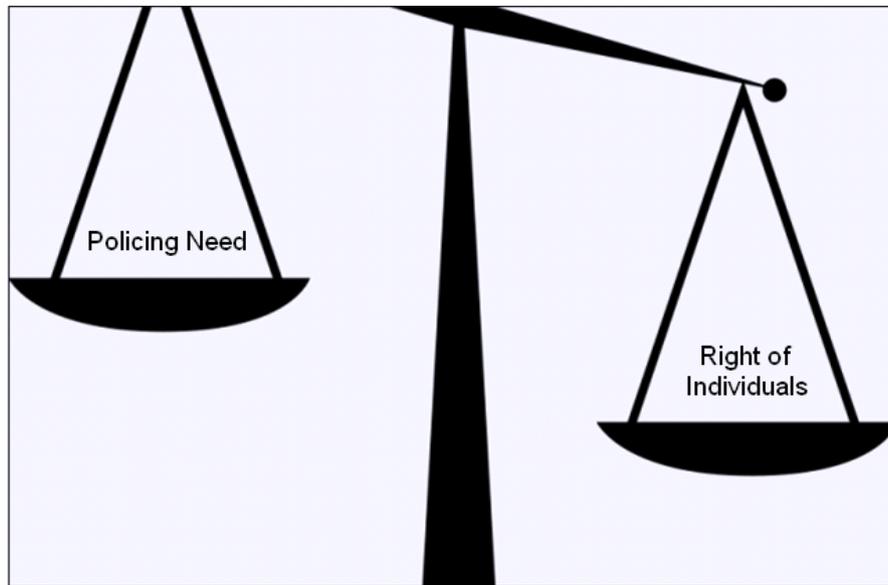
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Vision

Our vision is to ensure that stop and search in Scotland is used in a proportionate and accountable way

to prevent and detect crime, keep people safe and improve community wellbeing.



Aim

Through the delivery of this improvement plan we aim to achieve greater transparency and community involvement in the use of stop and search powers and to support a more intelligence led

approach, leading to improved outcomes proportionate to the threat, risk or harm from crime and disorder including community wellbeing.

Police Scotland Stop & Search Policy and Public Facing Statement

The following Policy and Public Facing Statement have been developed following consultation with our many partners, key stakeholders and interested parties.

The Police Service of Scotland, hereafter referred to as Police

Scotland, will use Stop and Search as an operational policing tactic in the prevention, investigation and detection of crime, with the intention of keeping people safe and to improve community wellbeing.

Police Scotland recognise that stopping and searching members of the public is a significant intrusion into their personal liberty and privacy and are committed to ensuring that all stop and search activity is carried out in a lawful, proportionate, justifiable and accountable manner.

Whilst carrying out a stop and search, officers will treat members of the public in keeping with Police Scotland's core values of fairness, integrity, respect. Police Scotland will ensure that an individual's rights are upheld in accordance with the Human Rights Act 1988 and the Equalities Act 2010.

During the current interim period following the publication of 'The Report of the Advisory Group on Stop and Search' by John Scott QC and until the new Code Of Practice for Stop and Search comes into operational practice, the presumption towards use of statutory powers of stop and search will continue.

Children under the age of 12 who require to be stopped and searched should be done so under a statutory power. Consensual searching of children under the age of 12 without the informed consent from a parent, guardian or responsible adult will not be permitted.

Background

Stop and search has historically been used as a police tactic across Scotland, to address public space violence and disorder, providing opportunities to intervene and prevent individuals from coming to harm from criminality, disorder and other threats to their safety.

Since October 2013 the use of stop and search powers in Scotland has been subject to significant public debate. This led to the Scottish Police Authority (SPA) undertaking a review of stop and search leading to 12 recommendations for Police Scotland designed to address issues and concerns raised around the use and recording of stop and search ([SPA Stop and Search Scrutiny Review](#)) which was published in May 2014.

Police Scotland created the National Stop Search Unit (NSSU)

in May 2014 and began a Stop Search Pilot in Fife Division which ran from July 2014 to January 2015 and was independently evaluated by SIPR.

On Tuesday 31 March 2015, HMICS published an audit and review of stop and search entitled; *Audit & Assurance Review of Stop and Search: Phase 1* ([HMICS - Audit and Assurance Review of Stop and Search - Phase 1](#)) to assess the state, efficiency and effectiveness of the processes for recording stop and search activity within Police Scotland and the associated procedures for supervision, audit and governance. This review suggested further improvements through 23 recommendations, intended to provide communities across Scotland with more confidence in the use of the stop and search and

allow a more informed view on the future need for consensual stop and search.

Also on Tuesday 31 March 2015, Police Scotland provided an update report to the Cabinet Secretary for Justice on Stop and Search following its review of the use of consensual stop and search. This report contained 18 recommendations, with options offered on the future use of consensual stop and search ([Police Scotland Stop and Search Update Report](#)).

On the 19th June 2015 SIPR published their evaluation of the Fife Stop and Search Pilot which made 19 recommendations to improve the use of the tactic and to consider the wider use of identified good practice across Scotland. ([Stop and Search Pilot Evaluation Findings and Recommendations](#)).

Having considered the content of the Police Scotland report, the Scottish Government established an independent Advisory Group on Stop and Search (IAG) to advise on long term policy for stop and search and in particular to consider

issues relating to consensual stop and search and to develop a draft Code of Practice.

On 31st August 2015, the advisory group published its report and made a further 10 recommendations which in summary recommended that the practice of consensual searching should cease following the introduction of a Code of Practice for stop and search ([Report of the Advisory Group on Stop and Search](#)).

As a consequence of these aforementioned 82 recommendations, Police Scotland has produced this updated improvement plan which ensures all recommendations from the SPA, HMICS, the Chief Constable's update report to the Cabinet Secretary for Justice along with recommendations emanating from the SIPR evaluation of the Fife stop and search pilot and the Independent Advisory Group, are taken forward and that relevant good practice is disseminated across Scotland to promote continuous improvement.

Introduction

This Police Scotland Stop and Search Improvement Plan – Interim Consensual Phase II builds on the progress already made through the Testing Phase I which concluded at the end of August 2015 (see our previously published Improvement Plan – Testing Phase I).

The plan is our ongoing roadmap for improvement and provides a formal plan detailing the

improvements we have and are making over the period 2015/16. The plan is not protectively marked and is intended to inform our own staff, partners, stakeholders and any interested parties of the journey we are taking around stop and search. The plan outlines our journey of improvement over the next year which sets out activities designed to bring about gradual, but continual improvement through

constant consultation and review. It will allow us to receive feedback to understand and adapt to the unfolding stop and search environment to set future priorities and direction. We will also develop how we deliver the tactic to improve understanding and satisfaction and it will allow us to lead an outcome focused approach that engages our people and communities.

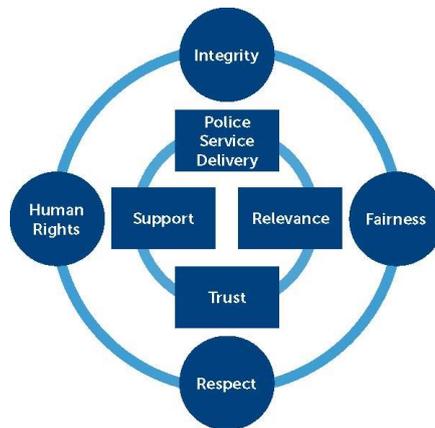
Police Scotland must earn the trust and confidence of the communities

we serve with every encounter we have with the public, both in terms of what we do, as well as how we do it.

As shown below in Figure 1; integrity, fairness and respect, underpinned by a commitment to upholding human rights, have been developed as our organisational values.

It is important that our values resonate with our people and are embodied by the organisation.

Figure 1 – Our Organisational Values



The Improvement Plan is designed to respond to the recommendations, comments, findings and observations contained within the five stop and search reviews already mentioned. The recommendations are colour coded throughout the plan as per Figure 2. It has developed the 82 recommendations into 6 high level priority themes. Progress around our recommendations are contained in appendix 4, those greyed out are those that Police Scotland consider to be complete or awaiting completion approval from either SPA, HMICS or the Scottish Government.

The plan will continue to work to achieve all of these high level actions for our staff, partners, local people and communities. The plan has been developed following consultation with SPA, HMICS, the Scottish Government, SIPR and the IAG including many other interested stakeholders, however ownership around delivering the plan rests with Police Scotland. It has been progressed through the Police Scotland Improvement Plan Tactical and Strategy Groups and the Stop and Search Reference Group. The plan is dynamic in nature and progress will continue to be shared with others during the lifetime of the plan.

A further Improvement Plan – Code Phase III will be developed towards the end of 2015 and will be

presented to the SPA Board at the turn of the year.

Figure 2 – Recommendation number references

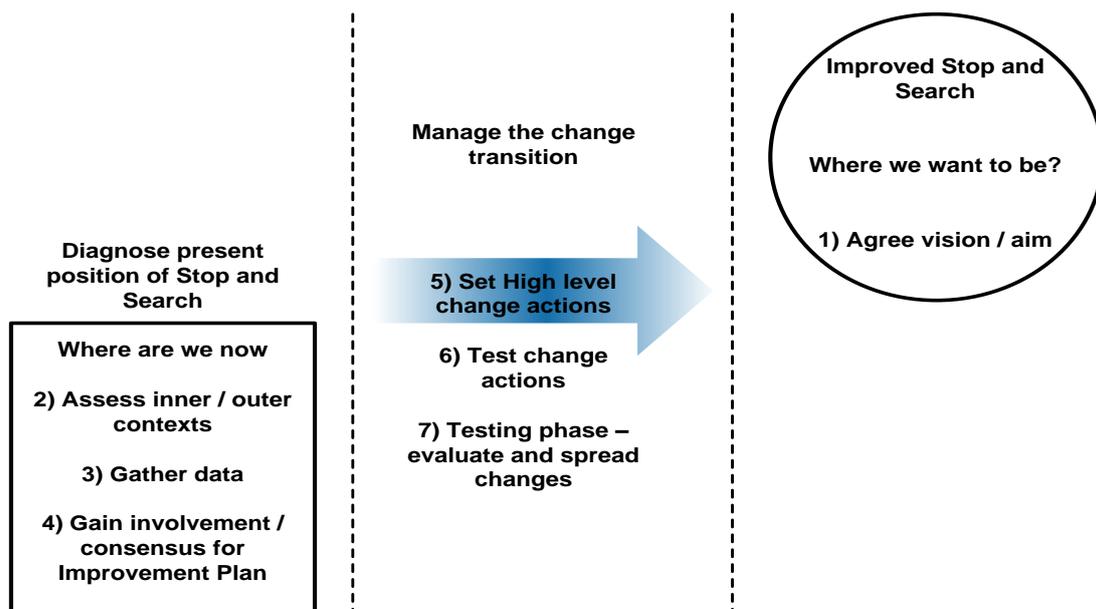
Recommendation number references	
Organisations	Colour reference
SPA	Magenta
HMICS	Green
Police Scotland	Blue
SIPR	Brown
IAG	Orange

Change Methodology

Stop and search improvement requires a methodology applied that can deal with complex change involving organisation-wide change. The National Stop and Search Improvement Delivery Team (NSSIDT) have used the Organisational Development Intervention Strategy to focus on

the whole culture of the organisation to deliver the six themes of the improvement plan - see Figure 3 below. This strategy allows the team to improve its existing capacity and to adapt more readily to external environmental changes around the future policy and practice of stop and search.

Figure 3 - Police Scotland Stop and Search Organisational Development Change Process



In relation to the enhanced database, separate Software Development processes have involved a number of stages, the first of which was the identification of business requirements. A requirements specification document is produced and sent to the relevant business stakeholders for sign-off. Software is developed in line with the agreed requirements specification. The Software undergoes a thorough testing and quality assurance

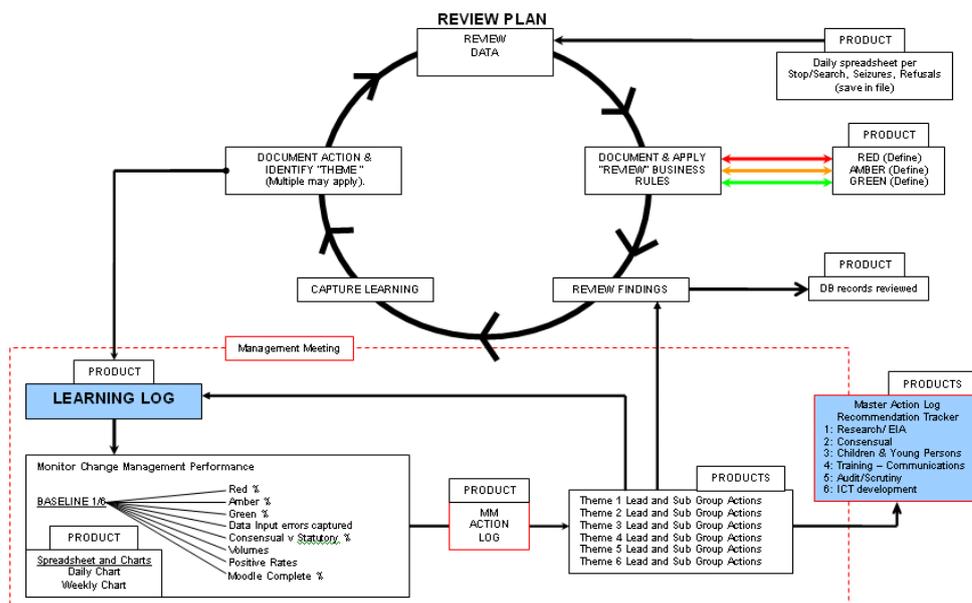
process including code review, developer testing, system testing and user acceptance testing. In addition, performance testing is also considered and conducted where it is deemed appropriate to do so. The database has also been presented to members of the meetings contained in appendix 3. A Manual of Guidance has also been developed to ensure that the database has appropriate audit, accountability and governance processes.

Testing Phase

Throughout the 3 month testing phase the National Stop & Search Unit (NSSU) conducted a 100% review of all stop and search database entries. This review process was carried out as per Figure 4 below. The testing phase showed that validation errors have almost been eradicated and furthermore there have been no consensual searches during the testing phase of a child under the age of 12. The NSSU continue to

work closely with the National Stop & Search Improvement Delivery Team (NSSIDT) to prepare the specification for phase 2 of the enhanced database. This is a significant piece of work and involves re-building the database to allow for a fuller edit function including supervisory audit amongst other improvements. Moving into the Interim Consensual Phase, 100% of consensual searches will be subject to audit.

Figure 4 – Stop and Search Review Plan



Improvement Plan Governance

Governance of the Police Scotland Stop and Search Improvement Plan is being provided at an operational level by the NSSIDT led by a Superintendent supported by the NSSU (see appendix 2). The actions contained within this document have a corresponding operational action plan which is used on a daily basis by the staff dedicated to delivering the plan at both daily and weekly meetings. Their progress will be overseen by the Stop & Search Improvement Plan Tactical Group chaired by a Chief Superintendent. The progress of this group will thereafter be overseen by the Improvement Plan Strategy Group chaired by an Assistant Chief Constable. This group is also communicating progress to the

Stop and Search Reference Group chaired by the Deputy Chief Constable, which also provided advice and support to unfolding work being developed by the independent Advisory Group on Stop and Search. (See appendix 3). The improvement plan progress is being presented to the SPA Audit & Risk Committee and is being monitored through SPA governance channels. The SPA provides scrutiny over Police Scotland during the delivery of the improvement plan, to ensure the recommendations contained within are delivered. In addition the plan progress is also being communicated at regular intervals to the Scottish Government, HMICS, stakeholders and other interested parties.

Communication of Improvement Plan

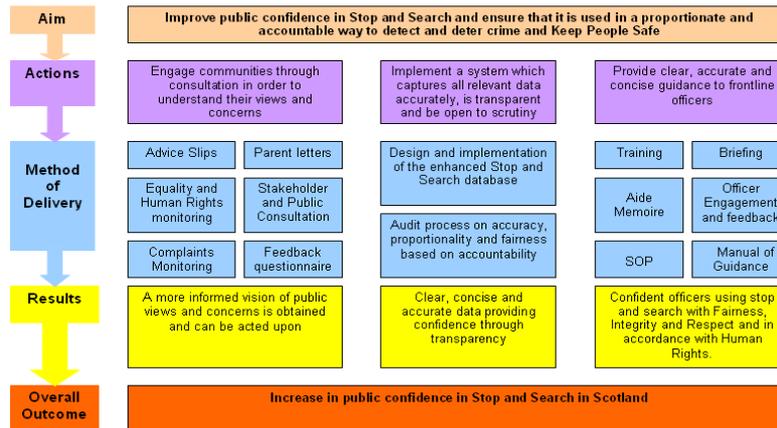
Effective communication and engagement is needed to ensure all police officers and appropriate members of staff are informed about the improvements being made and what is expected of them. A communication plan has been developed and is being used to drive activity over the coming months. Externally, communication and engagement will continue with a range of partner agencies and the media.

Information about stop and search is also being made available to the public through community meetings, social media and the

Police Scotland website. An organisational change sub-group will monitor the progress of internal and external communication, engagement activity and the results, updating the communication plan and driving further activity where appropriate.

The Stop and Search Public Confidence Plan (as shown in Figure 5 overleaf) illustrates the processes in place to improve public confidence in Stop and Search and ensure that it is used in a proportionate and accountable way to detect and deter crime and Keep People Safe.

Figure 5 - Stop and Search Public Confidence Plan



Stop and Search Definitions

These definitions will be continually reviewed following wider consultation over the coming months and may be subject to some change.

A **statutory search** is one conducted by a Police Officer in the course of their duties where the individual is searched using a specific statutory provision.

A **consensual search** is one conducted by a Police Officer in the course of their duties with the consent of the individual being searched.

A **recordable stop and search** is defined as any unplanned stop and search where the officer has in the course of their duties used statutory powers or gained the consent of the individual being searched, excluding any search:

- As part of an event where searches are conducted as security measures or conditions of entry.
- When undertaking a search under powers conferred by a warrant.

- Where items have been recovered prior to any search by a Police Officer (i.e. Shoplifter).
- Part of an officer safety search whether within a custody setting or elsewhere.
- Where a vehicle is searched but does not involve the search of an individual.

A **positive stop and search** is when an item is recovered where possession of same implies criminality on the part of the individual being searched or any other; or potentially compromises the safety of that individual or any other.

A **refusal** is when an individual does not provide their consent to be searched by an officer. This only relates to a consensual stop and search.

A **seizure** occurs when items are surrendered, or are removed from an individual by a Police Officer, for the purpose of safeguarding the health and well being of that individual or any other, in circumstances where the stop and search tactic has NOT been utilised and no physical search of an individual has taken place.

National Stop and Search Database

The current database which is being utilised to capture all Stop and Search data required additional enhancement with new validation processes. The first of the major enhancements which was introduced to the database was the ability to separately record;

- Stop & Search,
- Seizure
- Refusal to consensual Stop & Search

Enhancement to the statutory reasons for a Stop and Search included all available statutes that give the ability to stop & search, with the inputting officer having to select the specific sub section of that statute which an individual is searched under, officers are now also given a brief description of the statute at this point.

A method of capturing an officer's grounds for suspicion was also introduced by means of a free text

box which is titled 'Grounds for Search' during a statutory Stop and Search and 'Circumstances' during a Consensual Stop and Search or Seizure. To further support officers in identifying the required information to be captured we have included the "SHACKS" mnemonic to the database to help develop a national standard of recording all grounds and circumstances.

Validations of an individual's date of birth and age, along with additional messages and warnings have been included to ensure the quality of all personal information recorded.

Enhancements are also being developed to User Management, providing the foundation required to allow different levels of access and facilitate the roll out of national audit and governance that can be implemented at first line manager level within divisions.

National Stop & Search Improvement Delivery Team (NSSIDT)

The NSSIDT has been created to support the delivery of the improvement plan and deliver current actions through continued engagement with internal and external partners. The NSSIDT is responsible in the short to mid term for the development and delivery of this improvement plan. This will

ensure that Police Scotland makes the appropriate changes around the use of stop and search which address the issues identified through SPA, HMICS, SIPR, IAG and internal reviews whilst building confidence across the community through improved transparency.

National Stop and Search Unit (NSSU)

The NSSU was created in June 2014 to monitor the use of stop and search and develop new governance and scrutiny processes that would ensure ongoing improvements to data quality.

The NSSU are responsible for:

- the audit and governance of the enhanced database;
- linking in with the NSSIDT to bring about learning and improvement, through training and guidance;
- reporting on stop and search activity in conjunction with the Analytical Performance Unit;

- working to assist divisions to direct their stop search activity; and
- producing guidance for frontline officers and supervisors in the form of a revised Standard Operating Procedure and Counting Rules.

The NSSU will continue to work to deliver on the recommendations contained within the Improvement Plan (Interim Consensual Phase II). In this phase the NSSU will carry out a 100% review of all stop and search database entries. A further review of the staffing for this unit will be carried out prior to the NSSIDT concluding its activities.

Fife Pilot

The Fife Pilot concluded in February 2015.

The aim of the Fife Division pilot was to; ensure the use of stop and search is transparent, inform our approach towards consensual search, meets the expectations of the public when subject to scrutiny, capture best practice and inform policy and practice and crucially to ensure that its use is lawful, ethical, proportionate and effective in keeping people safe. The pilot was developed on three founding themes; namely:

- Improving Data Set
- Improving Accountability
- Improving Confidence

All of which were designed to lead to improved outcomes.

Pilot Theme – Improving Data

Set: This focused on the provision of a valuable information and intelligence product, which was predictive and forward looking to ensure Police Officers target the right people at the right time in the right place. This ensures that the capture of data is appropriate and meets the needs of the organisation, and informs and is supported by improved business intelligence products.

Pilot Theme – Improving

Accountability: This focused on the proportionate and ethical use of stop and search, evaluation of the interaction with members of the public being searched and scrutiny of the recording of searches. This provides confidence that searches carried out are justifiable and appropriate and meet the high

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expectations of the service, stakeholders and members of the public.

Pilot Theme – Improving

Confidence: The Pilot built upon well established local partnerships with stakeholders, whilst developing new relationships through proactive engagement to inform communities and sought input to enhance strategy, policy and training and practical application of stop and search within communities. This enabled Police Scotland to understand current perceptions associated with the deployment and use of stop and search within the Fife area, whilst extending a collaborative and transparent approach to national stakeholders.

The pilot has now concluded and the outcomes have been evaluated by the Scottish Institute of Policing Research ([Stop and Search Pilot Evaluation Findings and Recommendations](#)). Police Scotland is currently looking at the recommendations (see appendix 4) from this evaluation and will consider any good practice that is appropriate for further cascade across Scotland.

Since the conclusion of the Pilot and the publication of the recommendations, the NSSIDT have been analysing the findings through the REORG meetings to identify the operational good practice. To date several pieces of work have been progressed for action and will inform improvements within phase 2.

Children & Young Persons Working Group

Having established key links with children and young person groups, the National Stop and Search Improvement Delivery Team will continue to liaise with groups either through the Children and Young Persons Reference Group or individual organisations to seek and value the opinions of the children and young people. The liaison from the initial consultation phase has built strong and effective lines of communications and will help to improve the relationships and trust between Police and

young people. Focus groups and online surveys will continue to be used in an effective manner throughout the next phase. This will ensure that tactics and changes to policy are reviewed prior to implementation through these avenues, taking comment from a diverse array of young people.

Equality monitoring will help to record and analyse the impact of changes on children and young people ensuring that young people are not discriminated against.

Stop & Search Reference Group (SSRG)

The Stop and Search Reference Group provides advice and informed comment, in keeping with

each individual agency's remit, to assist in the implementation of Police Scotland's Stop and Search

Improvement Plan, strategic policies and processes as they relate to the operational policing tactic of stop and search. The group also supported the Independent Advisory Group on Stop & Search and acted in an advisory capacity to the unfolding work of this group as required.

It also identifies and considers any further potential legislative amendments that may be required so as to ensure any change in operational policing practice does not inadvertently expose our communities to an increased level of risk – especially children and

young people. The work of the group also aimed to identify and consider the potential impact any change in operational policing practice around stop and search may have on the wider criminal justice network, public and third sector partners and to consider the impact that any decisions taken, or recommendations made in relation to the development of stop and search, may have on any particular group or community. The group's terms of reference are currently in the process of being revisited following the last meeting in September 2015.

Independent Advisory Group (IAG)

On the 31st March 2015 Scottish Ministers announced that an independent advisory group on stop and search policy in Scotland would be established, chaired by prominent solicitor advocate John Scott QC. This Group considered the long-term policy for stop and search, in particular:

- whether a presumption against consensual stop and search was sufficient or if there should be an absolute cessation of the practice
- development of a draft Code of Practice to underpin the use of stop and search in Scotland.

The group reported their findings to the Cabinet Secretary for Justice, at the end of August 2015, with the conclusion that the use of non-statutory stop and search should cease and a Code of Practice be developed. All recommendations made by the IAG are contained within appendix 4 of this report ([The report of the Advisory Group on Stop and Search](#)).

Cessation of consensual searching and other changes will only take effect when the Code of Practice comes into force. Until this time, John Scott QC has agreed that the Advisory Group will play a continued role in revising the code.

Code of Practice

The IAG on 31st March 2015 also produced a draft Code of Practice on the Exercise by Constables of Powers of Stop and Search of the Person in Scotland. This was

contained within an annex to its report ([The report of the Advisory Group on Stop and Search](#)).

The code aims to govern all

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situations in which constables stop and search a person without first making an arrest. It will apply to situations involving the exercise of particular statutory powers of stop and search, and covers all searches unless the search is expressly excluded, either under this code or by statute. The code will also set out the requirements to be followed by the Police for recording information in relation to all stop and search activity covered by the code. The purpose of the code will be to; set out the principles under which stop and search is undertaken, ensure a consistency in the application of stop and search, set the standard to which constables can be scrutinised and evaluated, and

explain why, when and how stop and search is used.

The Scottish Government lodged the necessary legislative amendments to the Criminal Justice Bill to give the code a statutory basis. The Scottish Parliament Justice Committee passed those amendments on 29 September and the Bill is expected to receive Royal Assent by the end of 2015. The Scottish Government will begin a consultation on the draft Code of Practice in Autumn 2015 with the intention of completing the consultation by the end of the year. An actual date for the introduction of the code will be established following the consultation period.

Scottish Government

Scottish Government will continue to engage with Police Scotland to support the delivery of the improvement plan. The Scottish Government's overall role is to support the development of

national policy, to represent the interests of the Scottish Ministers and to take forward any necessary legislative changes including the Criminal Justice (Scotland) Bill and the Code of Practice.

Scottish Police Authority

The Scottish Police Authority will support the delivery of the improvement plan and associated actions through ongoing engagement via membership and attendance at Stop & Search Strategy Group and the Stop & Search Reference Group including the Recommendation Scrutiny

Group. The implementation of the improvement plan is being formally overseen through the SPA Audit and Risk Committee. An SPA Board Member was also a member of the IAG and staff are also providing continued liaison between SPA and Police Scotland as work progresses.

Her Majesty's Inspectorate of Constabulary in Scotland (HMICS)

Through their statutory role, HMICS requested that an improvement plan, to address the recommendations from their Audit and Assurance Review of Stop and Search, was submitted to HMICS within three months of the publication of the HMICS report (see Stop & Search Improvement Plan – Testing Phase I published in June 2015). HMICS continues to engage with Police Scotland during this period to support the further development of the improvement plan in order to ensure that the recommendations are fully addressed. HMICS also continue to engage and monitor progress on agreed actions with a view to their

formal discharge and will independently assess progress through their established parliamentary and public performance reporting processes. HMICS are aware that Police Scotland will report responses to the report, through the SPA Audit and Risk Committee. They have also provided membership to the Stop and Search Reference Group as an observer and to the independent Advisory Group on Stop and Search as an active member and will be available for on-going liaison as work progresses.

Scottish Institute for Policing Research (SIPR)

SIPR draws together a range of research expertise to focus on developing evidence-based approaches to policing and supporting innovation by providing robust, independent evaluation of new initiatives.

SIPR is therefore keen to use its research capacity and capability to support Police Scotland's Stop and Search Improvement Plan by helping develop the evidence base around the use of Stop and Search and evaluate the impacts of new practices.

SIPR are already supporting SPA with the development of an evidence base and the landscape review to help inform future improvements based on best practice from across the UK and further a field. SIPR are coordinating work undertaken by researchers with the findings being analysed through the REORG meetings to identify operational best practice.

The 2015 Scottish Social Attitudes Study questions were designed and are part of the field work which is currently ongoing with results due in late 2015, early 2016.

Equality Impact Assessment (EIA)

It is recognised that stop and search is an invasive tactic. Police Scotland will ensure that its deployment of stop and search will be fair, non discriminatory and will not infringe on a persons Human Rights. A thorough Equality Impact Assessment has been carried out though consultation with lead organisations and local focus groups. Feedback gained through this consultation helped shape the standard training documents for all officers and will help to inform future versions of guidance provided to all officers.

This process will continue to develop and links with the local community will continue to strengthen providing effective lines of communication necessary to

ensure that future changes to stop and search are ethical, fair and legal.

Bespoke equality monitoring has been designed to assist in reviewing practices and will help to monitor the impact of changes on communities. Increased transparency and public access to data will help build trust with the public and with those from protected characteristic groups.

A Privacy Impact Assessment and a Human Rights Impact Assessment have also been completed, both of which supports the effective and fair use of stop and search and sets out clear parameters on how stop and search will be conducted.

Priority Themes

In order to provide a means of tasking and coordinating the delivery of the improvement plan the National Stop & Search Improvement Delivery Team examined all recommendations emanating from the five reviews already mentioned within the

background section of this report. The recommendations were thereafter grouped into six priority themes and are as follows. These themes will be used by the team to manage progress against the stated timescales to achieve the stated improvement outcomes.

Theme 1 – Research & Evaluation
Theme 2 – Consensual Searching
Theme 3 – Engagement with Children & Young People
Theme 4 – Organisational Change
Theme 5 – Accountability & Public Information
Theme 6 – Database & Supporting Technologies

Theme 1 - Research & Evaluation

We are working with partners to develop an evidence base that supports and further informs the delivery of our improvement plan. We are establishing a Research & Evaluation sub-group to bring together the various strands of work being developed by ourselves, the Scottish Police Authority, the Scottish Government and the Scottish Institute for Policing Research including other interested research partners.

Action Taken	Target Date	Recommendation Key : ■ SPA ■ HMICS ■ POLICE SCOTLAND ■ SIPR ■ IAG
We held a National Stop & Search Event involving internal and external stakeholders in Glenrothes, Fife.	Nov 2014	
We have carried out an internal audit of stop and search recording, which is helping develop good practice.	Dec 2014	
We have concluded an audit and assurance review to assess the state, efficiency and effectiveness of the processes for recording stop and search activity, including supervision, audit and governance and submitted a report for the Cabinet Secretary for Justice.	March 2015	
We have concluded the Fife Stop & Search Pilot which ran between July 2014 and January 2015 and has been academically evaluated by SIPR	April 2015	
We have considered the recommendations from the SIPR evaluation of the stop and search Fife Pilot in consultation with SPA and identified good practice and promulgated same across Scotland.	August 2015	5, 12, 12
We have developed an Equality Impact Assessment on the Stop and Search tactic based on robust consultation, encompassing Guidance, Policy changes and Training.	August 2015	Police Scotland
We have reviewed best practice around stop and search strategy from across the UK and beyond and provided a report on what practice may be transferable for consideration in Scotland.	August 2015	Police Scotland
We have supported the development of a draft Code of Practice for stop and search by the independent Advisory Group on Stop & Search.	August 2015	19

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Actions		
1) In consultation with SPA identify and assess links between stop and search and positive outcomes and report to HMIC, SPA and Scottish Government and the Stop and Search Reference Group.	December 2015	8, 11, 1, 2
2) Following consultation with partners develop a wider Violence & Disorder Prevention Strategy which incorporates stop and search in the context of violence and disorder prevention activity.	December 2015	16
3) To support SPA and partners to develop research into the impact of stop and search on different communities and groups and to develop measurements of public confidence aligned to local priorities to inform future policy and practice.	December 2015	11, 21, 10, 13, 14
4) To support the Scottish Government in consultation with the SPA to engage with key stakeholders to expand the evidence base of stop and search.	December 2015	9
5) Coordinate research between SIPR and other academic(s) to develop the academic knowledge base around stop and search including its impact on young people.	December 2015	11, 1, 2
6) To support the Scottish Government in engaging in further public consultation on the terms of the Code of Practice.	November 2016	1, 2
7) To support the Scottish Government to carry out consultation on whether to legislate to search children under 18 for alcohol.	November 2016	6
8) To support the Scottish Government in developing practice to consider the child's best interests as part of the Criminal Justice Bill	November 2016	7
Outcomes		
The National Stop and Search Improvement Delivery Team and its partners will deliver these actions to ensure best practice and use of the stop and search tactic in the prevention and detection of crime and to improve community well-being across Scotland.		

Theme 2 - Consensual Searching

We will continue to monitor and report on compliance to the policy that consensual searches are no longer to be employed on children. As new changes are delivered, we will enhance our training to include best practice on consensual searches, reinforcing our policy and expectations. We will work with partners to develop options on the future of consensual searches and investigate enhancements in legislation to support the work of the independent Advisory Group on Stop & Search. We are also moving to a position of presumption of statutory searching over consensual and will monitor the impact of this.

Action Taken	Target Date	Recommendation Key : 
We have introduced a policy and issued guidance to officers that consensual searching is no longer to be employed in respect of those aged 11 years and under.	April 2015	6 (also see theme 3 / action 1)
We have introduced a policy and guidance to officers that there is a presumption towards the use of statutory powers, and only reverting to consensual searching where no statutory power exists. This will be reinforced during planned training activity (see theme 4, action 1).	May 2015	15
We have provided training to officers across Scotland surrounding the use of consensual searching via briefing, e-learning and aide memoir.	June 2015	7
We have further developed our policy around the use of both statutory and consensual searches and cascaded to front line officers.	June 2015	15
We are monitoring the impact of a presumption of statutory searches in preference to consensual searches and are reporting to interested stakeholders.	August 2015	3, 9
In partnership with the independent Advisory Group on Stop & Search and the Stop & Search Reference Group	August 2015	16

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we have supported the development of proposals to consider further statutory legislation for alcohol. Also see Theme 4 / Action 1.		
Actions		
1) In consultation with SPA provide guidance to the general public and to individuals at point of consensual / statutory search around the use of the tactic and their rights. 2) To cease non statutory or 'consensual' stop and search when the Code of Practice comes in to effect. 3) In the interim period develop and cascade good practice around consensual searching to improve both officer and community confidence (in support of action 2 above).	August 2015 January 2017 (tbc) October 2015	1, 19 8 Police Scotland
Outcomes		
The National Stop and Search Improvement Delivery Team and its partners will deliver these actions to ensure a consistent approach towards the presumption of statutory powers, only reverting to consensual searching where no statutory power exists. We will also establish a future position on the use of consensual searching.		

Theme 3 - Engagement with Children & Young People

Throughout the improvement process, we will work with children and young people groups to consult on current practice and proposed improvements including any potential impact on age discrimination. We will review all feedback taking into account opinions and recommendations from children, young people and their representatives.

Action Taken	Target Date	Recommendation Key : ■ SPA ■ HMICS ■ POLICE SCOTLAND ■ SIPR ■ IAG
<p>During the Fife Pilot officers engaged with all secondary schools, colleges and universities and encouraged feedback on stop and search.</p> <p>We have consulted on the use of police stop and search through the Children and Young Persons Reference Group to inform our future use of the tactic.</p> <p>We have evaluated and reviewed stop and search levels involving children and young people, took remedial action and reported outcomes / progress to interested stakeholders.</p> <p>In consultation with SPA we have developed a forum and other opportunities for children and young people to be involved in contributing to the Improvement Plan outcomes around stop and search impact on young people.</p> <p>In consultation with SPA we have identified and cascaded, across Scotland, good practice identified in the SIPR evaluation affecting Children & Young People. See also theme 1, action 8.</p>	<p>January 2015</p> <p>March 2015</p> <p>August 2015</p> <p>August 2015</p> <p>August 2015</p>	<p>6, 18</p> <p>7</p> <p>8</p>
Actions		
<p>1) Explore wider links through stop and search activity and the GIRFEC well-being agenda to provide safeguarding measures for children and young people identified through this tactic.</p>	<p>December 2015</p>	<p>Police Scotland, 10</p>
Outcomes		
<p>The National Stop and Search Improvement Delivery Team and its partners will deliver these actions to ensure that all engagement with children and young people is delivered in a positive manner, centred on building trust and positive outcomes. We will take any learning and build it into our policies and practices.</p>		

Theme 4 – Organisational Change

As improvements are designed, we will deliver appropriate communication and effective training, supported by detailed standard operating procedures to ensure that every officer is clear on the policy changes, standards and governance. A communications plan has been implemented which will inform officers and our partners about our progress and improvements. The organisational changes taking place will be managed and governed by the strategic, tactical and operational meetings now in place.

Action Taken	Target Date	Recommendation Key : <div style="display: flex; flex-direction: column; gap: 5px;"> <div style="display: flex; align-items: center;"> SPA</div> <div style="display: flex; align-items: center;"> HMICS</div> <div style="display: flex; align-items: center;"> POLICE SCOTLAND</div> <div style="display: flex; align-items: center;"> SIPR</div> <div style="display: flex; align-items: center;"> IAG</div> </div>
We have put in place a governance structure as detailed in appendix 3 and will maintain this arrangement to deliver the plan and to ensure the use of the tactic remains ethical, proportionate, justified and outcome focused.	February 2015	13
Following consultation, we developed and implemented definitions for Statutory and Consensual Stop and Search, Recordable Stop and Search, Positive Stop and Search, Refusal and Intervention.	April 2015	1
We have put in place single points of contacts in every local policing division to provide a local champion for stop and search issues.	April 2015	
We have developed and delivered training to front line officers around the changes made and reinforced existing good practice around stop and search via briefings, e-learning, standard operating procedure, aide memoir and appropriate communications.	June 2015	4, 5, 6, 14, 3, 6, 11
We have clarified the roles and responsibilities of the National Stop and Search Unit.	June 2015	8 (also see theme 5 / action 2)
We have improved the stop and search aide memoir for officers used during the Fife Pilot and learnt from best practice elsewhere for roll out across Scotland.	August 2015	17
In partnership with the Scottish Government and the SPA we have published a public facing statement on the impact of changes being made to stop and search to balance the use of the policing tactic and individuals' rights.	August 2015	4
In support of theme 5, action 2 and theme 6, action 2 we have provided training for relevant staff to understand	August 2015	7, 8

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<p>the outputs from the stop and search data analysis products.</p> <p>We have reviewed and improved the stop and search information leaflets for individuals being searched used during the Fife Pilot and learnt from best practice elsewhere prior to rolling out across Scotland.</p>	<p>August 2015</p>	<p>16</p>
<p>Actions</p>		
<p>1) To develop and implement processes to allow first line manager supervision of the stop and search using the Stop and Search Database and to provide further scrutiny and governance through the ongoing support from the National Stop and Search Unit.</p>	<p>October 2015</p>	<p>7 (also see theme 6 / action 3)</p>
<p>2) To identify all appropriate disposal options for stop and search and ensure appropriate guidance to front line officers is communicated. This will include guidance around circumstances where a concern referral or other disposal may be appropriate under the wider safeguarding and prevention agenda.</p>	<p>October 2015</p>	<p>Police Scotland</p>
<p>3) To review the guidance and content of the parent letters used during the Fife Pilot prior to consideration of further roll out across Scotland.</p>	<p>November 2015</p>	<p>18</p>
<p>4) In partnership with the SPA provide an updated progress report to the Scottish Government around the improvement plan.</p>	<p>December 2015</p>	<p>18</p>
<p>5) To support any future HMICS inspection to review the progress of the Improvement Plan.</p>	<p>Jan – March 2016</p>	<p>14</p>
<p>6) To develop a Code of Practice Organisational Change Plan to take account of policy, practice and cultural changes</p>	<p>November 2016</p>	<p>9</p>
<p>7) To support the Scottish Government to develop an ongoing review process for the Code of Practice</p>	<p>November 2016</p>	<p>3, 4</p>
<p>Outcomes</p>		
<p>The National Stop and Search Improvement Delivery Team and its partners will deliver these actions through continued engagement with internal and external stakeholders. This will ensure that Police Scotland makes the appropriate changes around the use of stop and search which address the issues identified through SPA, HMICS, SIPR and internal reviews whilst building confidence across the community through improved transparency.</p>		

Theme 5 – Accountability and Public Information

We will establish clear internal and external reporting mechanisms on stop and search activity with comprehensive management information. We will provide accessible and meaningful information to the public at a local level accountable to the SPA via their Audit and Risk Committee.

Action Taken	Target Date	Recommendation Key : ■ SPA ■ HMICS ■ POLICE SCOTLAND ■ SIPR ■ IAG
<p>We have removed stop and search volume as a key performance indicator and removed stop and search positive rate as a target prior to the 2015/16 performance year. We will now continue to review this data as management information.</p> <p>We produce weekly (now monthly) audit and scrutiny checks of all stop and searches involving children less than 12 years of age, the results of which are reported to the Scottish Government and the Scottish Police Authority.</p> <p>We have submitted a report to the SPA providing rationale for the significant changes in stop and search volumes since police reform to present time.</p> <p>We have developed a manual of guidance for Police Scotland to provide audit and governance; of all stop and search data being entered into the stop and search database, on how the data processes through the systems, of how the subsequent management and public information will be generated and how that information will be presented.</p> <p>In partnership with the SPA we have provided appropriate and regular stop and search public information at a local community level including Local Authority Scrutiny Boards.</p>	<p>April 2015</p> <p>April 2015</p> <p>May 2015</p> <p>August 2015</p> <p>December 2015</p>	<p>2, 22, 10</p> <p>10</p> <p>1, 12, 13, 23, 2, 15, 14</p> <p>12, 3, 4, 20, 6, 17</p>
Actions		
<p>1) To provide local policing divisions with meaningful management information around the local use of the stop and search tactic which supports future proactive deployment at the right place, right time and to the right people and provides governance and overview of this information through the Force Tasking & Performance Board.</p>	<p>December 2015</p>	<p>5</p>

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2) To further develop stop and search public reporting to improve openness and transparency and to support research and monitoring from key stakeholders and interested parties.	November 2016	5
Outcomes		
The National Stop and Search Improvement Delivery Team and its partners will deliver these actions to ensure that meaningful management and public information is provided around the use of the stop and search tactic at local levels.		

Theme 6 - Database and Supporting Technologies

We will continue to develop solutions to improve the effectiveness of stop and search through intelligence and crime data ensuring all activity is directed and justified. We will design and implement a database that will capture the relevant information required to meet the policy changes as well as making enhancements on accuracy, scrutiny and governance. The existing Police Scotland Database & Supporting Technologies Sub Group will support this work.

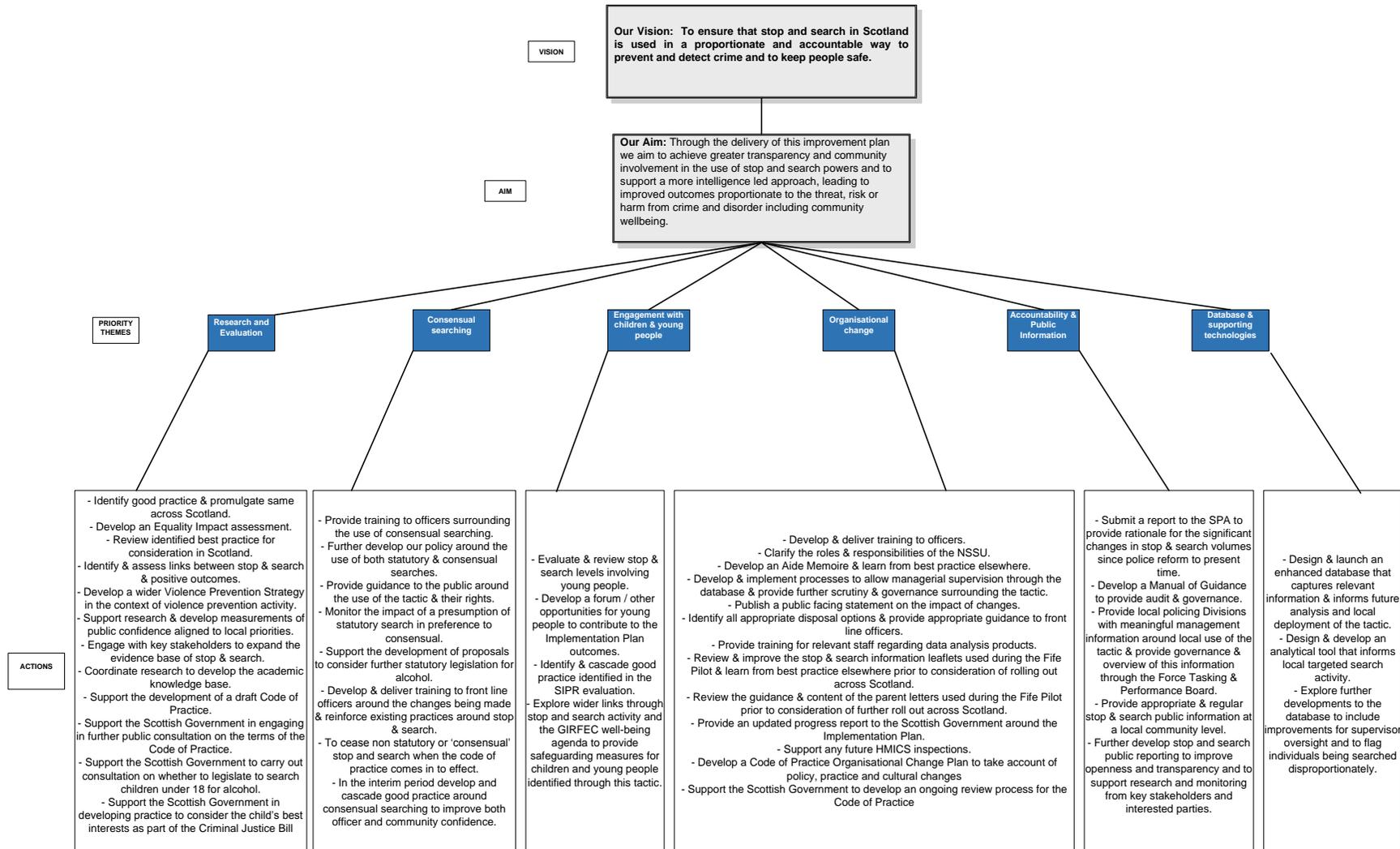
Action Taken	Target Date	Recommendation Key : ■ SPA ■ HMICS ■ POLICE SCOTLAND ■ SIPR ■ IAG
<p>We have developed Business Intelligence Tools such as Divisional Tracker, Area Command Tracker, Ward Tracker, Data Zone Tracker that take account of stop and search data and we have rolled these out across the country.</p> <p>We have designed and launched an enhanced stop and search database that captures relevant information including grounds for suspicion, refusal, ethnicity, multiple searches of the same person, type of search, records product seizures and improved data validation which together informs future analysis and local deployment of the tactic.</p> <p>We have designed and developed an analytical tool that informs local targeted search activity such as the Geographic and Temporal Alignment Tool.</p> <p>We have explored further developments to the database following initial evaluation of the changes to include further improvements for supervisory oversight and to flag individuals being searched disproportionately.</p>	<p>March 2015</p> <p>June 2015</p> <p>August 2015</p> <p>August 2015</p>	<p>3</p> <p>9, 2, 9, 10, 11, 17, 5</p> <p>3</p> <p>4, 15</p>
Actions		
<p>1) To make further changes to the National Stop and Search Database in preparation and to support the Code of Practice.</p>	<p>November 2016</p>	<p>9</p>

Outcomes

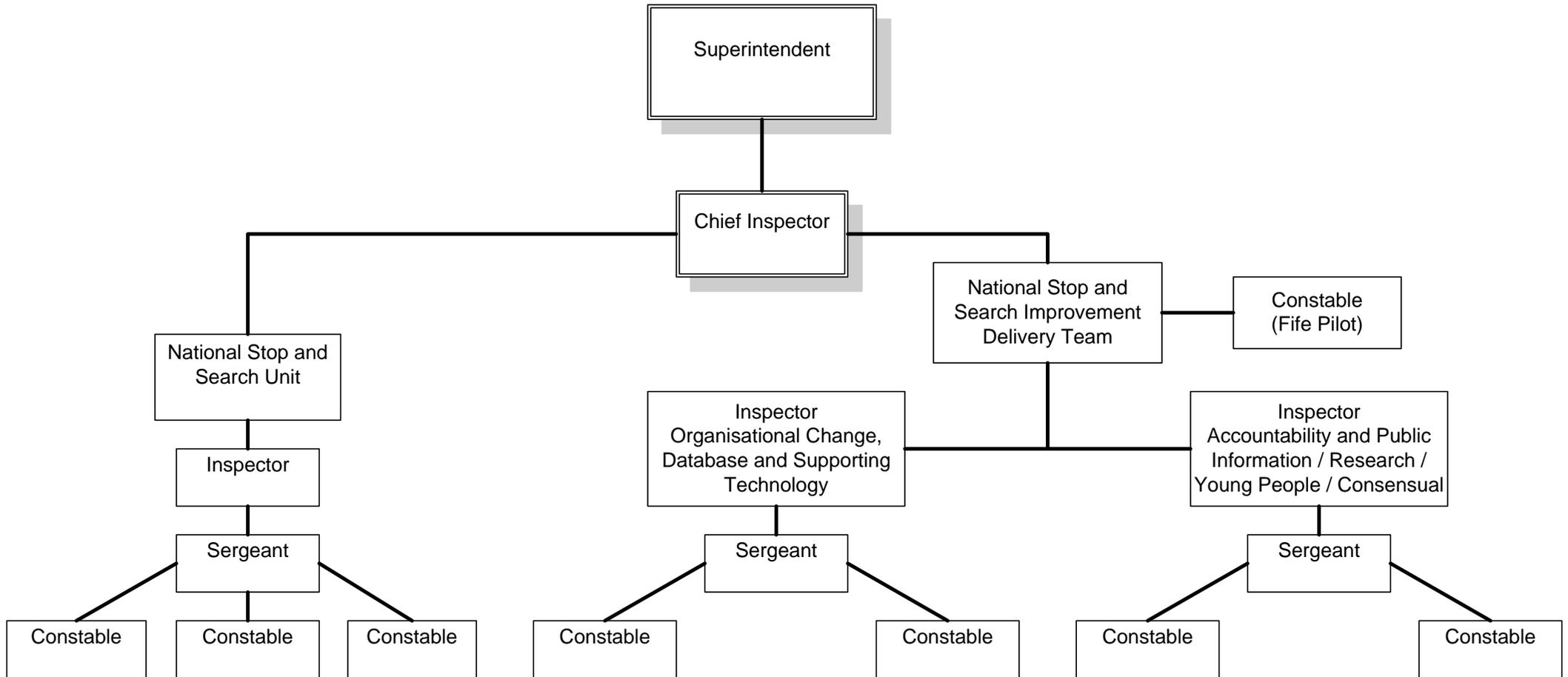
The National Stop and Search Improvement Delivery Team and its partners will deliver these actions to deliver an enhanced stop and search database with supporting technologies which ensures data quality surrounding the targeted use of the stop and search tactic.

Appendices

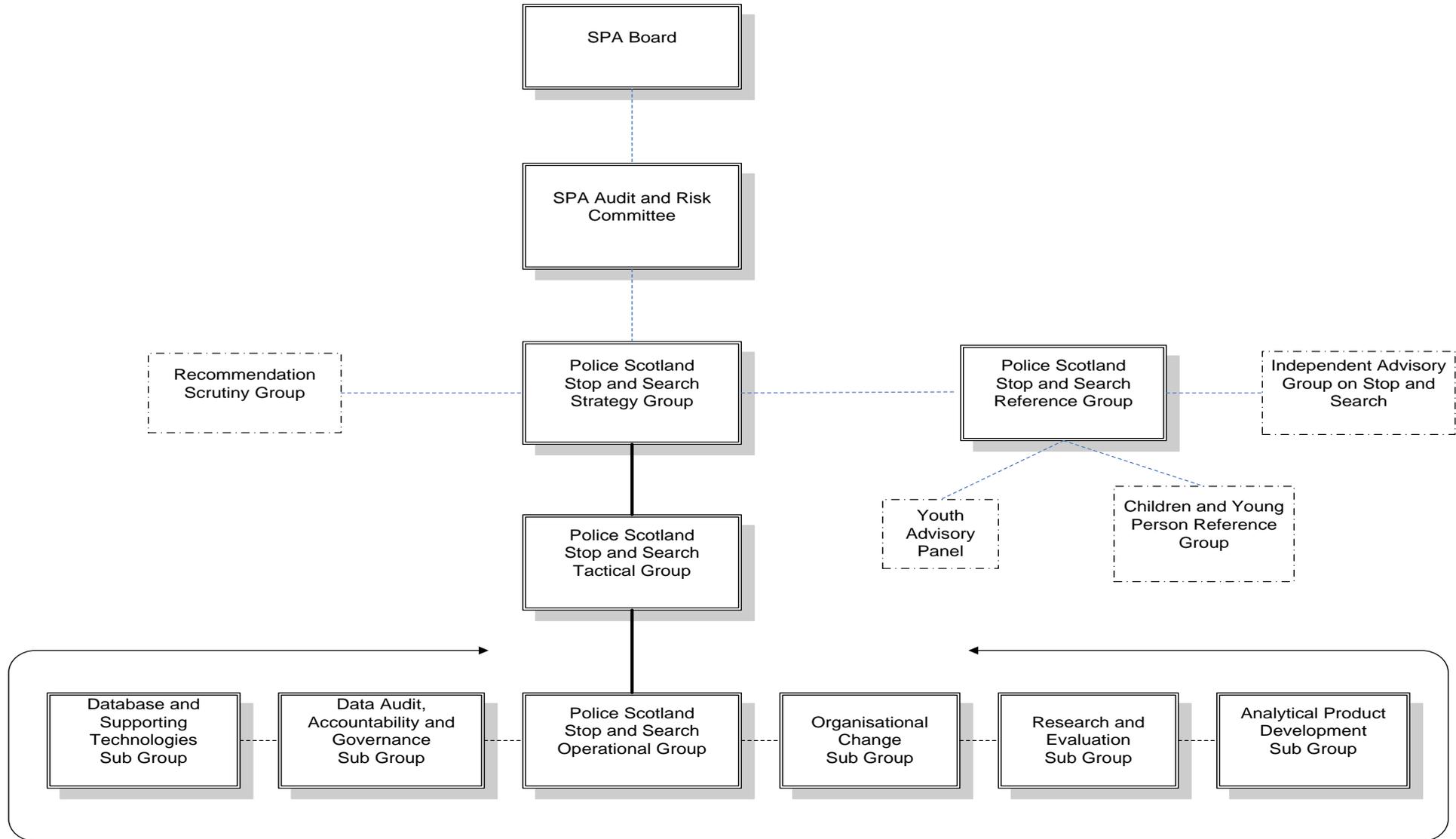
Appendix 1 National Stop and Search Improvement Plan Diagram



Appendix 2 National Stop and Search Improvement Delivery Team Structure



Appendix 3 Improvement Plan – Governance Meeting Structure



Appendix 4 - Improving Stop and Search Practice

SPA SCRUTINY REVIEW RECOMMENDATIONS (June 2014)	RELATED HMICS RECOMMENDATIONS FROM AUDIT AND ASSURANCE REVIEW (March 2015)	RELATED POLICE SCOTLAND RECOMMENDATIONS/ COMMENTS FROM REPORT TO SCOTTISH GOVERNMENT (March 2015)	SCOTTISH INSTITUTE FOR POLICING RESEARCH RECOMMENDATIONS (SIPR) (JUNE 2015)	INDEPENDENT ADVISORY GROUP RECOMMENDATIONS (IAG) (SEPT 2014)
Theme 1 - Research & Evaluation				
<p>8) Police Scotland should assess the best value implications and relative priority of the stop and search tactic against other policing activities.</p> <p>11) The SPA should commission research, in conjunction with others, to establish the short and long term impact of stop and search on different</p>	<p>19) Police Scotland and Scottish Police Authority should consult with the Scottish Government on the potential development of a statutory Code of Practice for stop and search.</p> <p>21) Police Scotland should consider developing a framework for stop and search that aligns national and local priorities and promotes a values-based approach to the treatment of those who are subject to a search. Police Scotland should consider placing public confidence at the centre of this approach to stop and search and commit to on-going measurement through an independent survey commissioned by the Scottish Police Authority.</p>	<p>5) Police Scotland, in consultation with the Scottish Police Authority (SPA), to examine the SIPR evaluation of the Fife Pilot with a view to establishing and rolling out identified good practice across Police Scotland in relation to the theme of Transparency and Fairness.</p> <p>9) Scottish Government, in consultation with Police Scotland and the SPA, to explore further opportunities to consult and engage with key stakeholders to expand and widen understanding of views and perspectives on the use of stop and search in Scotland.</p> <p>10) The SPA, in consultation with Police Scotland, to</p>	<p>1) The pilot is based on the premise that effective use of stop and search depends on targeting the 'right people, at the right time and in the right place.' However, it should be acknowledged that this creates a problem in that if the police continue to have a presence in the high-crime areas to which the analytical products used in the pilot direct them for the purpose of stop and search, then these areas are likely to remain as 'hot spots' for crime or anti-social behaviour. More stop and search, even with the good practice identified in the pilot, is not going to change this situation on its own. Other methods, based on problem-solving and partnership approaches, would be more effective in these areas and would better help the police to achieve the pilot's aims of public confidence and accountability. The focus of this research was on the stop and search pilot, however, it should be acknowledged that the police do not use it in isolation, but in conjunction with other, often multi-agency interventions.</p> <p>2) The effectiveness of stop and search overall was not within our remit and requires further and</p>	<p>1) That there should be a Code of Practice covering Stop and Search of the person in Scotland. The Code should be given effect by statute.</p> <p>2) That, ahead of implementation of the Code of Practice, further public consultation should take place on the terms of the Code. To assist in this consultation, a</p>

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<p>groups and communities. In particular, this should cover the short and long term impact of stop and search activity on young people.</p>		<p>commission academic research to improve the understanding of the use of stop and search, the scope of its impact, both positive and negative, with a view to incorporating the learning to inform future policy and practice.</p> <p>11) Police Scotland, in consultation with the SPA, to explore methods to identify and assess links between the use of stop and search and positive outcomes.</p> <p>12) Police Scotland, in consultation with the SPA, to examine the SIPR evaluation of the Fife Pilot with a view to establishing and rolling out identified good practice across Police Scotland in relation to the theme of Improved Evidence Base.</p>	<p>more detailed research. When implementing the pilot on a national scale, we would encourage Police Scotland to reflect on the intended objectives of stop and search and consult evidence regarding its effectiveness and any unintended outcomes, such as those we have identified in the pilot. Stop and search is an invasive power (members of the public stopped during the pilot mentioned being embarrassed when searched) which the police can use to recover illegal items and the current academic evidence base does not support the idea that it is suited to crime prevention in general (one of the perceived benefits of stop and search which our police respondents identified in the evaluation). We would recommend that stop and search, including the pilot approach, should be used as a last resort in any encounter with a member of the public, but especially with young people. Young people need to be engaged in non-coercive ways whenever possible, as do other vulnerable groups, even considering the good practice identified in the pilot.</p> <p>12) While the Fife Division was involved in a great deal of consultation with external groups and organisations (which is to be commended) we have concerns that these meetings or</p>	<p>draft Code of Practice is included with this Report.</p> <p>6) That the Scottish Government should hold an early consultation on whether to legislate to create a specific power for police officers to search children under 18 for alcohol in circumstances where they have reasonable grounds to suspect that they have alcohol in their possession. Such a power might also extend to searching those</p>

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		<p>16) Police Scotland, in consultation with the SPA, to report at an appropriate time during 2015, on work undertaken in respect of violence prevention and the related reporting of police use of stop and search to the SPA and Scottish Government.</p>	<p>communications were not always consultative, and could instead be used more for promotional or instrumental purposes for the police. There were also concerns that the messages given to external stakeholders about the progress of the pilot were inappropriately positive. This was not necessarily deliberate – as we reveal about the dip sampling, the ‘complaints’ feature and the meetings with schools, these did not illicit reliable feedback to the police about views of the public which they could then pass on to stakeholders and officers. We would urge Police Scotland to reduce the level of self-promotion in these meetings whenever possible.</p> <p>13) Police Scotland should consider employing an external agency to assess the level of public satisfaction and confidence in the police in relation to stop and search (such as through the dip sampling phone calls). The fact that there were no complaints towards the police during the pilot does not mean that everyone is satisfied with stop and search. It is difficult for some people to tell the police directly what they think of them, even anonymously, especially if the police hold their personal details (name, address and phone number) or are standing in front of them in uniform. External assessors would remove the</p>	<p>suspected of supplying alcohol to those under 18. The Government should ensure that the consultation process engages effectively with children and young people. In introducing any such power care should be taken to ensure that there is no consequent increase in criminalisation of children and young people.</p> <p>7) That the duty on constables to consider the child's best interests in s. 42</p>

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			<p>level of threat that can come with communicating with the police directly.</p> <p>14) Should Police Scotland decide to continue with its own dip sampling method, there are numerous issues with this which need to be addressed. These include the accuracy of the database, obtaining a representative sample of respondents, time of day in which to ring, the ability of any police officer to get a reasonable assessment of someone's views of their experiences with the police, the closed nature of many of the questions, the use of the comment box and to what use the findings are put (how widely to disseminate them and how often).</p>	<p>of the Criminal Justice (Scotland) Bill be amended so as to apply to a constable's decision to search a child (there defined as a person under 18) who is not in custody.</p>
Theme 2 - Consensual Searching				
<p>7) Police Scotland should ensure that those to be searched on a non- statutory basis are aware of their right to decline.</p>	<p>15) Police Scotland should consider a policy which raises a general presumption amongst officers that stop and search encounters should be legislative. This should encourage a position where officers only revert to consensual searches, supported by informed consent, where no legislative power exists.</p> <p>16) Police Scotland should seek legal opinion on whether Section 61</p>	<p>1) Police Scotland, in consultation with the SPA, to produce guidance for members of the public as to the police use of stop and search, their rights, including specifically the right to refuse a consensual search, and the consequences or, more importantly, the absence of consequences should they refuse. Police Scotland to work</p>	<p>9) Some members of the public who had been stopped and searched during the live phase of the pilot complained about 'random' searches, in that there was no stated reason for the search. This suggests that even with the pilot's methods of making the option to refuse a consensual search explicit and the advice slips, a misunderstanding remains about the purpose of consensual searches. In light of this, we would suggest Police Scotland move to a position of using legislative searches only. Only these can truly be 'targeted' at 'the right people, right place</p>	<p>8) That the policing tactic known as "consensual" or non-statutory stop and search of the person in Scotland should end when the Code of Practice comes into effect. All</p>

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	<p>of the Crime and Punishment (Scotland) Act 1997 can be interpreted to show an implied power of search for alcohol from young people under the age of 18 and adults in specific circumstances. This opinion should inform whether there is a requirement to seek further legislation in the absence of consensual stop and search.</p>	<p>with the SPA, national and local partners to publicise that public guidance.</p> <p>3) Police Scotland to monitor the ongoing use of stop and search to assess any impact caused by the move to a presumption of the use of statutory searches in preference to consensual stop and search. This may involve engagement with police services in England and Wales to secure the benefits of their experience and learning from an environment which only uses statutory stop and search.</p>	<p>and right time' thereby enhancing accountability and public confidence, two key aims of the pilot.</p> <p>19) Once a final format for a revised approach to stop and search is developed in Scotland, this should be communicated effectively with the public to help improve confidence in the new method, along with the regular production of publicly accessible reports on progress in changing stop and search and data analysis of the rates of stop and search for local areas.</p>	<p>searches by police officers in Scotland of persons not in custody should be thereafter be undertaken on the basis of statutory powers exercised in accordance with the Code of Practice referred to in Recommendation 1.</p>

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Theme 3 - Engagement with Young People				
<p>6) Police Scotland should ensure that the rationale for the search rate on young people is intelligence led and that particular groups, such as young people, are not being subjected to excessive levels of searching.</p>	<p>18) Police Scotland should engage with the Stop and Search Short Life Working Group and members of the Children and Young Peoples Reference Group to consider the implications that stop and search recording may have on young people.</p>	<p>7) Police Scotland, in consultation with the SPA, to explore ways in which Scotland's children and young people may be better engaged and consulted to ensure their views are captured in the ongoing development of stop and search policy and practice (and wider policing methods), ensuring that they continue to be treated with respect and that they are aware of their rights.</p> <p>8) Police Scotland, in consultation with the SPA, to examine the SIPR evaluation of the Fife Pilot with a view to establishing and rolling out identified good practice across Police Scotland in relation to the theme of Children and Young People.</p>		<p>10) That discussion should take place between police Scotland and other partners and stakeholders, including the Scottish Government, regarding the most appropriate methods of dealing with children and vulnerable adults who come to notice for protection and welfare reasons during stop and search situations.</p>

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Theme 4 – Organisational Change				
<p>1) Police Scotland should define the contexts within which stop and search is used as a preventative tactic; and as a means of detection. It should also define appropriate outcome measures as well as the rationale for any target/s set.</p> <p>4) Police Scotland should ensure the consistent application of stop and search by reinforcing training for</p>	<p>5) Police Scotland should develop definitive guidance for officers about what information should be recorded from a stop and search encounter into their notebook or personal data assistant (PDA) to ensure consistency of practice.</p> <p>6) Police Scotland should emphasise the rationale for recording the self-defined ethnicity of those who are stopped and searched and provide guidance.</p> <p>7) Police Scotland should introduce processes for the proportionate supervision of stop and search activity. This should allow opportunities for individual feedback and learning to officers, which increases their confidence in the effective use of legislative stop and search and considers the quality of the encounter.</p> <p>8) Police Scotland should define the roles and responsibilities of the</p>	<p>4) Scottish Government, Police Scotland and the SPA to work together to develop an appropriate, public facing statement, by the end of August 2015, to cover all stop and search practice in Scotland, which takes into account the implications it may have for the manner in which police officers in Scotland interact with the public. Particular consideration to be given to the complex legal and policy issues associated with the development of any Code of Practice with or without statutory force.</p> <p>13) The Police Scotland Stop and Search Tactical Delivery Group to ensure continuing organisational governance in relation to the ongoing improvement activity.</p> <p>14) The SPA considers inviting</p>	<p>3) As is already documented elsewhere (see HMICS 2015), the stop and search database is problematic. While systematic and detailed recording of all stop searches as was done in the pilot is welcomed, officers need a much better understanding of how to input the data correctly to reduce errors and improve its use.</p> <p>6) Related to number 2 above is the need for officers to be much clearer on what constitutes a stop and search. We found confusion on this point more than once, for example, if a search after an arrest is a 'stop and search' and the difference between a search and an intervention. Confusion remains about police powers in relation to alcohol.</p> <p>7) We would suggest producing one monthly data report which embeds the stop and search analysis within the other relevant contextual data (such as seasonal trends, major events, how 'proportionality' is determined, etc.) including the current six-week and one-year historical views of crime trends. This report would be even more robust if it also included a five-year historical view to mitigate against year-on-year fluctuations. This would improve the strength of the report as a</p>	<p>3) That the Code of Practice should be reviewed at regular intervals of not less than every four years, with provision for earlier review being triggered at the request of the Chief Constable of Police Scotland, the Scottish Police Authority or Her Majesty's Inspector of Constabulary in Scotland. There should be specific provision for post-implementation review to take place two years after the initial</p>

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<p>officers, ensuring that officer understanding is tested and that officer training is regularly assessed. Training should include dealing appropriately with children and young people and giving clarity about what constitutes consent with respect to non-statutory searches.</p>	<p>National Stop and Search Unit and all internal business areas that impact on the end to end process of stop and search, including the quality of published data.</p> <p>14) Police Scotland should assess the training needs of officers in relation to stop and search and consider techniques that will improve officer confidence in the application of their legislative stop and search powers. This assessment should be informed by proposed changes to stop and search policy and practice across Scotland.</p>	<p>HMICS to conduct a scrutiny exercise at an appropriate time in the future to assess progress against the range of work and recommendations contained within this report.</p> <p>18) Police Scotland, in consultation with the SPA, to provide Scottish Government with an update report as to the improvements secured and an up to date assessment of the police use of stop and search, realised as a result of the developments and recommendations outlined in this report, by 31st December 2015.</p>	<p>standalone product as it would make the necessary context in which to understand the data fully apparent and would position stop and search within the broader range of police activity (as it is one option among many). This could help reduce the unintended emphasis that our interviewees perceived among their managers to highlight stop and search as a priority method and thus drive up its volume.</p> <p>8) Related to Recommendation 7 is the work needed at a local level by the staff analysts to prepare the stop and search data for processing with the various analytical products available. There can be local circumstances or stand-alone events which may render the raw data inaccurate. Police Scotland should keep in mind the local work needed to produce the stop and search reports when rolling the pilot method out nationally, to ensure that there is sufficient staffing to do this.</p> <p>11) Training for officers on stop and search should initially be delivered in a face-to-face way, in sessions that are interactive (not online and not in the context of a briefing) and that illicit their feedback on the procedures. This training should take into account current research on the effects</p>	<p>Code comes into effect.</p> <p>4) That the Code of Practice should be issued by the Scottish Ministers, subject to Parliamentary approval as to commencement and, thereafter, on the coming into force of any proposed revision.</p> <p>9) That careful consideration should be given to the implications of implementation of these Recommendations for Police Scotland, the Scottish Police</p>

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			<p>of stop and search in various populations. Anonymous systems of feedback should be considered if officers feel hesitant to provide feedback face-to-face. It may be helpful to use an external organisation to provide this training if officers would be more willing to speak openly in that context.</p> <p>16) The advice slips given to members of the public when they are stopped and searched are good practice. However, these need to be given out as a matter of course in every stop and search, and a system should be devised to check that this is happening. These documents also need to be amended (or an alternative version produced) to use language more suited to young people, to provide more information on consensual searches and officers should routinely ask if the person might have any difficulty in reading the advice slip (for example, because of vision problems or dyslexia). The Police Scotland Children and Young Persons Reference Group also suggested pictures and font that is easier to read for people with dyslexia. Officers should always carry copies of the advice slips with them, as well as copies of those in alternative formats (such as the Polish language version).</p>	<p>Authority and for other stakeholders. The policy, practice and cultural changes required are extensive and should be the subject of a formal implementation programme, subject to effective governance and scrutiny arrangements, training and post-implementation review.</p>

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			<p>17) The aide memoirs are also good practice, especially the mandatory statement on the card explaining the right to refuse a consensual search which officers are to read aloud. However, they also need more information on consensual searches such as when it would be inappropriate to do them, for example, on people who are intoxicated or vulnerable in some way and thus unable to give informed consent (in addition to not conducting consensual searches of children under the age of 12).</p> <p>18) The letter to parents is a difficult area. There are good suggestions which would make them more useful for parents. These include more detail on the circumstances of the stop and search, details of what brought the police officer to conduct a search, what possible outcomes or repercussions there might be for the child from the search and the use of less formal language. However, there is also a concern that the letters could have negative consequences for children in some households where contact with the police is seen as problematic. Careful consideration should be given to this and whether the letters in some cases might do more harm than good.</p>	

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Theme 5 - Management & Public Information				
<p>2) Police Scotland should review operational practice in relation to any perceived pressure on individual officers to reach a certain volume of searches.</p> <p>5) Police Scotland should ensure that its use of stop and search is proportionate across Scotland, focussed on successful outcomes, targeted at the right people, right place and right time. Care</p>	<p>1) Police Scotland should develop definitive guidance and counting rules for officers to provide clarity on what constitutes a stop and search and how these should be recorded and counted. This should include what a search can involve, particularly in relation to turning out pockets or bags, to ensure there is a common understanding among officers.</p> <p>3) Police Scotland should accurately record and publicly report on items recovered as a result of a positive stop and search encounter. This should provide greater transparency and better inform local communities about local crime and disorder trends.</p> <p>4) Police Scotland should develop, record and publicly report on disposal categories which effectively capture the outcomes of stop and search activity. This should include a range of measures which support the</p>	<p>2) Police Scotland, in consultation with the SPA, to develop processes for monitoring and review of the Police Scotland National Stop and Search Database to ensure compliance with equality and human rights considerations and effective accountability.</p> <p>6) Police Scotland, in consultation with the SPA to proactively publish stop and search data on a quarterly basis.</p> <p>15) The Police Scotland National Stop and Search Unit to develop improved audit processes with regular reporting to the SPA and Scottish Government to continue.</p> <p>17) Police Scotland, in consultation with the SPA, to</p>	<p>10) Police officers in our study expressed a clear impression that there are targets for stop and search, especially once the pilot launched, and as such they should do as many as possible. Therefore, we welcome the recent announcement from Police Scotland that they will be ending the target of 20% positive stop searches and the stop and search Key Performance Indicator (Police Scotland 2015). This unintended outcome of the pilot (raising the rate of stop and search) should be kept under consideration when rolling out the pilot nationally.</p> <p>14) Should Police Scotland decide to continue with its own dip sampling method, there are issues with this which need to be addressed. These include the accuracy of the database, obtaining a representative sample of respondents, time of day in which to ring, the ability of any police officer to get a reasonable assessment of someone's views of their experiences with the police, the closed nature of many of the questions, the use of the comment box and to what use the findings are put (how widely to disseminate them and how often). Social science researchers with expertise in questionnaire methods would be best placed to</p>	<p>5) That Police Scotland should provide regular reports to the Scottish Police Authority about the use of stop and search, including all relevant data on all recorded stops and searches, for the purposes of evaluating and monitoring use of the practice through public scrutiny. These data should also be released publicly on a regular basis by the SPA and by Police Scotland so as to ensure openness and</p>

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<p>should be taken to ensure that:</p> <ul style="list-style-type: none"> Particular communities and groups are not being disproportionately impacted by stop and search activity; Use of stop and search is proportionate to the risk of offending, crime rate and threat; Use of the tactic is regularly reviewed to ensure its application is still appropriate. <p>10) Police Scotland should provide the SPA with their</p>	<p>statutory purpose of policing to improve the safety and well-being of persons, localities and communities in Scotland.</p> <p>12) Police Scotland should develop proportionate quality control procedures for stop and search data, detailing how the process will be administered, what regular checks will be implemented and how data errors will be rectified and reported.</p> <p>13) Police Scotland should review the principles and protocols contained within the Code of Practice for Official Statistics to develop proportionate internal guidance for publicly reported stop and search data.</p> <p>20) Police Scotland should publish information on stop and search for local scrutiny and engagement committees and local communities. This should include detail on how this activity is aligned to local priorities and delivering positive outcomes.</p>	<p>develop mechanisms for reporting of the police use of stop and search to the 32 local authority scrutiny boards.</p>	<p>advise on these and provide the necessary training to officers conducting the calls.</p>	<p>transparency and allow for wider research and monitoring purposes.</p>

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<p>rationale for the significant changes in the volume of stop and search activity across local authority areas in Scotland since police reform and their assessment of the impact this has had on outcomes.</p> <p>12) The SPA should publish comprehensive stop and search data on a regular basis.</p>	<p>22) Police Scotland should remove the target for positive searches and the key performance indicator on the number of searches from its performance framework. In the interests of transparency and effective scrutiny, it should continue to collect and publish this data.</p> <p>23) Police Scotland should put in place a proportionate audit regime for stop and search including positive and negative searches. There should be clear guidelines for officers completing the audit and those analysing the results. The findings of all audits should be scrutinised by the Scottish Police Authority Audit and Risk Committee.</p>			

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Theme 6 - Database & Supporting Technologies				
<p>3) Police Scotland should roll out analysis tools, such as the Geographic and Temporal Alignment Tool (GTAT), across Scotland to target search activity on “the right people, in the right place at the right time”</p> <p>9) Police Scotland should ensure the recorded details of individuals searched and information about those who do not consent to non –statutory search, are also captured in the</p>	<p>2) Police Scotland should require officers to record their grounds for suspicion for legislative searches and make this a mandatory recording requirement on the national stop and search database. This information should be used as a qualitative measure to support effective supervision and audit and to drive improvement in the use of legislative stop and search.</p> <p>9) Police Scotland should remove the default selection of consensual search from the national stop and search database and require officers to specifically select the legislative power exercised in their stop and search encounter from a pre-defined list. An option to select consensual search should still be maintained until such time as a decision is taken over its continued use in Scotland.</p> <p>10) Police Scotland should review its business processes and governance arrangements for the development, testing and acceptance of its ICT</p>		<p>4) A further enhancement to the stop and search database would be to track whether the same individuals are being stopped and searched on multiple occasions. If this were to happen, these individuals should be flagged by the system in some way for alternative interventions.</p> <p>5) Police Scotland should consider recording refusals of consensual stop and search in the main database to give a more complete and transparent picture of the practice.</p> <p>15) In relation to obtaining phone numbers from members of the public, there are some concerns here in terms of data protection and privacy. When members of the public are asked for their phone numbers for the dip sampling process, this needs to be stated by the police officer in question as the sole purpose for having that number. Police Scotland should also make a commitment to destroy these numbers once the dip sampling is completed for that month.</p>	

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<p>stop and search database.</p>	<p>systems. This should include the testing and acceptance of ICT changes and updates to existing force systems.</p> <p>11) Police Scotland should identify all opportunities to improve data validation on both the national stop and search database and personal data assistants (PDA) databases to maximise data integrity.</p> <p>17) Police Scotland should record seizures of alcohol and other age restricted products separately on the national stop and search database where there is no search of the individual. This should allow them to be counted and reported independently from stop and search activity. Police Scotland should also ensure that offences under alcohol by laws are not recorded as stop and search encounters.</p>			

