Q-Step Internship: Stop and Search and the Smell of Cannabis

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The College of Policing was established in 2012 as the professional body for everyone who works for the police service in England and Wales. One the aims of the College is to use knowledge and research to develop an evidence-based approach to policing.

For eight weeks this summer I undertook an internship with the Knowledge, Research and Practice Unit. During my time there I was involved in a variety of projects including the analysis of the grounds for cannabis stop and searches and their outcomes.

Background

The police power of stop and search for controlled drugs is legally mandated under section 23 of the Misuse of Drugs Act 1971. The exercise of this power hinges on the 'reasonable grounds for suspicion' legal test and the likelihood that the person searched is in possession of an item for which they may be searched. Code of Practice A of the Police and Criminal Evidence Act 1984, states that a search has to be conducted fairly, responsibly, with respect and without unlawful discrimination.

Objectives

The aim of the analysis was to examine the relationship between the recorded grounds for stop and searches for cannabis and their productivity in terms of the criminal justice outcome of the search.

As there is no case law to clarify the legal position concerning whether the smell of cannabis alone can provide reasonable grounds for an officer to carry out a search, the College carried out further analysis on the relative productivity of searches based on different grounds.

The research questions we aimed to answer in the project were :

1. **How productive are searches based solely on the smell of cannabis compared to cannabis searches based on other grounds?**

2. **Do some grounds for search significantly increase the likelihood of cannabis searches being productive?**

Methods

The research involved secondary analysis of a large sample of stop and search records from two police forces.

A sample of records was identified from both forces where there was evidence that the officer had carried out the search because they suspected cannabis possession, and a large sample of these were randomly drawn from each force.

A coding framework was created based on an initial review of a sample of 50 search records and this was then piloted. Revisions were made till a satisfactory coding framework was developed and subsequently, the free-text grounds recorded by officers for these searches were coded in Excel. Inter-rater reliability was assessed and when needed, further refinements were made.

Regression analysis was then used to determine whether there was a significant association between particular grounds for a search and the outcomes of those searches.

Results

We found a number of factors that significantly increased and decreased the likelihood of a cannabis search resulting in a criminal justice outcome, however as the report has not yet been published, I cannot disclose any of the results.

The results will impact the national guidance and will be referred to in Her Majesty's Inspectorate of Constabulary (HMIC) legitimacy report which is due to be published in December. The report will also be available on the College of Policing's website.