

Equality and Human Rights Commission
Briefing paper 7

Race Disproportionality in Stops and Searches, 2011-12

Karen Hurrell

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Research Team
Equality and Human Rights Commission
Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: research@equalityhumanrights.com

Telephone: 0161 829 8100

Website: www.equalityhumanrights.com

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Karen Hurrell, Equality and Human Rights Commission

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Abbreviations

CJPOA Criminal Justice and Public Order Act 1994

PACE Police and Criminal Evidence Act 1984

s.1 Section 1 of the Police and Criminal Evidence Act 1984

s.60 Section 60 of the Criminal Justice and Public Order Act 1994

Summary

This briefing reviews the latest stop and search data for England and Wales in conjunction with new population estimates by ethnic group from the 2011 Census. It provides estimates of race disproportionality and excess stops and searches for two years, 2010/11 and 2011/12, for each Police Force and ranks these to highlight those with the highest disproportionality or largest excesses.

Key results

Numbers of PACE stops and searches in England and Wales decreased overall between 2010/11 and 2011/12, from 1,222,378 to 1,137,551. In both years, the Metropolitan Police carried out more than 40 per cent of PACE stops and searches and Greater Manchester was second with over four per cent. Other police forces carrying out more than 40,000 stops and searches were: Northumbria, Thames Valley and Merseyside in 2010/11, and Northumbria and West Yorkshire in 2011/12.

For PACE stops and searches, the highest disproportionality ratios in 2011/12 were:

- in Dorset for black / white disproportionality: 11.7 in 2011/12 ,
- in West Mercia and Gwent for Asian or other / white disproportionality: 3.4 and 3.1 respectively in 2011/12,
- in Warwickshire for mixed / white disproportionality: 4.4 in 2011/12.

'Excess' s.1 PACE stops and searches in 2011/12 were:

- highest for the Metropolitan Police for each of the three ethnic minority groups,
- also over one thousand in 2011/12 for one or more ethnic groups in the West Midlands and Thames Valley (black and Asian or other), Greater Manchester and Avon and Somerset (black) and West Yorkshire (Asian or other).

As in previous years, the vast majority of s.60 stops and searches were carried out by the Metropolitan Police: 88 per cent in 2010/11 and 84 per cent in 2011/12. Overall the total number of s.60 stops and searches had fallen by nearly a quarter from 60,963 to 46,961.

Based on the ten forces with the most s.60 stops and searches in 2011/12, the highest disproportionality ratios were:

- in the West Midlands (29.0), Nottinghamshire (16.9) and Thames Valley (10.9) for the black/white ratio,
- in the Thames Valley (10.4), Nottinghamshire (8.0) and West Midlands (6.8) for the mixed/white ratio,
- in the West Midlands (6.0), Lancashire (3.4), Nottinghamshire (3.1) and West Yorkshire (2.9) for the Asian or other/white ratio.

'Excess' s.60 stops and searches in 2011/12 were:

- highest overall for the Metropolitan Police for each of the three ethnic minority groups,
- over two hundred for black stops and searches in 2011/12 by the British Transport Police and West Midlands Police, and in 2010/11 by the British Transport Police and Greater Manchester Police,
- second highest for Asian or other stops and searches in the West Midlands.

1. Introduction

Since its inception in 2007, the Equality and Human Rights Commission (the Commission) has monitored the impact of the police's use of stop and search powers on people identifying with different ethnic groups.

In a series of recent publications the Commission has reported on stops and searches:

- The first report, *Stop and Think* (EHRC, 2010), presented analysis of stops and searches under s.1 of the Police and Criminal Evidence Act 1984 between 2005/6 and 2007/8 and introduced 'excess' stops and searches as a second measure alongside race disproportionality. Various explanations put forward to explain disproportionality were considered, but failed to find strong evidence to justify this situation.
- A briefing paper on *Race disproportionality in stops and searches under Section 60 of the Criminal Justice and Public Order Act 1994* (EHRC, 2012) similarly analysed data on stops and searches carried out under that legislation.
- Most recently, *Stop and Think Again* (EHRC, 2013) reported on the Commission's follow-up work with five police forces to address continuing disproportionality in the use of s.1 PACE stops and searches and to monitor the impact of various measures to tackle it.

In addition, the Commission influenced parliamentary debates about the stop and search powers in s.44 of the Terrorism Act 2000, which have now been repealed in the Protection of Freedoms Act 2012.

This briefing provides an update of the statistical analyses of race disproportionality in the publications listed above, bringing these up to date by combining the latest stop and search data for England and Wales with new population estimates by ethnic group from the 2011 Census. It provides estimates of race disproportionality and excess stops and searches for two years, 2010/11 and 2011/12, for each Police Force and compares these with earlier results. Full supporting data are provided in the accompanying spreadsheet.

Some changes to the methodology have been required. Various changes were made to the ethnic group classification for the 2011 Census, including moving the Chinese ethnic group into the existing Asian category. As a result, it is no longer possible to separate out the former 'Asian' and 'Chinese and other' ethnic groups and these have now been combined into one 'Asian or other' group. This group also includes the new Arab ethnic group, while the new Gypsy or Irish traveller group is included in the broader white category.

Another difficulty in previous briefings concerned the relevant population for comparison with stops and searches by the British Transport Police (BTP). Based on information from the BTP concerning the location of the majority of their s.60 stops and searches, these data are compared with the ethnic profile of the London population instead of that of England.

2. Population data and measures of disproportionality

Before considering the latest estimates of disproportionality, it is helpful to analyse how new data from the 2011 Census on the ethnic composition of the population impact on the measures of disproportionality at the national and police force level.

Previous analysis published by the Commission had to rely on the Office for National Statistics' experimental series of population estimates by ethnic group (PEEGs) to provide the breakdown by ethnic group of the population of each police force area (see ONS, 2010 for details of these population estimates). The following analysis compares 2009 PEEGs, the latest year for which these estimates were published, with 2011 Census estimates. Each set of population estimates being for those aged ten or over.

At a national level (see table 1), there were only small differences between estimates of the size of the white population from the two sources, with the 2011 Census giving slightly larger estimates. The ratios of the 2011 Census estimates to the 2009 PEEGs are shown in the last three rows of table 1.

Table 1 Difference in population estimates for the ten or over age group comparing the 2009 PEEGs and the 2011 Census estimates

	White	Black	Mixed	Asian or other
2009 PEEGs				
England	40,326,647	1,306,351	656,522	3,460,986
Wales	2,563,894	16,275	20,535	66,138
England and Wales	42,890,541	1,322,627	677,057	3,527,125
2011 Census				
England	40,460,631	1,516,165	818,467	3,926,112
Wales	2,612,309	15,511	23,541	70,715
England and Wales	43,072,940	1,531,676	842,008	3,996,827
Difference in population estimates (2011 / 2009)				
England	1.00	1.16	1.25	1.13
Wales	1.02	0.95	1.15	1.07
England and Wales	1.00	1.16	1.24	1.13

Sources: EHRC analysis of ONS (2012) and ONS (2013)

This same is not true for the three ethnic minority groups shown, with estimates for the number of people in each of these groups noticeably higher for England and for England and Wales based on the 2011 Census. The greatest 'under-estimate' by the 2009 PEEGs is for the number of people of mixed ethnicity, which was larger by a quarter in the 2011 Census. Also higher were estimates of the number of black people, by 16 per cent, and the number of people in the Asian or other ethnic group, by 13 per cent. The exception to this pattern was in Wales, where five per cent fewer black people were recorded in the 2011 Census than were estimated by the 2009 PEEGs. For the other two ethnic minority groups, the 2011 Census estimates were higher by 15 per cent for people in the mixed group and by seven per cent for people in the Asian or other group.

These differences in the population estimates naturally have an impact on the measures of disproportionality. Two measures have been used by the Commission in previous publications, the race disproportionality ratio (RDR) and excess stops and searches (excess), in each case for a specified ethnic minority population compared with the equivalent white population.

The RDR, for example for the black population, is defined as follows:

- The stop and search incidence rates for the black and white populations are calculated from the ratio of the number of stops and searches divided by the estimated number of people in the population in each ethnic group.
- To calculate the RDR, the incidence rate for the black population is then divided by the incidence rate for the white population.

It is also possible to calculate the RDR from the ratio of the number of black stops and searches to the number of white stops and searches and the ratio of the number of people in the black population to that in the white population. Dividing the first ratio by the second produces the same result as the calculation described above. Looking at the RDR in this second way separates the influence of the stop and search data from that of the population estimates and allows a value to be calculated for the change from one set of population estimates to another. For fixed numbers of stops and searches, any increase in the ratio of the number of white people to black people in the population will increase the RDR.

The number of excess black stops and searches is defined as the difference between the number of black stops and searches and the number there would have been if the incidence rate for the black population had been the same as for the white population. The latter figure is calculated from the ratio of white stops and searches to the number of white people, which is then multiplied by the number of black people in the population. The excess is then obtained by subtracting the result from the number of black stops and searches. As with the RDR, an increase in the ratio of the number of white people to black people in the population will also increase the excess.

The impact on the disproportionality measures of changing from one set of population estimates to another can therefore be shown by changes in the ratio of white to ethnic minority populations. Table 2 shows these at a national level.

In Wales for example, the 2009 PEEGs estimated there were 158 white people for every black person in the population, but the 2011 Census revised this figure to 168 white people for every black person in the population. The ratio of these two figures gives the factor by which the RDR will be multiplied when changing from using the 2009 PEEGs to the 2011 Census estimates in the calculation of RDR. In this case, the black/white RDR for Wales will increase by a factor of 1.07, or seven per cent, using the 2011 Census estimates instead of the 2009 PEEGs.

Table 2 Ratios of white to each ethnic minority population and RDR adjustment factors

	Black	Mixed	Asian or other
2009 PEEGs			
England	31	61	12
Wales	158	125	39
England and Wales	32	63	12
2011 Census			
England	27	49	10
Wales	168	111	37
England and Wales	28	51	11
Adjustment factors (2011 / 2009)			
England	0.86	0.80	0.88
Wales	1.07	0.89	0.95
England and Wales	0.87	0.81	0.89

Sources: EHRC analysis of ONS (2012) and ONS (2013)

In all other cases shown here, the adjustment factors are below one, which means that the RDRs will decrease as a result of changing to using the 2011 Census population estimates. For example, the mixed/white RDR for England will change by a factor of 0.8 which is a reduction of 20 per cent.

Table 3 shows these adjustment factors for each police force and for the London region compared with outside London (all other English regions plus Wales). See tables S2.1 and S2.2 in the supporting data for population estimates by police force area.

Table 3 RDR adjustment factors¹ by police force area

	Black	Mixed	Asian or other
Avon and Somerset	0.94	0.89	1.48
Bedfordshire	0.82	0.74	0.80
Cambridgeshire	1.74	0.89	1.14
Cheshire	1.78	0.99	1.27
Cleveland	1.71	0.99	1.02
Cumbria	3.32	1.18	1.84
Derbyshire	1.21	0.90	1.01
Devon and Cornwall	3.27	1.08	2.15
Dorset	2.73	1.00	1.48
Durham	3.20	1.09	1.88
Dyfed-Powys	3.47	1.09	1.52
Essex	1.12	1.04	1.68
Gloucestershire	1.45	0.98	1.66
Greater Manchester	0.73	0.77	0.78
Gwent	0.96	0.87	0.86
Hampshire	1.43	0.87	1.08
Hertfordshire	0.98	0.87	1.01
Humberside	1.77	1.15	1.95
Kent	1.44	1.00	1.13
Lancashire	1.76	0.94	0.92
Leicestershire	0.79	0.87	0.77
Lincolnshire	2.17	1.24	2.41

Table 3 RDR adjustment factors (continued)

	Black	Mixed	Asian or other
London, City of	1.55	0.52	0.78
Merseyside	0.94	0.84	1.05
Metropolitan	0.69	0.62	0.68
Norfolk	1.75	1.01	2.17
North Wales	1.77	0.94	1.03
North Yorkshire	1.71	1.16	1.81
Northamptonshire	0.86	0.83	1.40
Northumbria	1.43	1.13	1.09
Nottinghamshire	0.86	0.66	1.03
South Wales	0.84	0.84	0.89
South Yorkshire	0.86	0.94	1.05
Staffordshire	1.29	0.92	1.05
Suffolk	1.43	0.92	2.13
Surrey	1.89	0.97	1.00
Sussex	1.90	0.91	1.34
Thames Valley	0.84	0.85	0.85
Warwickshire	1.42	0.97	1.05
West Mercia	2.09	1.02	1.46
West Midlands	0.74	0.70	0.75
West Yorkshire	0.93	0.82	0.82
Wiltshire	1.41	0.95	1.10
London	0.69	0.62	0.68
Outside London	1.04	0.88	0.99

Sources: EHRC analysis of ONS (2012) and ONS (2013)

Notes: ¹ For RDRs based on 2011 Census data compared with those based on 2009 PEEGs.

This shows the extent to which the 2011 Census population estimates varied from the 2009 PEEGs in different police force areas. In some areas the ethnic minority populations were smaller than previously estimated, while in other areas they were larger. For example, in Cumbria the black population was smaller than expected, so the RDR will be 3.32 times larger. An example of the impact on the RDR of larger than expected ethnic minority populations is the West Midlands. The 2011 Census recorded more people of mixed ethnicity than the 2009 PEEGs and as a result the RDR will be reduced by 30 per cent.

The greatest impact is seen in the London region, where applying the 2011 Census estimates will result in reductions in the RDRs of 30-40 per cent.

The following chapters show the impact of both the latest stop and search data and the 2011 Census estimates on disproportionality measures for s.1 PACE stops and searches (Section 3) and for s.60 CJPOA stops and searches (Section 4).

3. Disproportionality under s.1 of the Police and Criminal Evidence Act

In 2010 the Commission published the *Stop and Think* report (EHRC, 2010), which analysed s.1 PACE stop and search data from 2003/4 to 2007/8. It compared for the first time the results of calculating RDRs using both 2001 Census population estimates, which had been the Ministry of Justice approach up to then, and ONS' PEEGs. It showed how lower RDRs were generally produced for the more recent years when based on the more up-to-date population estimates. The report also introduced the 'excess' measure to give a better idea of the net impact of police stop and search activity.

The headline 2007/8 figures for England in *Stop and Think* were:

- black/white RDR = 6.5
- black excess stops and searches = 145,000
- Asian/white RDR = 1.9
- Asian excess stops and searches = 43,000

Now the 2011 Census results have started to be released, it is possible to review the impact of these new population estimates combined with the latest stop and search data. The following tables do this by considering four analyses of s.1 PACE stops and searches:

- 2007/8 stop and search data plus 2007 PEEGs (as reported in *Stop and Think*),
- 2010/11 stop and search data plus 2009 PEEGs,
- 2010/11 stop and search data plus 2011 Census estimates,
- 2011/12 stop and search data plus 2011 Census estimates.

This enables the results in *Stop and Think* to be compared with results for 2010/11 using the same source of population estimates to show changes over that period. Then for 2010/11 results to be revised using 2011 Census data to show the impact of changing to the new source of population estimates. Finally for the latest 2011/12 results to be calculated using 2011 Census data and compared with 2010/11 to show changes between the latest two years.

Table 4 shows the black/white RDR for England increasing from 6.5 to 7.5 between 2007/8 and 2010/11. The RDR then fell back to 6.5 for 2010/11 as a result of changing the population estimates and fell again to 5.9 in 2011/12. In contrast to this, the black/white RDR for Wales increased slightly as a result of adopting the 2011 Census population estimates and increased again to 3.0 in 2011/12.

The RDR between the Asian or other and white populations for 2010/11 in England decreases from 2.2 to 1.9 based on the 2011 Census data then remains at 1.9 for 2011/12. The first figure of 1.9 is not comparable as calculated for the Asian ethnic group only. No disproportionality is seen for Wales (RDR = 1.0).

Table 4 Comparison of RDR estimates 2007/8 to 2011/12

	2007/8 (2007 PEEGs)	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Black/white RDR				
England	6.5	7.5	6.5	5.9
Wales	n/a ¹	2.4	2.6	3.0
England and Wales	n/a ¹	7.5	6.5	6.0
Asian or other/white RDR				
England	1.9 ²	2.2	1.9	1.9
Wales	n/a ¹	1.0	1.0	1.0
England and Wales	n/a ¹	2.1	1.9	1.9

Sources: EHRC (2010), EHRC analysis of HO (2012), HO (2013), ONS (2012) and ONS (2013).

Notes: ¹ England results only were published in *Stop and Think* for 2007/8. ² The 1.9 figure for this year refers to Asian/white disproportionality instead of Asian or other/white, please see explanation in section 1.

Table 5 now shows RDRs for London and the rest of England and Wales or 'Outside London'. In considering London, stop and search data have been included from the Metropolitan Police, City of London Police and British Transport Police. Differences in geographical coverage and in the availability of stop and search data for the British Transport Police mean that table 5 excludes data for 2007/8.

As noted in section 2, the London population diverged noticeably from the PEEGs which means that the RDRs for both black/white and Asian or other/white comparisons are lower when based on 2011 Census data. There remains a small gap between the black/white RDRs in London and outside London, although this decreased in 2011/12, while there is now little difference between London and outside London in terms of the Asian or other/white RDR.

Table 5 Comparison of RDR estimates for London region and outside London, 2007/8 to 2011/12

	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Black/white RDR			
London (inc BTP)	4.8	3.3	3.1
Outside London	2.5	2.6	2.8
Asian or other/white RDR			
London (inc BTP)	1.7	1.2	1.2
Outside London	1.2	1.2	1.3

Sources: EHRC analysis of HO (2012), HO (2013), ONS (2012) and ONS (2013).

Going on now to consider individual police forces, the Metropolitan Police carried out the most stops and searches under s.1 PACE, over 40 per cent of the total in both 2010/11 and 2011/12. In second place in both years, Greater Manchester carried out far fewer at 4.1 per cent and 4.5 per cent respectively. Complete data on numbers of stops and searches for these years are included in supporting data tables 1.1 and 1.2. These are analysed with population estimates in tables S2.1-2 to arrive at the RDRs in table 3.1.

Starting with black/white RDRs, table 6 shows how these have changed since 2007/8 (as reported in *Stop and Think*) for each police force in England and since 2010/11 in Wales. The main observation is that black/white RDRs can change substantially from year to year as well as when changing the population estimates from the 2009 PEEGs to the 2011 Census estimates.

Dorset had a relatively high black/white RDR in 2007/8 and 2010/11 based on PEEGs, but became the highest once again based on the 2011 Census data. This is in line with earlier estimates based on 2001 Census data.

Other police forces that moved to the top of the table in 2011/12 were Gloucestershire (7.8 in 2011/12), Wiltshire (6.9), West Mercia (5.6), Norfolk (5.5) and Sussex (5.4).

Devon and Cornwall's RDR increased from around parity (1.1) in 2010/11 based on the 2009 PEEGs to eleventh place with 4.6 in 2011/12. Cheshire also moved up the table to 19th place with an RDR of 3.4.

Some forces now have lower black/white RDRs than previously: Nottinghamshire's decreased from the highest (5.6) in 2010/11 based on 2009 PEEGs to tenth place in 2011/12; Leicestershire went from fourth to 15th place.

Table 7 shows mixed/white RDRs for which there were no comparable figures in Stop and Think. While the range of estimates is comparable across the three columns, there are examples of forces moving up or down the list as a result of changes to the population estimates used or in the use of s.1 PACE stop and search.

Warwickshire remained in first place in both years, while Nottinghamshire had the second highest RDR in 2010/11 based on 2009 PEEGs but fell to ninth place in 2011/12 using the 2011 Census estimates. Conversely Hertfordshire climbed from eighth to second place and Essex from tenth to third place.

Comparisons of Asian or other/white RDRs are shown in table 8. Note however that the results in the first column for 2007/8, taken from *Stop and Think*, relate to disproportionality between Asian and white populations, where Asian includes Indian, Pakistani, Bangladeshi and other Asian.

These measures also remained in the same broad range, but with some changes in the ranking of police forces. West Mercia now has the highest figure, 3.4 in 2011/12, overtaking Gwent and the West Midlands which remain in second and third place. In contrast Bedfordshire was previously equal with West Mercia, but has now moved down to sixteenth place.

Finally, table 9 shows 2011/12 estimates for 'excess' stops and searches under s.1 PACE (see also table S4.1). These are ordered according to the total for the three columns. As would be expected, the Metropolitan Police has the highest excess figures in each column.

Other forces with one or more excesses over 1,000 include West Midlands with 3,770 'excess' black stops and searches and 5,046 'excess' Asian or other stops and searches, and Thames Valley with 1,064 'excess' black stops and searches and 1,016 'excess' Asian or other stops and searches. Also West Yorkshire with 1,441 'excess' Asian or other stops and searches, Greater Manchester with 1,383 'excess' black stops and searches, and Avon and Somerset with 1,010 'excess' black stops and searches.

Table 6 Comparison of black/white RDRs under s.1 PACE, 2007/8 to 2011/12

Police force	2007/8 (2007 PEEGs)	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Dorset	5.0	3.8	10.4	11.7
Gloucestershire	3.3	3.4	5.0	7.8
Wiltshire	4.0	5.0	7.0	6.9
West Mercia	4.0	2.9	6.1	5.6
Norfolk	3.4	2.6	4.5	5.5
Sussex	2.9	2.7	5.2	5.4
Suffolk	4.6	3.0	4.3	4.7
Warwickshire	3.3	3.1	4.4	4.7
Surrey	2.3	2.4	4.5	4.6
Nottinghamshire	5.5	5.6	4.8	4.6
Devon and Cornwall	1.5	1.1	3.5	4.6
Kent	2.6	2.3	3.3	4.4
Hampshire	5.7	2.9	4.2	4.1
Essex	3.8	2.9	3.3	4.0
Leicestershire	4.7	4.8	3.8	4.0
Avon and Somerset	4.5	4.3	4.0	4.0
West Midlands	5.3	4.4	3.3	3.7
South Wales	n/a	3.6	3.0	3.4
Cheshire	1.6	1.9	3.4	3.4
Dyfed-Powys	n/a	0.7	2.4	3.3
Metropolitan Police	4.4 ¹	5.0	3.4	3.2

Table 6 continued

Police force	2007/8 (2007 PEEGs)	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Northamptonshire	3.7	2.8	2.4	3.2
Gwent	n/a	3.8	3.6	3.1
Derbyshire	3.0	2.3	2.8	3.1
Lancashire	1.0	1.7	3.0	3.0
Thames Valley	4.7	3.7	3.1	2.8
Lincolnshire	0.6	1.1	2.3	2.7
Hertfordshire	3.8	2.6	2.5	2.7
Cambridgeshire	2.6	1.7	3.0	2.6
Staffordshire	2.1	2.4	3.1	2.5
South Yorkshire	4.0	3.0	2.6	2.5
Bedfordshire	3.6	3.7	3.0	2.4
Humberside	1.1	1.2	2.2	2.2
Gt Manchester	3.5	3.8	2.8	2.2
Merseyside	1.8	1.9	1.8	2.1
North Yorkshire	0.7	0.9	1.5	2.0
Cumbria	0.3	0.7	2.5	1.9
West Yorkshire	2.4	1.9	1.8	1.9
Cleveland	0.7	0.9	1.6	1.7
North Wales	n/a	1.0	1.8	1.7
Durham	0.2	0.6	1.8	1.0
BTP	n/a	1.4	1.0	1.0
Northumbria	0.8	0.5	0.7	1.0

Sources: EHRC (2010), EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

Notes: ¹ 2007/08 RDR for London, which included Metropolitan Police and City of London data (see EHRC, 2010).

Table 7 Comparison of mixed/white RDRs under s.1 PACE, 2007/8 to 2011/12

Police force	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Warwickshire	4.3	4.2	4.4
Hertfordshire	3.1	2.7	3.6
Essex	2.8	2.9	3.3
Thames Valley	3.3	2.8	3.2
Gloucestershire	3.2	3.2	3.2
Leicestershire	3.2	2.8	3.2
West Mercia	2.8	2.9	3.2
Derbyshire	2.6	2.4	2.9
Nottinghamshire	3.8	2.5	2.7
Suffolk	2.9	2.7	2.3
West Midlands	3.2	2.3	2.2
Staffordshire	2.2	2.0	2.1
Northamptonshire	2.1	1.8	2.1
Dorset	1.5	1.5	2.0
Bedfordshire	3.3	2.5	1.9
West Yorkshire	2.5	2.0	1.8
Wiltshire	2.1	2.0	1.8
Gt Manchester	2.5	1.9	1.7
Cambridgeshire	1.9	1.7	1.6
Surrey	1.7	1.7	1.6
South Yorkshire	2.0	1.9	1.5
Gwent	2.1	1.8	1.5
Kent	1.3	1.3	1.5

Table 7 Continued

Police force	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Avon and Somerset	2.6	2.3	1.5
Metropolitan Police	2.2	1.3	1.5
Hampshire	2.1	1.8	1.4
Devon and Cornwall	1.0	1.1	1.3
Lincolnshire	0.9	1.1	1.3
Sussex	1.6	1.4	1.2
South Wales	1.5	1.3	1.2
Norfolk	1.3	1.4	1.2
Lancashire	1.4	1.3	1.2
Humberside	1.4	1.6	1.1
North Yorkshire	0.6	0.7	0.9
Merseyside	1.1	0.9	0.8
BTP	1.4	0.9	0.8
Cheshire	1.1	1.0	0.8
Cumbria	0.7	0.8	0.7
Dyfed-Powys	1.0	1.1	0.7
Cleveland	0.6	0.6	0.6
North Wales	0.8	0.7	0.4
Durham	0.5	0.5	0.3
Northumbria	0.3	0.4	0.3

Sources: EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

Table 8 Comparison of Asian or other/white RDRs under s.1 PACE, 2007/8 to 2011/12

Police force	2007/8 ¹ (2007 PEEGs)	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
West Mercia	1.7	1.9	2.8	3.4
Gwent	n/a	3.2	2.7	3.1
West Midlands	2.7	2.6	1.9	2.1
Gloucestershire	0.9	1.0	1.6	1.9
Staffordshire	1.5	1.7	1.8	1.9
Nottinghamshire	1.4	1.2	1.2	1.7
Cheshire	0.6	1.1	1.4	1.6
Kent	0.7	0.7	0.8	1.6
Thames Valley	2.4	1.7	1.4	1.5
Derbyshire	1.3	1.4	1.4	1.5
North Yorkshire	1.0	0.8	1.4	1.4
West Yorkshire	1.4	1.8	1.5	1.3
Leicestershire	1.5	1.6	1.2	1.3
Northamptonshire	1.1	1.0	1.4	1.3
Sussex	1.1	0.9	1.3	1.3
Bedfordshire	1.5	1.9	1.5	1.2
Lancashire	1.3	1.6	1.5	1.2
Humberside	0.3	0.6	1.1	1.2
Metropolitan Police	1.4 ²	1.8	1.2	1.2
Surrey	1.0	1.2	1.2	1.1
South Yorkshire	2.0	1.2	1.3	1.1
Suffolk	0.5	0.4	0.8	1.1

Table 8 Continued

Police force	2007/8 (2007 PEEGs)	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Hertfordshire	1.5	1.6	1.6	1.1
Gt Manchester	1.3	1.6	1.3	1.1
North Wales	n/a	1.1	1.1	1.0
Essex	0.8	0.7	1.1	1.0
Cambridgeshire	1.1	1.1	1.3	1.0
Warwickshire	1.2	1.1	1.2	0.9
Hampshire	1.3	0.9	1.0	0.9
Lincolnshire	0.2	0.3	0.6	0.8
Cumbria	1.2	0.4	0.8	0.8
Dorset	0.9	0.5	0.7	0.8
Wiltshire	1.0	1.1	1.2	0.8
Avon and Somerset	0.8	0.5	0.7	0.7
South Wales	n/a	0.8	0.7	0.7
Norfolk	0.6	0.4	0.8	0.7
Devon and Cornwall	0.3	0.2	0.5	0.6
Dyfed-Powys	n/a	0.4	0.6	0.6
Cleveland	0.4	0.7	0.7	0.6
Northumbria	0.6	0.5	0.6	0.6
Merseyside	0.4	0.4	0.4	0.5
Durham	0.2	0.2	0.4	0.4
BTP	n/a	0.5	0.3	0.3

Sources: EHRC (2010), EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

Notes: ¹ Asian / white RDRs for 2007/08, ² 2007/08 RDR for London, which included Metropolitan Police and City of London data (see EHRC, 2010).

Table 9 'Excess' stops and searches under s.1 PACE in 2011/12

Police force	Black / white	Mixed / white	Asian and other / white
Metropolitan Police	92,631	6,150	13,968
West Midlands	3,770	820	5,046
Thames Valley	1,064	824	1,016
West Yorkshire	714	538	1,441
Gt Manchester	1,383	551	398
Sussex	975	90	244
Leicestershire	540	276	396
Avon and Somerset	1,010	136	-157
Staffordshire	210	194	567
Surrey	591	138	139
Hertfordshire	385	401	50
Derbyshire	276	292	259
West Mercia	178	174	469
Hampshire	833	155	-175
Bedfordshire	387	122	199
South Yorkshire	445	109	133
Northamptonshire	387	135	89
Kent	324	48	171
Lancashire	154	33	345
Gloucestershire	262	111	93
Cambridgeshire	307	148	0
Gwent	79	29	318
Nottinghamshire	214	94	103
Dorset	305	68	-32

Table 9 Continued

Police force	Black / white	Mixed / white	Asian and other / white
Norfolk	367	30	-92
Essex	185	91	1
Warwickshire	113	141	-16
Wiltshire	217	38	-31
South Wales	314	34	-158
Suffolk	110	55	6
Humberside	59	9	46
Devon and Cornwall	147	37	-85
North Yorkshire	31	-3	52
Cheshire	27	-6	37
Lincolnshire	39	12	-12
North Wales	5	-15	2
Cumbria	16	-17	-21
Dyfed-Powys	49	-23	-63
Durham	0	-20	-41
Merseyside	255	-62	-374
Cleveland	109	-104	-482
Northumbria	-10	-209	-665
BTP	-21	-88	-1640
London (inc BTP)	92,777	6,097	12,261
Outside London	15,924	5,095	8,837
England	132,141	17,605	59,281
Wales	430	8	29
England and Wales	134,015	17,942	60,138

Sources: EHRC (2010), EHRC analysis of HO (2013) and ONS (2013).

The Commission's recent *Stop and Think Again* publication reported on work with five police forces: Thames Valley, Leicestershire, Dorset, West Midlands and the Metropolitan Police. The following paragraphs compare the results in that report with the latest results discussed above. In the majority of cases, estimates of disproportionality are lower in the latest analysis. Note however that Asian/white RDRs reported in *Stop and Think Again* differ from the Asian or other/white RDRs in this analysis, so comparisons can only be approximate.

The latest figures for Thames Valley Police suggest that disproportionality is lower than the estimates for April-June 2012 in *Stop and Think Again*, which were 3.2 for black/white RDR and 1.9 for the Asian/white RDR. The 2011/12 results above estimate the black/white RDR as 2.8 and the Asian or other/white RDR as 1.5.

Leicestershire's RDRs are similarly lower in this analysis. *Stop and Think Again* reported the black/white RDR as 4.2 and the Asian/white RDR as 1.9 for April-June 2012. Based on the 2011 Census estimates, the equivalent figures are: 4.0 for the black/white RDR and 1.3 for the Asian or other/white RDR.

The Metropolitan Police reported a figure of 4.0 for black/white RDR in 2011/12, higher than the latest figure above of 3.2. An Asian/white RDR of 1.8, was also higher than the latest Asian or other/white RDR of 1.2.

West Midlands Police provided several sets of estimates. They arrived at a figure of 4.9 for the black/white RDR in 2011/12 and of 2.7 for the Asian/white RDR. The latest West Midlands estimates shown above and based on the 2011 Census are again lower: 3.7 for black/white RDR and 2.1 for Asian or other/white RDR.

In contrast, Dorset's estimate of 4.3 for the black/white RDR in 2011/12 is much lower than the latest estimate of 11.7. This difference is due to the change in the source of population estimates since, of these five police force areas, only Dorset had proportionately fewer black people resident in their area compared with previous estimates (see section 2).

Compared with the *Stop and Think Again* report, there have in general been further improvements in these forces' levels of disproportionality, however further investigation of the situation in Dorset may be advisable.

4. Disproportionality under s.60 of the Criminal Justice and Public Order Act

In its 2012 briefing on stops and searches under s.60 of the Criminal Justice and Public Order Act 1994 (EHRC, 2012), the Commission reviewed the evidence on usage of this power and its impact on different ethnic minorities. In terms of disproportionality, it presented data on the six police forces with the highest numbers of s.60 stops and searches over the period April 2008 to March 2011. These six forces were: the British Transport Police, Greater Manchester, Lancashire, Merseyside, the Metropolitan and West Midlands Police.

This analysis presents the latest s.60 stop and search data for these forces and an additional four: Leicestershire, Nottinghamshire, Thames Valley and West Yorkshire Police. Together these ten forces comprised those carrying out the most s.60 stops and searches in both 2010/11 and 2011/12. In addition to analysis of 2011/12 s.60 data combined with 2011 Census data, the analysis compares RDR estimates for 2010/11 based on the 2009 PEEGs with those based on 2011 Census estimates.

Table 10 Comparison of RDR estimates under s.60 CJPOA, 2010/11 and 2011/12

	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Black/white RDR			
England	37.2	32.1	27.8
Wales	5.0	5.4	-
England and Wales	38.7	33.6	29.1
Mixed/white RDR			
England	8.6	7.0	6.8
Wales	3.0	2.7	-
England and Wales	8.9	7.2	7.1
Asian or other/white RDR			
England	8.3	7.3	5.5
Wales	5.6	5.3	-
England and Wales	8.5	7.5	5.7

Sources: EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

Note: - indicates no searches of this minority ethnic group.

At a national level, table 10 shows RDR estimates for England, Wales and England and Wales for three ethnic minority groups compared with the white population.

These results show how changing to 2011 Census population estimates reduced all 2010/11 RDRs for England and for England and Wales. These fell further in 2011/12, although black/white RDRs remained high: 27.8 for England. Wales RDRs were generally lower and were minimally affected by the change of population data. Zeros in 2011/12 indicate that only white stops and searches were carried out in Wales.¹

¹ Within Wales, only 20 s.60 stops and searches were recorded in 2011/12, all within North Wales. These were 16 stops and searches of white people and 4 vehicle only searches.

Since the majority of s.60 stops and searches are carried out by the Metropolitan Police, it is helpful to consider a breakdown into 'London' and forces 'Outside London'. For this analysis, stop and search data for London include those from the Metropolitan Police, City of London Police and British Transport Police. These are analysed using the ethnic profile of the population in the London region. The population for the 'Outside London' analysis includes the other eight English regions and Wales.

As noted in section 2, the PEEGs were known to have diverged from other sources of data for the London population and this was confirmed by the 2011 Census which estimated higher numbers of people in each of the ethnic minority groups considered here.

Table 11 Comparison of RDR estimates under s.60 CJPOA for London region and outside London, 2010/11 and 2011/12

	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Black/white RDR			
London (inc BTP)	11.0	7.6	6.6
Outside London	9.4	9.8	10.3
Mixed/white RDR			
London (inc BTP)	4.2	2.6	2.6
Outside London	4.7	4.2	3.9
Asian or other/white RDR[^]			
London (inc BTP)	3.8	2.5	1.9
Outside London	1.7	1.7	2.6

Sources: EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

Table 11 shows how adopting the latest population estimates takes the black/white RDR for London (7.6) below that for outside London (9.8) and widens the gap between the two areas' mixed/white RDRs (2.6 for London and 4.2 for outside London). Only the Asian or other/white RDR is higher for London (2.5) than outside London (1.7). This however changes in 2011/12, when all three RDRs are lower for London than for outside London.

In the same way that London drives up the overall RDR figures for England or England and Wales, it is likely that these RDRs for outside London are influenced by the concentration of these s.60 stops and searches in urban areas outside London.

Going on now to consider individual police forces, the Metropolitan Police again carried out the majority of stops and searches under s.60 CJPOA, over 80 per cent of the total in both

2010/11 and 2011/12. Complete data on numbers of stops and searches for these years are included in the supporting data (see tables S1.3-4). At the other end of the distribution, many forces reported only a small number or no stops and searches. The following tables present data on only the top ten forces in terms of numbers of s.60 stops and searches (see table S3.2 for data for all forces).

Starting with black/white RDRs, table 12 shows how these have changed since the earlier briefing for each police force, with forces ordered by their 2011/12 RDRs.

Table 12 Comparison of black/white RDRs under s.60 CJPOA for ten police forces, 2010/11 and 2011/12

Police force	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
West Midlands	28.0	20.7	29.0
Nottinghamshire	24.8	21.3	16.9
Thames Valley	10.5	8.8	10.9
Leicestershire	7.1	5.7	9.6
Metropolitan Police	11.1	7.6	6.7
Lancashire	2.1	3.7	5.3
West Yorkshire	2.5	2.3	4.3
Merseyside	3.3	3.1	4.0
British Transport Police	7.2	5.0	3.8
Greater Manchester	21.0	15.4	1.9

Sources: EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

Since the 2011 Census estimates increase the proportion of the population from the black ethnic group in most of these police force areas, their adoption reduces these black/white RDRs. The exception is Lancashire, whose figure for 2010/11 increased to 3.7. Despite these changes, the two forces at the top of the table (West Midlands and Nottinghamshire) remained unchanged. Changes in 2011/12 were a mixture of increases, for example for West Midlands to 29.0 which took it back to the top, and decreases, most notably with Greater Manchester moving to the bottom of the list with 1.9 from third place with 15.4.

Table 13 shows the equivalent analysis for mixed/white RDRs. In this case, all the RDRs were reduced by the change of population estimates and there were some changes in the order: Thames Valley and Nottinghamshire changed places at the top of the table, while Leicestershire, Lancashire, BTP and the Metropolitan Police changed order in the lower

half. The 2011/12 results show no changes in the top three, which are now ordered: Thames Valley (10.4), Nottinghamshire (8.0) and West Midlands (6.8). Most forces in this list saw an increase in mixed/white RDR in 2011/12, with the exception of Metropolitan Police, West Midlands, Greater Manchester and West Yorkshire. The latter two forces moved down from fourth and fifth places in 2010/11 to ninth and tenth places respectively in 2011/12.

Table 13 Comparison of mixed/white RDRs under s.60 CJPOA for ten police forces, 2010/11 and 2011/12

Police force	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
Thames Valley	10.0	8.5	10.4
Nottinghamshire	11.5	7.6	8.0
West Midlands	11.0	7.7	6.8
Leicestershire	4.1	3.6	5.3
Lancashire	3.1	2.9	3.8
British Transport Police	3.8	2.4	2.7
Metropolitan Police	4.2	2.6	2.6
Merseyside	1.7	1.4	1.7
Greater Manchester	8.2	6.3	1.5
West Yorkshire	5.0	4.1	0.9

Sources: EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

Finally looking at Asian or other/white RDRs for the same ten police forces shown in table 14. Note that these differ from the Asian/white RDRs presented in the earlier briefing. Changing the population estimates used in the calculation of these RDRs for 2010/11 decreases them for all forces shown, apart from Nottinghamshire which increased slightly. The ordering is only changed for those forces in second to fourth place, with Nottinghamshire moving up above the Metropolitan Police and Leicestershire.

The latest results for 2011/12 show increases for some forces, for example Lancashire's Asian or other/white RDR increased to 3.4 which took them from eighth to second place in the table and West Yorkshire's increased to 2.9 which took them from seventh to fourth place. Other forces saw decreases, including Greater Manchester which again moved down the table to joint last with Merseyside.

Table 14 Comparison of Asian or other/white RDRs under s.60 CJPOA for ten police forces, 2010/11 and 2011/12

Police force	2010/11 (2009 PEEGs)	2010/11 (2011 Census)	2011/12 (2011 Census)
West Midlands	7.9	5.9	6.0
Lancashire	1.2	1.1	3.4
Nottinghamshire	2.6	2.7	3.1
West Yorkshire	1.4	1.2	2.9
Metropolitan Police	3.8	2.6	1.9
Thames Valley	2.3	1.9	1.8
Leicestershire	3.4	2.6	1.6
British Transport Police	0.9	0.6	0.8
Greater Manchester	1.8	1.4	0.6
Merseyside	0.6	0.6	0.6

Sources: EHRC analysis of ONS (2010), HO (2012), HO (2013) and ONS (2013).

The last table shows the estimated 'excess' stops and searches for these ten police forces in 2011/12 based on 2011 Census population estimates (see also table S4.2). Not surprisingly, the largest excesses by far were for the Metropolitan Police, with each in the thousands, as a result of the concentration of s.60 stops and searches in London. Only three other forces had excess figures above 100: BTP with 281 'excess' black searches, West Midlands with 276 'excess' black searches and 164 'excess' Asian or other searches, and Leicestershire with 120 'excess' black searches.

In the course of the earlier analysis, the Commission wrote to four forces in 2011 asking them to explain the high levels of disproportionality observed in their s.60 stop and search data up to 2009/10. These four forces were: Great Manchester Police, Lancashire Police, the Metropolitan Police and West Midlands Police. The following sums up the latest figures for these police forces.

Greater Manchester Police increased the number of s.60 stops and searches in 2011/12 to 1,847 which was 3.9 per cent of the total. At the same time their black/white RDR fell dramatically to 1.9, their mixed/white RDR fell to 1.5 and their Asian or other/white RDR fell to 0.6. This reflects a swing to predominantly white people being stopped and searched, 83 per cent of the total in 2011/12, and appears to continue a downward trend in disproportionality seen between 2009/10 and 2010/11 (EHRC, 2012).

Table 15 'Excess' stops and searches under s.60 in 2011/12, ten police forces plus London, outside London, England and Wales

Police force	Black / white	Mixed / white	Asian or other / white
Metropolitan Police	13,326	1,183	3,735
British Transport Police	281	54	- 34
West Midlands	276	27	164
Leicestershire	120	42	65
Nottinghamshire	46	18	14
Greater Manchester	41	15	- 65
Thames Valley	37	23	10
Merseyside	33	10	- 11
West Yorkshire	13	0	48
Lancashire	2	4	26
London (inc BTP)	13,641	1,238	3,696
Outside London	657	178	439
England	15,822	1,841	6,932
Wales	-	-	-
England and Wales	16,213	1,927	7,088

Sources: EHRC analysis of HO (2013) and ONS (2013).

Note: - indicates no searches of this minority ethnic group.

Greater Manchester Police increased the number of s.60 stops and searches in 2011/12 to 1,847 which was 3.9 per cent of the total. At the same time their black/white RDR has fallen dramatically to 1.9, their mixed/white RDR has fallen to 1.5 and their Asian or other/white RDR has fallen to 0.6. This reflects a swing to predominantly white people being stopped and searched, 83 per cent of the total in 2011/12, and appears to continue a downward trend in disproportionality seen between 2009/10 and 2010/11 (EHRC, 2012).

Lancashire Police continued to reduce their use of s.60 from 531 stops and searches in 2010/11 to 187 in 2011/12, after a peak of 3,629 in 2009/10. However their RDRs increased in 2011/12 compared with the previous year to 5.3 (black/white), 3.8 (mixed/white) and 3.4 (Asian or other/white).

Although still carrying out the majority of s.60 stops and searches, the Metropolitan Police reduced the number from 53,509 in 2010/11 to 39,352 in 2011/12. Their black/white RDR reduced to 6.7 and their Asian or other/white RDR to 1.9, while their mixed/white RDR remained at 2.6.

West Midlands Police had high RDRs in all three categories in 2010/11. In 2011/12 the number of s.60 stops and searches increased to 699 from 319 in 2010/11 and this was accompanied by an increase in the black/white RDR to 29.0 and little change to the Asian or other/white RDR (6.0). They remained at the top of the table for black/white and Asian or other/white disproportionality, but a decrease in the mixed/white RDR to 6.8 moved them to third place.

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