

Her Majesty's Inspectorate of Constabulary
Northern Region

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Michael Cunningham, QPM
HM Inspector of Constabulary

By email:
Chief Constable Ian Hopkins QPM
Greater Manchester Police



Promoting improvements
in policing to make
everyone safer

1 February 2017

Dear Ian,

HMIC Best Use of Stop and Search (BUSS) scheme revisit assessment

Further to my letter dated 12 October 2016, I am writing to inform you of our assessment of your force's compliance with the Best Use of Stop and Search (BUSS) scheme. The revisit was carried out between 3 November 2016 and 20 November 2016, and included a review of your website and force documentation and consultation with relevant staff. Thank you for the assistance provided by your staff for this revisit.

HMIC's 2015 legitimacy inspection found that your force was not complying with one feature of the scheme: increasing the authority level for the use of stop and search powers under section 60 to ACC or above. Our recent revisit has found that your force was still not complying with this feature at the time of the inspection, although we are satisfied that the force has subsequently addressed these issues and is now compliant. Our detailed assessment is set out at annex A.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'M. Cunningham'.

Michael Cunningham
HM Inspector of Constabulary

Annex A: 2016 BUSS scheme revisit assessment for Greater Manchester Police

BUSS scheme feature	2016 HMIC assessment
<p>Reducing stop and search encounters made under section 60, Criminal Justice and Public Order Act 1994</p>	<p>The force is not compliant with this feature at the time of the inspection.</p>
	<p>The force's stop and search policy clearly shows that the authorisation level for searches carried out under section 60 Criminal Justice and Public Order Act 1994 has been increased to assistant chief constable (ACC) or above.</p> <p>However, at the time of the inspection, the policy also stated that <i>'It should be noted that these requirements do not apply to spontaneous authorisations as this would frustrate the ability of frontline Inspectors to utilise this power in the face of imminent violence.'</i></p> <p>This is contrary to the BUSS scheme which stipulates that all authorisations require authorisation at ACC level or above.</p> <p>The three most recent authorisations were provided by the force:</p> <ol style="list-style-type: none"> 1. Authorised at 1730 on 16 September 2016, by a superintendent, to take effect from 1000 17.9. This was NOT spontaneous and there was time for an ACC to authorise. There is evidence that an ACC ratified the use of the powers prior to the authorisation but nevertheless the authorisation was made by the superintendent. Additionally, the authorisation was made on an old form that had not been amended to comply with the BUSS scheme; 2. Authorised at 2350 on 24 July 2016 by an inspector. The authorisation was endorsed by an ACC 20 minutes later. Again, the authorisation was made on an old form that had not been amended to comply with the BUSS scheme; and 3. Authorised 20 May 2016 by an ACC. The authorisation was made on old form but the non-BUSS scheme compliant text had been crossed out and BUSS compliant text had been inserted. <p>Authorisations 1 and 2 above are not compliant with the</p>

	<p>BUSS scheme. There is no publication on the website to explain to the public the reasons for these deviations from the scheme.</p> <p>A version of the authorisation form, amended for BUSS scheme compliance, is featured in the stop and search policy dated September 2015. However, while most amendments to achieve compliance have been made, the section on extensions allows the original authorisation to be extended for “a further 24 hours”. This should read no more than a further 9 hours.</p> <p>The stop and search policy includes a section on communicating to communities before and after authorisations and we found evidence in respect of all three of the authorisations above that extensive communication took place.</p> <p>Since the inspection, the force has provided evidence that its section 60 policy has been revised, that inspectors and above have been informed of the policy change and that the authorisation form has been amended. HMIC is satisfied that, while the force was not compliant at the time of the revisit, it is compliant now.</p>
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