



Stop & Search, Use of Force and Continuous Improvement Panel – External

Tuesday, 11th October 2022

6.00pm

Minutes

ATTENDEES

Christopher Cottam (CCo) - Chair
Hinnaa Iqbal (HI)
Halima Karbhari (HK)
Alan Price (AP)
Clinton Smith (CS)

IN ATTENDANCE

Ian Dickinson (ID)
Chief Inspector Mark Douglas (MD)
Jay Nicholas (JN)

APOLOGIES

Colin Carter
Nichola Grimshaw
Steven Montgomery
Dean Roscoe
Amanda Wooldridge

DECLARATION OF INTEREST

The Chair reminded members of the panel to consider whether they may have to disclose to the meeting knowing any individuals or officers in relation to any matters under consideration on the Agenda.

MINUTES OF THE LAST MEETING

The Minutes of the last meeting were accepted as a correct record.

MATTERS ARISING

One of the Panel members raised a query in connection to the last meeting regarding a young male officer who had acted in a responsible and respectful manner. It was asked whether any feedback had been made to this officer following the incident. MD replied that it is reliant on supervision.

Action: MD will look into this and feedback to the Panel via the OPCC to the Panel.

The Chair advised Panel Members that if it became apparent they knew any persons or properties during the discussions, they should make the Chair aware and step out of the meeting for that item.

REVIEW OF STOP SEARCH AND ASSOCIATED BWV

The Panel considered **5 Stop and Search Cases** chosen by an algorithm. In each case, the panel were shown an incident log, stop and search form(s) and BWV where available.

The Chair explained the S&S method to new panel members and explained the GOWISELY process.

The panel reviewed **Stop and Search Incident 1** with the following outcomes:

- **What went well**
 - The Officers told the suspects who they were
 - The grounds and object were clear.
 - Stop & Search forms in place
 - Findings met the objective
- **What did not go well**
 - The date range on the forms was incorrect due to Officer input error.
- **Additional information**
 - There was no BWV as these officers were plain clothes and would require harnesses to secure the BWV. The commissioning of this equipment is in process.
 - This matter was dealt with by community resolution and the suspect was given a warning and offers of drug support.

The panel reviewed **S&S Incident 2** with the following outcomes:

- **What went well**
 - Weapon recovered
 - Appropriate legislation used
- **What did not go well**
 - -
- **Additional information**
 - BWV was available and the Panel viewed the footage. The Panel asked why gloves had not been used to conduct the search. Chief Inspector Douglas advised that Officers were encouraged to wear gloves, however, it was noted that gloves would not prevent needles penetrating the skin.
 - The Panel felt that the Officer had handled the incident well and took care to move the police vehicle so it was not blocking the road. The Panel further asked whether the member of the public who reported the incident had been contacted. MD advised that it is routine for the Control Room staff to provide an update after the event.
 - the search was already underway, therefore, there was no clarity around the use of GOWISELY. It was agreed that the BWV should have been switched on sooner as it was valuable for the panel to see the interaction. It was noted that the suspect had numerous drug pipes on his possession. The Panel was advised that it was not an offence to possess a pipe, but it was an offence to supply. It was also noted that the suspect had a sim card in his possession which again was not an offence, but suspicious.

The panel reviewed **S&S Incident 3** with the following outcomes:

- **What went well**
 - Incident was handled calmly and sensitively by Officers.
 - Details had been sent to the MASH
 - No further action
- **What did not go well**
 - GOWISELY had not been carried out and should have been used.
- **Additional information**

The panel reviewed **S&S Incident 4** with the following outcomes:

- **What went well**
 - The Panel felt there was a good positive solution in this case.
- **What did not go well**
 - BWV was intermittent and initially had no sound.
 - The log recorded the incorrect power of arrest
- **Additional information**
 - Chief Inspector Douglas advised that the online reporting form would not allow Officers to select both drugs and weapon. However, a systems update is due which will solve this issue.
 - It was noted that the officer did not wear gloves. The Panel were advised that officers are trained to undertake a search safely and are encouraged to wear gloves. However, it was noted that gloves would not prevent needles penetrating the skin.

Commented [D11]: I think this is the other way around. The current system doesn't prevent officers choosing the incorrect grounds. This will be addressed with the system update, but check with Mark.

The panel reviewed **S&S Incident 5** with the following outcomes:

- **What went well**
- **What did not go well**
 - The Stop & Search forms indicated BWV had been activated by both officers, but none could be found.
 - The time range on the Stop & Search forms was incorrect.
- **Additional information**
 - Two officers involved and the BWV did not activate for either officer.
 - The panel queried whether it is apparent when BWV has been activated and Chief Inspector Douglas confirmed that would be aware.
 - Concerns were also raised around near misses and it was felt these should be recorded to ensure any patterns could be identified. Chief Inspector Douglas agreed. He confirmed there are systems in place to pick this up.

SECTION 60 AUTHORITIES SINCE THE LAST MEETING

The Panel were reminded that Section 60 of the Criminal Justice and Public Order Act 1994 allows a senior police officer to authorise constables to stop and search persons in a specific area, either where a serious

public order problem is likely to arise or has taken place, or for offensive weapons or dangerous instruments.

The Panel were informed that no Section 60 Notice had been issued in the last 3 months.

UPDATE ON RIDE-A-LONG

A pilot of the Ride-a-Long was due to take place in East Division and all Panel members would be asked if they wished to attend. It was noted that training would be required for new members on the Panel. Mr Dickinson advised that work was ongoing to invite students from the local universities to work with the Panel to ensure it has a diverse membership.

REVIEW OF USE OF FORCE

The Panel considered 5 Use of Force Cases chosen by an algorithm. In each case, the panel were shown an incident log, Use of Force form(s) and BWV where available.

The panel reviewed **UoF Incident 1** with the following outcomes:

- **What went well**
 - The officers handled a difficult situation well, were remained calm and gave time to the individual.
 - They maintained control throughout.
 - Powers communicated to individual
 - Officers acted in the best interests of the distressed female at all times.
- **What did not go well**
 - Two Officers were asking questions of one of the neighbours at the same time which led to poor communication.
- **Additional information**
 - The Panel asked whether there was a limit on the number of BWVs which could be activated by officers. Chief Inspector Douglas confirmed there was no defined limit however, the use must be proportionate. He advised that officers must be wary of the life of the battery on the equipment although it was helpful that data was automatically uploaded to a cloud based system.
 - It was felt by the Panel that initially the male appeared to be trying to calm the situation, however, his presence did appear to exacerbate issues. Perhaps Officers could have moved him away earlier. Chief Inspector Douglas agreed this was an interesting point and Officers should always be mindful of what steps were necessary, lawful and proportionate.
 - It was agreed by all the Panel that the Officers acted in the best interest of the female and handled the scene effectively.

The panel reviewed **UoF Incident 2** with the following outcomes:

- **What went well**
 - Clear evidence of Officers prioritising protection of a child from possible harm
 - It was evident from the BWV why forced entry was used. The situation was calm and there was no risk to the child.
- **What did not go well**

- The incident log only referred to the subject being calm and therefore the Panel queried why the taser was deployed.
- The Panel felt there was confusion around the terminology used by the Officers as the female was referred to as both "informant" and "victim".

Additional information

- All Panel members felt the actions of the officers were appropriate and proportionate.
- Chief Inspector Douglas advised that a warrant was not always necessary to gain entry to a property

The panel reviewed **UoF Incident 3** with the following outcomes:

- **What went well**
 - Use of Force was appropriate. Lawful and justified actions by the police officers.
 - Response to a 999 call and therefore Grade 1 and blue lights deployed.
- **What did not go well**
 - Male Officer used inappropriate language due to frustration, however, this was in the police van whilst driving and only another officer was present, no members of the public.
 - Poor understanding of the layout of the premises enabled the suspect to evade police.
- **Additional information**
 - The layout of the town is question makes it difficult to police on foot, and occasionally, using vehicles.

The panel reviewed **UoF Incident 4** with the following outcomes:

- **What went well**
 - Lawful, reasonable and proportionate actions by the police officer.
 - Correct and justified use of force (handcuffs)
- **What did not go well**
 - -
- **Additional information**
 - -

The panel reviewed **UoF Incident 5** with the following outcomes:

- **What went well**
 - There were children clearly in the property at the time and they were kept safe and well.
 - The second officer was able to de-escalate the situation by appropriate use of language and calm manner.
- **What did not go well**
 - One of the two officers allowed the interaction with the suspect to escalate and was slapped by the suspect.

- **Additional information**

- It was noted that 1 handcuff was used rather than the usual two and Chief Inspector Douglas advised this was a Home Office approved action.
- The suspect went on to make threats to kill and was also arrested for this action.

Commented [D12]: Just be mindful of GDPR. If someone can read the information and consider that it is about them then we are in breach

COMPLAINTS DATA AND CONCLUSION

The Panel received a presentation in relation to complaints.

The panel were advised how members of the public could make a complaint to Lancashire Constabulary and the mechanisms by which a complaint would be resolved and reviewed.

It was noted that during the last 12 months 10,746 Stop & Searches had taken place. Out of those, 21 complaints had been received, 11 were dealt with by service recovery and 10 were recorded as formal complaints by the Professional Standards Department. Once enquiries were finalised, none of them progressed to a misconduct matter.

Again, during the previous 12 months, Stop & Search incidents were down by 500 on the previous year and complaints were down by 50%.

The panel commented that having the availability of BWV was very helpful to have an overall view of what occurred. The Chair commented that there was assurance in the data in that there were almost 11,000 incidents and yet a comparatively low number of complaints (21).

Chief Inspector Douglas advised that oversight from an external, non-police Panel was very valuable as it provided balance.

ANY OTHER BUSINESS

Chief Inspector Douglas confirmed that training would be provided for all new members of the Panel. It was agreed that all Panel Members should be encouraged to attend.

Mrs Angela Harrison
Chief Executive