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**Evaluate the use of Stop and Search
power by Police in England and Wales.**

The use of stop and search powers by the police force in both England and Wales has been pivotal in the fight against crime. One of the more popular crimes and continuously growing crimes involve knife crime. The use of stop and search powers has been constantly changing and evolving into an effective way to combat such crimes like knife crime and many others. The stop search legislation includes section 1 of PACE, the Police and Criminal Evidence Act of 1984, section 60 of PACE, Section 23, the misuse of drugs act and Section 18, lawful search of a premises. All sections of stop and search play a vital part in combating crimes under all circumstances. 'between April 2019 and March 2020, there were 563,837 stop and searches in England and Wales (excluding vehicle searches)' (Gov.uk, 2021) This statistic proves and shows clearly how popular stop and searches are in nowadays modern policing and how vital they are in the combating of crime. '15% of stop and searches conducted under Section 60 Criminal Justice & Public Order Act lead to an arrest.' (StopWatch.org, 2021) Corresponding both of these statements above, you can see that only 15% of the 563,837 were actually further arrested after the stop and search under Section 60. Despite these figures, The stop and search legislation can actually be very controversial and can cause unhappiness throughout some of the public. In the years from 2017 to 2018, 3 stop and searches occurred for every 1,000 caucasian people, this is compared with 29 stop and searches for every 1,000 black people. This has raised questions and alarms throughout the black community as they have been proven to be 29 times more likely to be stopped and searched than a caucasian person.

There are many Sections within the Police and Criminal Evidence Act of 1984. Some of the Sections includes within the PACE act of 1984 involve The Psychoactive Substances Act of 2016, The Criminal Justice and Public Order Act of 1994, The Terrorism Act of 2000, The Proceeds of Crime Act of 2002, The Animal Welfare Act of 2006 and the Firearms Act of 1968. All of which have their specific powers relating to their own offences within their own bracket. Despite that, the main and most used Section within the Police and Criminal Evidence Act of 1984 is Section 1. What is Section 1 of the Police and Criminal Evidence Act? Section 1 of the Police and Criminal Evidence Act of 1984 can be carried out and put into use by any officer wearing uniform or in plain clothes. The officers can conduct this search in any public place and all evidence gained can be dealt with accordingly. The power of Section 1 of the Police and Criminal Evidence Act is that a constable has the right to stop and search any person or vehicle. For Section 1 to be of use, the officer must have clear and reasonable suspicion that they will find something illegal. The officer conducting the search must have some sort of objective and reason for this suspicion, it can't just be because the person has had previous and similar issues with the law. The objective and reason can come from good and strong intelligence or information. For example the person's raising suspicions behaviour proves to be abnormal in a known drug dealing spot. Under Section 1, the officer conducting the stop and search will look for items such as offensive weapons, evidence of theft, burglary, vehicle theft or destroying or damaging property. But how effective is Section 1 or the Police and Criminal Evidence Act of 1984? There is evidence that while searches play some role in preventing and being slightly effective in reducing crime, the change it has made to crime rate is in fact very

small. A recent study of the effectiveness of stop and search 'estimated that searches reduced the number of 'disreputable' crimes by just 0.2 per cent.'

(Equalityhumanrights.uk, 2021) Such a small figure of 0.2% is not a substantial difference, however it is still a difference in crime rates and is slowly making a change. It may not prove efficiency but it still proves that it can make a small difference. Small or big, it is still a difference in crime rate which urgently needs to be brought down.

Although stop and search clearly leads to the finding and removal of drugs and weapons and slightly makes the streets safer for the general public, its overall change and contribution to crime as a whole is not satisfactory in the public eye. The public have a right to feel safe, and without an effective system in place for the Police to really ensure safety it can prove hard to make the public feel safe. In areas of London currently, is a constant recurring issue of knife crime being committed and drug related offences which has time and time again cost innocent lives. The Police need to find a way to combat and reduce this as soon as possible before the public begin to lose their faith completely in the security of their own streets and city centres.

Moving on from Section 1, we have not come on to Section 60 of the Police and Criminal Evidence Act of 1984. What is Section 60 of the PACE? Section 60 is a power under PACE that allows for police officers to have the complete authorization to search a person or vehicle for weapons with reasonable suspicion. An example of this is that in an area where serious violence occurs, the police will use this power to search a person or vehicle, anticipated to commit crimes. The authorisation for the power of Section 60 will last 24 hours and can potentially have an extension of another 24 hours. Is Section

60 of PACE really effective and efficient? 'Only 5% of Section 60 stop and searches lead to an arrest and just 1% for carrying offensive weapons.' (Stopwatch.org, 2021)

Throughout 2012 to 2013, around 5000 stop searches under section 60 occurred. And the figure in my recent quote mentions that only 5% of these results show that only 250 of those stops and searches lead to an arrest post-search. All of the statistics shown above show the accuracy of their objective searches, however if the officers carrying out the search have reasonable intelligence or suspicion that the search needs to be carried out, they must do so. This helps keep the streets safer for the general public and the public services. That 5% that had led to arrest shows slight efficiency and effectiveness and that's 5% more potential criminals off the street and prevents those articles found from being used or sold for more severe crimes in the future. it is also far more racially disproportionate. In 2018 38% of all searches under section 60 in England and Wales were of people who self-defined as black.' (Chapman, 2021)

Progressing from Section 60, we move onto Section 23 of PACE. Section 23 of PACE allows an officer on the ground to search a person with reasonable suspicion of being involved in the possession of a controlled drug and the power to detain them for the purpose of being searched. The officers conducting the search also have the right and the power to continue to search any vehicle suspected to be linked with the search, which may also hold and contain any further controlled drugs. The owner of the vehicle is required to stop and allow this to happen for the purpose of the search by the officers. 'In 2017/18 60% of stop and searches resulting in a "positive outcome" were related to drugs offences' (FullFact.org, 2021) With such a substantial figure and statistic as 60%

of Section 23 searches resulting in a positive finding of controlled drugs shows how effective this section of PACE is and the reducing of controlled substances off the streets of England and Wales. This section of PACE can prove to be controversial as well as all other sections however it also proves to reduce drug related crimes and helps combat organized crime throughout the United Kingdom substantially. The Officers conducting the search have reasonable grounds to carry out a search under section 23, the Misuse of Drugs Act of 1971, if they detect a small amount of cannabis, spot dilated pupils, appear nervous or agitated and are evasive to police questioning.

Section 18 of PACE, what is it? Section 18 of PACE is the power for an officer to enter and search the premises occupied or controlled by a suspect. There must be reasonable evidence or intelligence relating to an offence, or the premises or suspect in that area must have connection to a crime committed. The goal of these searches under Section 18 of PACE is to seize and retain anything based on the reasoning for the search. The search will not go ahead unless it is officially authorised and signed by an officer with a rank of inspector or higher. The actual presence of the suspected criminal in the premises ensures an effective search of the premises, therefore leading to a more likely to be successful investigation of the suspect and crime committed. Despite that, if the suspect is actually at the premises, intended to be searched, authorisation to carry out Section 18 of PACE is not actually required. However, once the search under Section 18 of PACE goes ahead, an officer of the rank inspector or higher must be told and updated post-search. Police officers often need to search premises and places for

evidence relating to offences committed. During a search of a vehicle or premises you may uncover evidence of other illegal activities. For example in the course of a search in relation to drug sales, the officers conducting the search may also uncover articles relating to a recent burglary in the area. If the search does uncover evidence that provides grounds for further suspicion and questioning the officers will pass this information on further to other officers working those cases. From evaluating Section 18 of the Police and criminal evidence act, I can see the effectiveness of the power Section 18 of PACE gives the officers in combating crime. Entering a property and searching it is a vital process in gathering evidence to link a suspect to a crime they are suspected of committing. Throughout the search process, the officers also may find other evidence for any other crimes therefore furthering their investigation and charges given, if found guilty.

Further on from the sections mentioned above, there seems to be a pattern from some of the sections evaluated. A very controversial pattern and that includes the searching of those from an ethnic minority being more than 20 times more likely to be searched from a caucasian civilian. This is the main reasoning behind the continued controversy of the Police and Criminal Evidence Act of 1984, and it will continue to do so unless changes are made, such as more evidence needed to provide the officers with the power to conduct the arrest. '80.0% of all stop and searches involving Black people were made by the Metropolitan Police in London' (GOV.uk, 2021) This controversy has been going on for a longtime and has been growing and brewing for years, and so has

the racial profiling, it's being brought into factors for reasonable search for some officers to use their powers from the Police and Criminal Evidence Act of 1984. 'It was reported last year that between 1999/2000 and 2009/2012, the stop and search rate among black people rose by 120%, whilst among white people it rose just 7%.'

(Keepcalmtalklaw 2021)

To conclude my evaluation of the Stop and Search powers included in the police and criminal evidence act of 1984 in England and Wales is a mixed emotion. I feel like the stop and search powers are good in being an effective way of reducing crime, even if it's by a small amount. It is effective in the combat against offensive weapons, combating drugs offences and helps solve all types of crimes in a lot of ways. However, for a number of years it has proven to be a cause of public unrest and proven to in some circumstances prove to be discriminating and racist. Throughout my research, I had constantly come across statistics which really stuck out and made me realise a pattern of discrimination throughout all powers used. Although this is not always the case with stops and searches, when they occur, but in some instances, it does prove to be the case. This is a massive and substantial causing factor of public unrest and a lot of the public's view and perception of the police can be altered and changed into a bad perspective. This can cause a dent in the good jobs the police do carry out as without the public supporting, believing and cooperating with the police, it is hard for the police to do an effective job in combating these crimes. I believe that the stop search powers are a great idea in the war against crime, however it does need altering and changing to help reduce the discrimination and racism committed rarely but still committed when

searching. The Police and Criminal Evidence Act of 1984 has been changing every year, and it will continue to change until it reaches its peak standard of keeping public morale in the police high and keeping the streets safe for both the general public and the public services.

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