

**QUESTIONS SUBMITTED TO THE POLICE AND CRIME COMMISSIONER BY
MEMBERS OF THE POLICE AND CRIME PANEL – JUNE – JULY 2020**

Professor Adrian James, Independent member

Question 1

The IEP rightly notes that there are statistical shortcomings, some of which are not in SYP's powers to address. I presume, however, that they could address the issue of whether there are variations between Divisions that might raise important questions, as the data that came to the PCP suggest - e.g. there are large variations in the search rates between Divisions - 57.9 per 100,000 in Sheffield compared with 72.9 per 100,000 in Doncaster. Has the IEP asked for and been given these data?

Response

This is probably where Op fortify (Surge funding) is taking place. It happens at different times in different districts.

Question 2

They also state that the range of positive outcomes across the county has been between 22% and 30% since April 2018 - however, the level of positive outcomes linked to the items searched for is lower, at 15% overall, with these varying between 12% for Doncaster and Rotherham and 19% in Sheffield, which suggests that a number of the positive outcomes are a matter of chance.

Do the IEP and the PCC regard an overall success level of 15% indicative of an effective use of stop and search powers?

What significance can be attached to the lack of complaints about the use of stop and search by SYP, which the IEP appears to regard as a positive indicator that the use of the power is not being abused?

Response

'A matter of chance'. This is not the way to describe this. Searches are in part based on intelligence. The intel may be good or poor. That will affect outcomes. No complaints should be set against the background of the period not so long ago when communities were complaining about S&S.

Question 3

The IEP states that it would be helpful for the PCP to be clear about the definition of "positive outcome" and to understand the criteria used currently for stop and search, but it does not offer any clarification or comment on whether, and if so how, these might differ when dealing with intelligence-led searches

Part of the IEP response refers to the lack of current data about the proportion of BME and VME in the local population because census data are now 10 years old. I am not a demographer but I noticed that in his paper on diversity that is going to the PAB on 11 June, the Chief Constable states that current local population figures for BME indicate that they make up 11.9% of the population and VME 9.4% (and females 51%). I wonder if he has a different and more up-to-date source of data than the IEP?

Response

The Chief Constable may be referring to the ONS 2016 data which is not that different from 2011.

Question 4

Will the PCP will receive regular updates from the IEP on its work?

Response

The IEP report to the PCC not the Police and Crime Panel, and do so by exception at each PAB.

Cllr Peter Garbutt, Green Party, Sheffield City Council

1. Is there an analysis of the raw figures by ethnic origin? If so, can that be published? Can that be compared to a breakdown of the population by ethnic origin? And to a breakdown of arrests and prosecutions (not just from Stop and Search, but across the board) by ethnic origin?
2. Is there an analysis of the crimes uncovered through Stop and Search? The figures suggest between 25% and 30% of those stopped were charged, but don't tell us with what. It would be helpful to know.

Response

Mainly, if not entirely, about drugs and weapons. It is a search after all.

3. Dr Billings suggested that communities were broadly in support of the police Stop and Search activities. Is there any empirical evidence of this?

Response

Empirical evidence. The evidence is from the Imam on the IEP and the community meetings the PCC has been to. Only a few years ago these meetings were called to have S&S stopped. The latest – last year, women's groups – were to have S&S continued in the light of stabbings. Mothers said they didn't want their sons stabbed and believed S&S was a deterrent. Black young men sometimes had a different view! This was not always shared by their sisters.

General Response:

As can be seen from the above questions, the Commissioner has received a large number of questions from member of the Police and Crime Panel in relation to 'stop and search'. Most of these questions relate to discrimination and disproportionality. Discrimination and disproportionality are areas the Commissioner has asked the IEP to look at.

Following the shocking death of George Floyd and the concerns that has raised around racism more generally in the UK.

At the IEP meeting on 30 June 2020, the Commissioner asked the IEP to focus anew on the following key areas and what can be done to make a difference:

- Unconscious bias - 'institutional racism' as opposed to deliberate racism.
- Disproportionality statistics – concerns around comparing the current measurement of police encounters with ethnic minorities against the historic statistics for ethnicity in the Census of 2011. The Panel has highlighted that more recent statistics relating to the ethnic minority communities in South Yorkshire show an increase compared with the 2011 census data.
- Diversity - The 2021 Census will make any disproportionality (e.g in stop and search) look lower if, as suspected, the Census shows a growth in the proportion of ethnic

minorities in the UK. But it will show the reverse (i.e greater disproportionality) in relation to diversity in the Force

The Commissioner will update members of the Panel with the IEP's findings.

Cllr Joe Otten, Liberal Democrat, Sheffield City Council

Question:

1. Does SYP use restraint techniques similar to that which led to the death of George Floyd?
Can you provide statistics on deaths following the use of restraint by SYP in recent years, broken down by ethnicity?

Response:

SYP does not use restraint techniques similar to that which led to the death of George Floyd.

Use of Force data can be found on SYP's website

<https://www.southyorks.police.uk/about-us/our-standards/use-of-force-data/>

The 2018/19 data should be available shortly. This information has just been presented to the Commissioner's Independent Ethics Panel.

Question:

2. I have seen for myself and heard many reports of widespread flouting of the law regarding the use of face coverings on public transport. What is the policy of SYP regarding enforcement of this law? Are there any significant obstacles that make enforcement impractical?

Response:

Our approach to this regulation is in line and consistent with other Covid control guidelines and control. There are no significant obstacles to our involvement, but as you will read below, our potential role is at the end of a number of interventions by other transport partners. We are not proactively deploying or tasking resources to this enforcement, but will support should Police intervention be required. The primary application of control is by the service providers.

The Regulations state:

"No person may, without reasonable excuse use a public transport service without wearing a face covering". The Regulations provide guidance on reasonable excuse and also list a number of exemptions. The guidance is very much written from a London perspective whereby British Transport Police would have officers supporting Transport for London Staff. The National Police Guidance to Police Forces states:

Policing will adopt a four phased approach.

- Engage with those without face coverings.
 - Explain the benefits of wearing and other passengers wearing a face covering.
 - Encourage the person, by helping them acquire a face covering provided by the transport operator or direct them to a retail outlet.
 - Enforce – enforcement should always be a last resort. We would consider this to be a two-step process.
- a) Power to deny boarding if at the time of boarding a person is not wearing a face covering,
to direct a person who is in breach of the Regulations to wear a face covering or to direct them to disembark.
 - b) As a last resort a fixed penalty may be issued for breach of the Regulations.

Practically across South Yorkshire Transport operators will need to ensure they have taken all necessary steps to be Covid secure and ensure passengers are complying with the Regulations. Police officers should be called as a last resort and operators should look to deny boarding.