

02 January 2024

Ref: PCC/KW

To: The Home Secretary
His Majesty's Inspectorate of Constabulary
and Fire and Rescue Services

Dear Home Secretary and HMICFRS

Response from Dr Alan Billings, Police and Crime Commissioner for South Yorkshire to the HMICFRS Report: Report on the Criminal Justice Alliance's Super-Complaint: Section 60 of the Criminal Justice and Public Order Act 1994 and independent community scrutiny of stop and search.

I am pleased to receive the report and findings in response to the Criminal Justice Alliance's Super-Complaint regarding Stop and Search Scrutiny and the use of Section 60.

Whilst South Yorkshire was not one of the fieldwork forces, the report is beneficial locally in highlighting the ongoing sensitivities around the use of stop and search.

I recognise that Stop and Search is a key mechanism for tackling and preventing crime, however I must balance this with ensuring stop and search is used legitimately and in a fair and transparent way.

I have therefore made sure that stop and search and the disproportionate use on certain communities in South Yorkshire features in my latest Police and Crime Plan. The plan asks South Yorkshire Police to understand and address disproportionality.

On the subject of disproportionality, personally, I think the methodology used for determining disproportionality in stop and search needs reviewing. We should not be using population data, for example, that is very dated. We should not be comparing the statistics for those stopped and searched against those of the whole population: we do not stop and search babies and very few older people. We should not ignore the key statistic which is not sex, age, or ethnicity (though all are factors) but social class. Those who are stopped and searched are predominantly: working class males, aged between 17 and 35 – a section of the population that has a disproportionate number of those from ethnic minority communities, and this is the principal reason for disproportionality. Racism may exacerbate this.

More widely, I gain assurance around the fair use of stop and search, including those carried out under the Section 60 legislation, through my Independent Ethics Panel (IEP). One member of the Panel takes a lead for stop and search matters both in reviewing stop



and search data, including that relating to disproportionality, and also in ensuring external scrutiny of stop and search happens regularly and in an open and transparent way.

South Yorkshire Police hold stop and search external scrutiny panels around every 6 weeks, where members of the public are invited to view a randomly selected sample of police body worn videos of stop and search encounters. Panel members are able to feedback on what they find directly to the Chief Inspector leading on stop and search for the Force. My IEP Member attends these external scrutiny panel meetings in an oversight capacity and reports back to me through the IEP, both in terms of scrutiny panel findings, as well as offering a view on how the scrutiny panel is operating.

South Yorkshire Police also hold internal stop and search scrutiny panels to gain further insight and learn lessons in relation to stop and search. The Chair of the IEP attends these internal panels for additional assurance.

The Chair of the IEP is also informed by South Yorkshire Police when any Section 60 stop and searches are authorised by a Chief Officer. This allows the IEP to monitor any community impact on implementing such stop and searches. The Section 60 power is used only rarely in South Yorkshire.

The stop and search lead on the IEP has recently attended South Yorkshire Police's revised stop and search training for officers. Members of the external scrutiny panel have also been invited to the revised training sessions to assess the quality of training by the force. The revised training has incorporated feedback both from the IEP and the external scrutiny panel.

Many of the points highlighted above give me confidence that the right focus is already being placed on stop and search in South Yorkshire to address many of the concerns of the Criminal Justice Alliance and issues highlighted in HMICFRS' report.

The recommendations to all Chief Constables have been accepted by the Chief Constable of South Yorkshire Police and as PCC I have clear oversight of the implementation of these recommendations in the context of South Yorkshire's current position including updates from lead police officers to whom each of the recommendations have been allocated for progression. The same applies to the recommendations for all PCCs.

All good wishes

A handwritten signature in black ink that reads 'Alan Billings'.

Dr Alan Billings
South Yorkshire Police & Crime Commissioner

South Yorkshire Police and Crime Commissioner
Carbrook House, Carbrook Hall Road, Sheffield, South Yorkshire S9 2EH
Tel: 0114 2964150
Email: thebcc@southyorkshire-pcc.gov.uk
www.southyorkshire-pcc.gov.uk