Police Service of Northern Ireland

NISRA Northern Ireland Statistics and Research Agency

User Guide to
Use of Stop and Search Powers by the Police in Northern Ireland

Date of Publication:
7 March 2025

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This document is intended as a User Guide to help users of the statistics form a fuller picture of the data quality and to help users put the data into context. Please contact us via our website if you require any further information.

Section 1

1.1 Introduction

Stop and search statistics for Northern Ireland are collated and produced by statisticians seconded to the Police Service of Northern Ireland (PSNI) from the Northern Ireland and Statistics Research Agency (NISRA), working to the Code of Practice for Official Statistics.

Stop and Search is an operational tool used to prevent, detect and investigate crime as well as to bring offenders to justice. Police officers have a legal power to stop and search members of the public in certain circumstances, from dealing with incidents of anti-social behaviour, to suspecting an individual is carrying drugs, a weapon or stolen property through to countering terrorism. There are a range of legislative powers available to an officer to carry out this task, including the Police and Criminal Evidence Order (PACE), the Misuse of Drugs Act, the Terrorism Act and the Justice and Security (NI) Act; greater detail is provided in Section 4. In most circumstances a police officer will need grounds to search an individual. Some stop and search powers (those under the Justice and Security Act) allow individuals to be searched without grounds, for example, to counter terrorism.

Officers are required to make a record of the details of a stop and search at the time of encounter as outlined in the PACE code of practice. PSNI officers record these details electronically via their handheld device which are then submitted to a central stand alone database. In instances where it is not possible to record details at the time of the incident, they are recorded as soon as possible on their handheld device or in their notebook and transferred to the electronic database. Officers are required to record details of the search including the objective of the search, the grounds for making it, the date and place it was made, as well as some person characteristics of the subject of the search. Officers are required to provide a unique reference number to any individual stopped and searched alongside details of how to obtain a copy of the search record.

The Police Service's use of stop and search is scrutinised internally by supervising officers and at governance meetings chaired at ACC level, as well as externally by the Northern Ireland Policing Board's Human Rights advisers, the Police Ombudsman and the Independent Reviewer of the Justice and Security Act.

Details of all stop and search encounters are downloaded from the stop and search database, validated and published on a quarterly basis. These publications can be found on the Stop and Search section of the Statistics Branch web page on the PSNI website.

In line with the Code of Practice for Official Statistics, all publication dates are pre-announced via the statistics section of the PSNI website and on the gov.uk publication hub for official statistics.

1.2 Uses made of the PSNI's stop and search statistics

Based on our experience, knowledge and awareness of existing uses of the statistics and on the responses to the Statistic Branch User Survey, the following examples should provide an insight to the main uses made of these statistics.

Policy monitoring

The statistics are used to inform PSNI senior management of the current level of stop and search activities carried out at various levels across the organisation and identify comparative trends, assisting in the planning of strategic procedures and operational activity. They form the basis of a quarterly report to the Service Accountability Panel which is responsible for overseeing the use of powers such as Stop and Search and use of force. The statistics are used to monitor specific operational activity for example, the Paramilitary Crime Task Force (PCTF) included stop and search as one of the indicators to monitor the contribution of the PSNI to the wider Tackling Paramilitarism Programme.

Performance monitoring/effectiveness of policing

The police's use of stop and search is extensively monitored and scrutinised by the Northern Ireland Policing Board (NIPB) and the Independent Reviewer of the Justice and Security Act. These statistics are used to inform both and are contained within their respective publications.

'Northern Ireland Policing Board's Human Rights Annual Report'

'*Annual Report of the Independent Reviewer of Justice and Security'*

The stop and search statistics also contribute to the annual report by the Independent Reviewer of Terrorism Legislation in the UK and the Northern Ireland Office's annual statistical publication of Terrorism Legislation in NI:

'Report of the Independent Reviewer of Terrorism Legislation on the Operation of the Terrorism Acts 2000 and 2006'

'*Northern Ireland Terrorism Legislation: Annual Statistics*'

Media related/public interest

The local media use the PSNI's stop and search statistics to inform the public on relevant trends. Much of the information is readily available from the PSNI website within the quarterly publications.

PSNI Statistics Branch receives a number of FOI requests for information relating to stop and search statistics that are not published in our quarterly reports. The numbers of these requests have been increasing year on year.

To facilitate academic research

PSNI Statistics Branch receives a number of requests for stop and search data to assist with academic research projects, as well as from students to assist them in completing projects and presentations.

In support of local community policing needs

Local Policing and Community Safety Partnerships (PCSPs) may request stop and search statistics to identify changing or emerging trends in their local area. This can be used to inform their PCSP representatives so that they are in a position to challenge the local police commander about any relevant issues.

Personal interest & solicitors

Individuals or community groups with a personal interest in a particular area may seek specific information (for example, seeking an indicator of the police's operational activity in tackling a drugs related issue in a particular area) and solicitors request information on behalf of individual clients.

1.3 User consultation

User consultation is an important aspect of our work and Statistics Branch regularly liaise with key stakeholders such as the Police Powers Development Group and the Northern Ireland Policing Board in relation to the stop and search statistics. It informs our work schedules and statistical planning process. The PSNI Official Statistics documentation includes a section on customer service and user engagement, highlighting our aims and standards for dealing with key users and requests from members of the public.

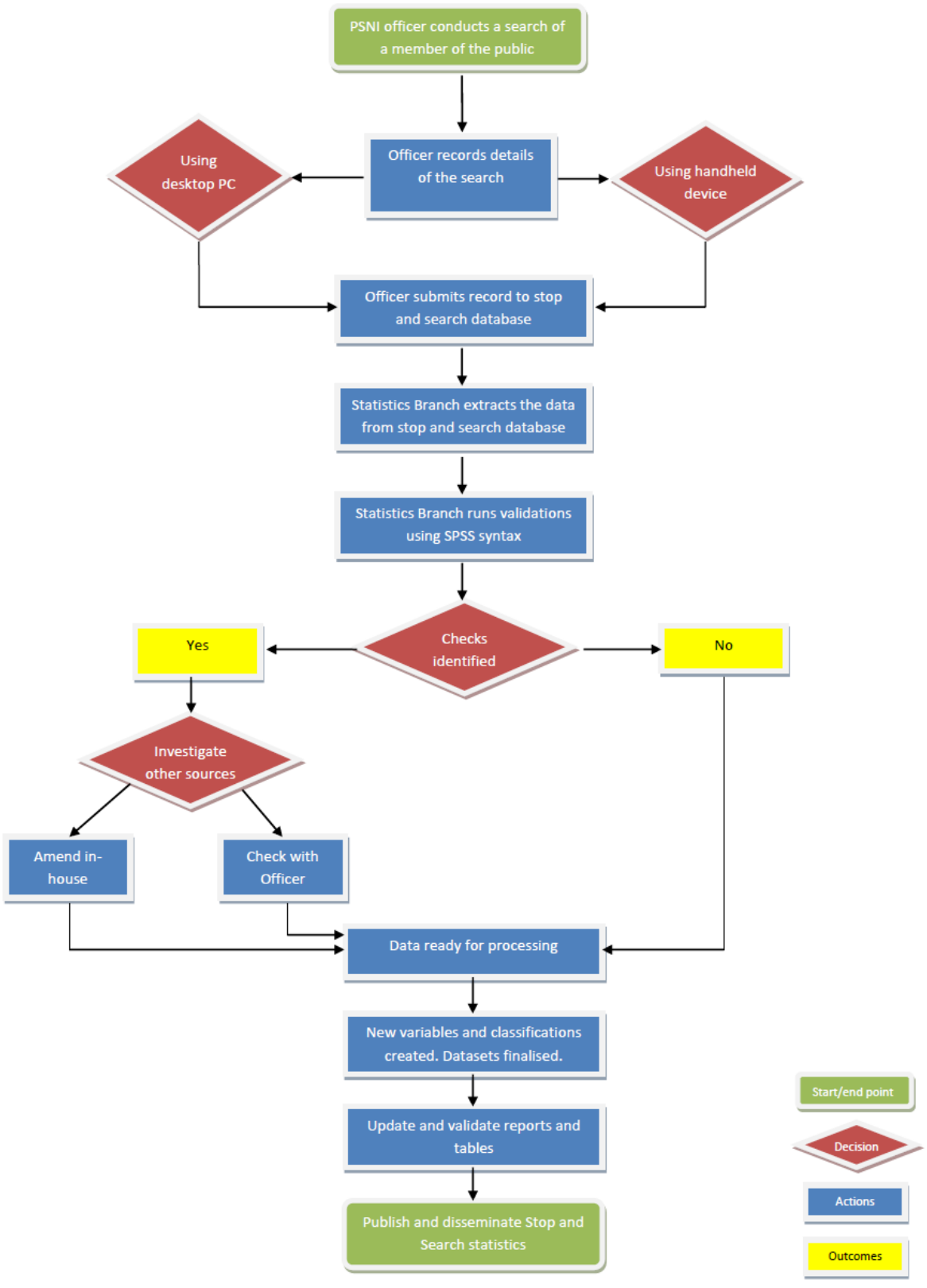
Section 2

2.1 Stop and search data process

Having discussed the first stage of the process in detail in Section 1 (users and users needs), the process map and information in Section 2 addresses the remaining key phases in the stop and search statistical process, as follows:

- data design and build (Section 2.2)
- data collection (Section 2.3)
- data processing (Section 2.4)
- data analysis (Section 2.5)
- data dissemination (Section 2.6)

Figure 1 Stop and search data process map



2.2 Data design and build arrangements

The NISRA statisticians are based within PSNI and are given access to PSNI's internal systems, once they have been appropriately vetted and trained. The source data and any associated data files are held on secure servers within PSNI and access to systems is controlled and auditable to ensure compliance with relevant legislation. Individual staff member's access to these systems is monitored and periodically checked by the PSNI Data Protection Unit. Having the statisticians working alongside the suppliers of the data and having close working relationships with IT colleagues means they are involved in any relevant process/system design or change.

Changes to the PSNI's systems or processes that might affect the quality of the statistics are discussed in advance and managed through the relevant project board. Communication with IT colleagues takes place on a regular basis at many levels and ensures that data quality is maintained. Statistics Branch also has a close working relationship with the operational lead for stop and search within the organisation allowing any issues to be raised directly with the senior officers who can then communicate to all police any areas of concern regarding the recording of data.

2.3 Data collection

As per the PSNI Official Statistics documentation included in the Statistics section of the PSNI website, information on stop and search encounters are collected using the organisations own administrative and management sources. Officers record stop and search encounters electronically onto the stop and search database. They do this in one of 2 ways – (1) either electronically via their handheld device at the time of the stop and search encounter or as soon as practically possible after the completion of the search, or (2) by recording the details in their notebook and then transferring the details onto the database electronically as soon as practically possible. The stop and search database is an operational system that provides an administrative dataset that is analysed and reported on by the PSNI's Statistics Branch.

As with all administrative systems, statistics are a by-product of the process and are heavily reliant on the information being entered correctly by officers. To address this risk, Statistics Branch has developed a wide range of quality assurance measures and data validation checks to ensure that the statistics are as accurate and meaningful as possible within the given resource and time constraints. These processes are outlined in more detail below.

2.4 Data processing and quality assurance

Quality assurance checks have been developed to ensure that the statistics produced are of high quality, accurate and meaningful. Internal quality assurance and validation procedures are regularly tested, reviewed and updated.

Data quality checks are conducted on a quarterly basis to identify and correct inconsistencies within the data. Examples of the data quality checks are –

- Check for duplicate entries on the stop and search database and exclude from analysis where necessary.
- Ensure all essential fields are populated.
- Validate outlier dates of birth.
- Validate stops and arrests for those persons under 11 years of age.
- Validate search records under less frequently used legislation.
- Validate person searches where no personal data is recorded.
- Validate vehicle searches where details imply no vehicle was searched.
- Remove searches under warrant and searches following arrest as per the agreed methodology.

Risks to data quality and associated mitigations

Limitations	Implications	Risk/error mitigation
Some stops may not be uploaded onto the database in a timely manner	The number of stops may be undercounted in the quarterly reports. Searches that occurred near the end of the financial year may not be recorded on the database until the next year.	Undercount is limited. Lag between end of reporting period and publication date minimises any such risk.
Date of birth may be inaccurately recorded.	Inaccurate reporting of statistics by age band.	Validation checks completed on age outliers and DOBs that imply individual stopped and searched was under 11 years of age.
Ethnicity may be officer perceived however this can be difficult in some cases e.g. Irish Traveller.	A degree of under-reporting is likely for the Irish Traveller category as some Irish Travellers are likely to be categorised as white.	A caveat is included to make users aware of the potential issue.
In cases where a combination of powers has been used, it is not possible to link the outcome of the search to one power.	When a combination of powers is used, the outcome of the search is counted under each legislation, as it is not possible to allocate it to one only. This results in a degree of double counting, however the usage of more than one power is proportionately low (1% of stops), therefore the information is nonetheless a useful indicator by power.	The information is caveated accordingly to ensure users are aware. Statistics Branch is working with the technical providers to discuss a solution in any future recording system.

The UK Statistics Authority Administrative Data Quality Assurance Toolkit has been applied to ensure that users are provided with as much information as possible and are aware of the quality and background of the statistics. The level of risk of quality concerns has been categorised as low and the public interest profile of the statistics is considered

to be high. As a result, it was concluded that level ‘A2: Enhanced Assurance' is suitable for the PSNI’s stop and search statistics.

Process documentation is maintained at all stages of the process and updated on a regular basis to ensure that all stages are completed to the required levels and also to provide contingency in the event of staff absence or vacancies.

2.5 Data analysis

When the quality assurance process is complete, the stop and search datasets are finalised in SPSS and Excel format and final checks conducted to ensure the data is complete and accurate. SPSS syntax is updated and ran to produce the data tables which are used to produce the statistical report, which includes commentary around the trends and characteristics in relation to stop and search, as well as national comparisons which are sourced in Section 3.4 below.

2.6 Data dissemination

Stop and search statistics for Northern Ireland are published on the Police Service of Northern Ireland website under the Statistics section -

https://www.psni.police.uk/about-us/our-publications-and-reports/official-statistics/stop-and-search-statistics

Within a given financial year, stop and search statistics are published on a quarterly basis, as per the publication schedule. These in-year statistical reports are provisional and subject to amendment. The final figures for the financial year are published in May each year. In line with National Statistics guidelines our publication dates are pre-announced and are available on our website under Publication Schedule.

On publication, the quarterly statistical reports are emailed directly to users and submitted to the respective NISRA and PSNI branches for dissemination on social media.

Section 3

3.1 Strengths and Limitations of the data

Strengths

The stop and search data that is extracted from the database undergoes a number of validation checks and follows a quality assurance process to ensure the data are fit for purpose and published to as high a standard as possible. Where required, data quality issues are raised directly with the officer who recorded the stop and search details on the ticket and issues are resolved in a timely manner.

Officers are required to make a record of the details of a stop and search at the time of encounter as outlined in the PACE code of practice. The majority of these records are submitted electronically by officers via their handheld device, meaning that the majority of data should be recorded more accurately and more quickly than if using paper

recording. Additionally, officers are required to provide a unique reference number to the individual stopped and searched at the outset of the search, which can be used by the person to request the official record, thus reducing the risk that a stop and search encounter is not recorded.

The fact that the PSNI is a single force and all officers work to the same code of practice helps to standardise submissions and improve the quality of the data recorded and therefore reported.

Limitations

The main limitations identified in the data are those considered under Section 2.4.

3.2 Timeliness

A balance needs to be obtained between the requirement for figures to be as up-to-date as possible and the requirement to publish figures which are of appropriate quality and completeness for use. There is a lag of around six weeks between the end of the reporting period and publication of the quarterly bulletin. This is to allow for the submission of the stop and search tickets onto the database and for statisticians to ensure that the information provided is as accurate as possible.

Once the stop and search statistics are published at the end of the financial year the figures are treated as finalised i.e. users can be assured that the figures will not change (subject to the PSNI's revisions policy).

3.3 Confidentiality

The PSNI's Statistics Branch complies with the requirements of the Code of Practice for Official Statistics in relation to confidentiality. The PSNI Official Statistics documentation is available on the statistics section of the PSNI website. It outlines the arrangements for data protection and confidentiality of statistical data and covers:

- Physical Security
- Technical Security
- Staff Training
- Statistical Disclosure Control
- Sharing of data with a third party

Disclosure control may have been applied to some tables in line with the requirements of the Code of Practice for Official Statistics. Where this applies cells have been merged or suppressed in order to ensure that the identity of individuals or any private information relating to them is not revealed.

3.4 Comparability within the UK

Promoting comparability is an important requirement of the Code of Practice for Official Statistics which aids interpretation for the users of the stop and search statistics. The quarterly publication contains direct comparisons with all England and Wales. Sources of the data for the UK are listed below.

England and Wales
https://www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales

Scotland
http://www.scotland.police.uk/about-us/police-scotland/stop-and-search/stop-and-search-data-publication/

Section 4

4.1 Main stop and search legislation

Legislation	What the police can search for
The Police and Criminal Evidence (Northern Ireland) Order 1989, Section 3	Stolen property, going equipped to steal, offensive weapons including a blade or point, fireworks.
Misuse of Drugs Act 1971, Section 23	Controlled drugs
Firearms (Northern Ireland) Order 2004, Section 53	Firearms
Justice and Security (Northern Ireland) Act 2007, Sections 21 and 24	Section 21 gives a police officer the authority to stop and question an individual to establish their identity and movements. Section 24 gives a police officer the authority to search for munitions and wireless apparatus. This can be done if (1) an officer has reasonable suspicion that he will find such items, or (2) he was authorisation from an ACC.
Terrorism Act 2000, Section 43 and 43A	Anything which may constitute evidence that the individual is a terrorist, where an officer must has reasonable suspicion of terrorism-related activity. Section 43 gives a police officer the authority to search an individual. Section 43A gives a police officer the authority to search a vehicle as well as any individual he reasonably suspects to be a terrorist.
Terrorism Act 2000, Section 47A	Anything which may constitute evidence that the individual is a terrorist, but an officer may not necessarily have reasonable suspicion of terrorism-related activity but the search must occur within an area authorised made by a senior police officer and where necessary confirmed by the Secretary of State.

4.2 Other stop and search legislation

The PSNI have a number of other legislative powers that give them the authority to carry out a stop and search. These are:

- Section 139B of the Criminal Justice Act 1988
- Schedule 5 to the Terrorism Prevention and Investigation Measures Act 2011
- Article 6 Crossbows (Northern Ireland) Order 1988
- Article 25 Wildlife (Northern Ireland) Order 1985
- Article 23B of The Public Order (Northern Ireland) Order 1987
- The Psychoactive Substances Act 2016.
- Section 50(2) of the Justice Act (Northern Ireland) 2011

These are less frequently used powers and are reported collectively under '*Other legislative powers*' in the quarterly stop and search statistical publications.

Further information on these powers can be found at legislation.gov.uk.

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