

WILTSHIRE POLICE FORCE POLICY



Stop and Search: Community Complaints Trigger

Date of Publication: July 2022
Version: 3.0
Next Review Date: July 2024

POLICY STATEMENT

Wiltshire Police has undertaken to operate under the [Home Office 'Best Use of Stop and Search' Scheme](#). All stops and searches must be carried out in line with the rules set out in [Code A of the Police & Criminal Evidence Act 1984](#).

Wiltshire police are committed to ensuring that individuals stopped and searched are made aware of where, and how, to complain. If an individual wishes to complain about the Stop and Search process, whether they themselves have been subject to the search or not, the Community Complaints Trigger will be activated as detailed in the next section.

The Community Complaints Trigger is a mechanism for members of the community to raise their concerns or complaints about the way the Force conducts Stop and Search. Wiltshire Police are determined to make Stop and Search as transparent and accountable as possible with complaints being reviewed by the independent members of the Stop Search Scrutiny Panel which convenes every 3 months.

Under the community trigger complaints will be put before the Stop and Search Scrutiny Panel to assess the performance of the Force and to identify any failings and points of learning. This Scrutiny Panel is independent and will report its findings back to the Stop and Search Tactical Group.

It is the role of the Stop & Search Scrutiny Panel to:

- Scrutinise the performance of Wiltshire Police in relation to stop and search of their communities.
- Examine redacted stop and search forms to ensure that the searches have been carried out in accordance with code A of the codes of Practice; the scrutiny panel will select the criteria of stop search forms to be examined i.e. all BME stop/searches etc.
- Contribute to the Wiltshire Police Stop Search Policy and procedure.
- Provide the opportunity to raise issues regarding Race and Diversity that are broadly associated with Stop and Search.
- To conduct lay observations in relation to processes and training delivered and report their findings to the Stop and Search Scrutiny Panel.
- To act as a constructive friend to Wiltshire Police and provide advice and guidance to improve its performance around stop and search.

The Panel will also scrutinise feedback received from participants of Wiltshire Police's Lay Observation (Ride Along) Scheme. Those members of staff hosting a member of public will be required to feed any observations made by that member of public back into the Stop and Search Tactical Group.

The use of stop and search powers is a valuable and effective policing tactic to gain intelligence, disrupt the activity and secure the arrest of locally active criminals. If undertaken in the correct manner such tactics will effectively reduce crime and disorder and will have a positive impact on community relations.

COMPLAINTS REGARDING STOP AND SEARCH

Feedback on how we perform our duties is important to us and will help to improve the service we provide. Wiltshire Police expects its officers to treat all persons in a professional manner, with respect and dignity. Complaints can be made through the following channels:

- Contacting the Independent Police Complaints Commission;
- Contact Wiltshire Police in person, via letter, via phone or via the website;

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- Contacting Citizens Advice.

The force has established a community trigger process to address any complaints arising out of the use of stop and search. The community trigger will be activated under one of the following criteria:

- Five complaints regarding the use of stop and search from members of the public in a single Local Policing Area (LPA) within a rolling twelve month period;
- Three complaints about a specific officer's use of stop and search within a rolling twelve month period;
- A single complaint of sufficient gravity resulting from an allegation of discriminatory behaviour or behaviour sufficient to be deemed to amount to that of misconduct or gross misconduct.

Professional Standards will monitor complaints and will deal with complaints which activate the community trigger.

Complaints arising from the community trigger will be referred to the Strategic IAG.

POLICY AIM

To ensure that stop and search powers used by officers of Wiltshire Police are lawfully conducted; recognising that these powers are useful in preventing and detecting crime.

To improve the trust and confidence of the community in the way police conduct stop/searches by being sensitive to the impact of these powers on individuals.

To reduce disproportionality between searches of populations of Wiltshire and where relevant provide appropriate explanation.

APPLICABILITY

This policy relates to all Police Officers and Special Constables.

LEGAL BASIS AND DRIVING FORCE

This policy derives from the Home Office's Best Use of Stop and Search Scheme.

The legal basis for Stop and Search encounters is set out within [Code 'A' of the Police and Criminal Evidence Act \(PACE\)](#).

Wiltshire Police recognises its positive duty under Human Rights Act 1998: Article 5, the right to liberty and security; Article 8, the right to respect for private and family life; and Article 10, the freedom of expression.

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

[Stop and Search Policy](#)

[Ride Along Scheme Policy](#)

[Home Office Best Use of Stop and Search Scheme](#)

AUTHORISED PROFESSIONAL PRACTICE

[Stop and Search](#)

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this policy will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING AND REVIEW

This policy will be reviewed every two years and will examine: feedback from the Stop and Search Scrutiny Panel, changes in legislation, judicial rulings, examples of good practice from other Forces or other organisations, changes in Home Office Circulars, developments with NPCC Policy Unit and representations made by individuals.

WHO TO CONTACT ABOUT THIS POLICY

This policy is owned by the Strategic Lead for Stop and Search and the Superintendent Crime Standards and Justice. All queries regarding this policy should be directed to the Force Policy Officer or Force Equality & Diversity Development Officer.

DOCUMENT ADMINISTRATION

Ownership:

Department Responsible: Equality Diversity and Inclusion Team
Policy Owner/Author: Insp. James Williams / Andrew IRVING (Policy Officer)
Technical Author: Sgt. Paul Harvey
Senior Officer/Manager Sponsor: ACC Crime Justice and Vulnerability

Revision History:

Revision Date	Version	Summary of Changes
25.05.2018	1.0	Data Protection section amended to reflect implementation of GDPR and new DPA.
08.08.2018	2.0	Minor amendment to policy statement.
04.07.2022	3.0	Amendment made to policy applicability and added in a section regarding the complaints activation/ trigger process.

Approvals:

This document requires the following approvals:

Name & Title	Date of Approval	Version
Force Policy Officer	04.07.2022	3.0
T/ACC Dave MINTY	01.08.2016	1.0
JNCC (Not required for all policies)	N/A	

Distribution:

This document has been distributed via:

Name & Title	Date of Issue	Version
E-Brief		
Email to relevant affected Staff/Officers		
Other: (state method here)		

Diversity Impact Assessment:

Has a DIA been completed? If no, please indicate the date by which it will be completed. If yes, please send a copy of the DIA with the policy.	High <input checked="" type="checkbox"/> Low <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> See Stop and Search Policy EIA Date: 07.06.2022
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Consultation:

List below who you have consulted with on this policy (incl. committees, groups, etc):

Name & Title	Date Consulted	Version
Stop and Search Tactical Group	08.08.2018	1.1

Implications of the Policy:

Training Requirements

There are no training requirements needed to implement this policy.

IT Infrastructure

No additional IT infrastructure required.