



Home Office

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Dame Diana Johnson MP
Select Committee Team
House of Commons
London
SW1A 0AA

16 May 2022

Dear Dame Diana,

Stop and Search: Section 60 of the Criminal Justice and Public Order Act 1994

The Government is determined to deliver on the people's priorities and protect people from serious violence. Families of knife crime victims and communities want to see more done to keep their neighbourhoods safe. Stop and search is a vital tool that removed almost 16,000 weapons off our streets during the last reporting period. Tackling serious violent crime is one of my top priorities, and I am determined to crack down on it.

In 2019, as part of a pilot scheme I relaxed all conditions set out in the Best Use of Stop and Search Scheme (BUSSS) regarding use of Section 60 Criminal Justice and Public Order Act (CJPOA) 1994 stop and search powers. I also expanded this relaxation from seven forces to all 43 forces in England and Wales and included the British Transport Police. The relaxations allowed 9,000 more officers to authorise use of these powers and found that officers felt more empowered to use s60 to tackle serious violence. Officers also told me that the relaxations better reflected the operational reality of policing.

Given this success, I have decided to permanently return to the police greater flexibility in their use of Section 60 stop and search powers. These powers are designed to help the police prevent serious violence, for example retaliatory or escalating levels of gang violence. When Section 60 stop and search has been authorised, the police are permitted to set aside the usual requirement for reasonable suspicion before they search someone. These powers are time limited but when used correctly, can be an important operational tool that enable forces to dissipate potentially violent situations and recover weapons. This pilot has been invaluable to our understanding of Section 60 – with the police using it in a more targeted and intelligence-led way than we initially understood. It is only right that the police have these powers to stand firm against criminals and to continue protecting communities. Crime statistics show proactive policing, like stop and search, contributes to an increase in recorded knife offences and catching criminals.

We know that there are concerns about how stop and search is used, particularly regarding the disproportionate impact it can have on people from ethnic minority backgrounds. In the year ending March 2021, people from ethnic minority backgrounds were 6.2 times as likely, and black people 13.8 times as likely, to be

stopped under Section 60 powers compared to white people. But we also know that serious violence has a disproportionate impact on people from ethnic minority backgrounds. Relative to the general population, black people have a disproportionately high level of hospital admissions for treatment after being assaulted with a sharp object. And young black men appear to be disproportionately at risk of homicide compared to boys and men from other ethnic groups.

There are extensive safeguards in place to ensure that no one is subject to stop and search powers because of their race or ethnicity, including statutory codes of practice, the use of body worn video and extensive data collection, which is published online so that communities can hold forces to account. As the Inclusive Britain report set out, we intend to enhance these safeguards through the development of a national framework for scrutiny of stop and search by local communities, and consideration of any unnecessary barriers to increase the use of body worn video. And whilst I have removed all five conditions, I have encouraged forces to continue to communicate that a Section 60 order is in place, where they judge it operationally feasible to do so, to help deter criminals and enhance community trust and confidence.

I have also introduced Serious Violence Reduction Orders (SVROs) in the Police, Crime, Sentencing and Courts Act 2022 which will give the police additional powers to target those who have been convicted of knife and offensive weapon offences – giving them the right to search these offenders. I am committed to doing all I can to save lives and to bear down on those who continue to pose a serious threat to the public and the communities in which they live.

I am placing a copy of this letter in the Libraries of both Houses.

Yours sincerely,

with our good wishes


Rt Hon Priti Patel MP
Home Secretary