

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

Wednesday, 26th July 2023 at 6.00pm



MINUTES

IN ATTENDANCE

Inspector Jon Campbell-Smith (JCS)
Amanda Wooldridge (AW)
Connor Eastwood (CE)
Dean Roscoe (DR)
Jane Pearson (JP) – OPCC
Amy Robertson (AR) - OPCC

APOLOGIES

Chris Cottam (Chair)
Hinnaa Iqbal
Rob Gomery
Ian Dickinson
Jay Nicholas
Supt Chris Hardy (CH)

DECLARATION OF INTEREST

The Panel nominated JP to chair the meeting in the absence of Chris Cottam (Chair). She 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. 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.

1. MINUTES OF THE LAST MEETING

The Minutes of the last meeting had been approved and were accepted as a correct record.

2. ACTIONS FROM PREVIOUS MEETING

- 1) **ACTION:** It was noted at the previous meeting that stop and search forms had been lacking in detail and JCS was asked to look into this matter and report back to the Panel at the next meeting.

JCS had found no specific reason as to why stop and search forms had been lacking in detail however indicated that feedback would be provided to officers around this.

Action complete.

- 2) **ACTION:** At the last meeting the Panel had raised concerns regarding officers not always activating BWV when attending incidents. IDD & CH were asked to look into this issue and provide an update at the Panel's meeting in July.

The OPCC had highlighted this issue in a recent meeting with PSD and asked that officers be reminded of the importance of activating BWV. PSD were asked to provide an update at the next meeting with the OPCC.

JCS noted that officer safety training had been redesigned and now included more information about the use of BWV and the importance of activating cameras when attending incidents. In addition, Supt Hardy was looking into using 'dummy' BWV cameras during training in the hope this will encourage officers to use when attending real incidents. The Constabulary were also looking at dip sampling cases to check whether BWV had been activated.

Action complete.

- 3) **ACTION:** At the last meeting Supt Hardy had asked the Chair whether he would agree to recording a video about the Panel and highlighting his role as Chair. The Chair confirmed he would and felt it would also serve as a reminder to officers of the scrutiny of the Police by the public.

OPCC to liaise with Chris Cottam to arrange.

Action ongoing.

- 4) **ACTION:** At the last meeting Supt Hardy indicated he would prefer to run the ride-a-long project alongside the Constabulary's various targeted operations, particularly Operation Vanquish. He was asked to contact JN once the dates for Operation Vanquish were confirmed. JN to then liaise with Panel members to confirm their availability to attend.

It was noted that Operation Vanquish may not be the best targeted operation to run the ride-a-long project alongside, as it only runs once a month and the theme of each targeted operation changes each month and will not always require officers to use stop and search.

JCS suggested to run the scheme alongside Operation Centurion as this will include more use of stop and search powers. JCS to look into this and report back to the Panel.

Action ongoing.

3. UPDATE IN RELATION TO STOP & SEARCH DATA

A verbal update was given.

There had been a 33% increase in the use of stop and search in first three months of 2023 compared to the same period last year. It was noted that there had been an increase of 66% in South, 35% in East and 27% in West. The Panel felt this was a positive result and would provide reassurance to the public.

It was noted that some of the those subjected to a stop and search were not always stating their ethnicity on the stop and search form. The Constabulary were looking to make this field on the form mandatory to complete but would provide the option to not disclose.

REVIEW OF STOP SEARCH AND ASSOCIATED BWV

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

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

- **What went well**
- The officer was polite and informative.
- The Panel was approving of the officer putting his body worn camera on the cars dashboard as this clearly captured the officer's interaction with the suspect who was sat in the back of the car.
- The officer informed the subject of his name and where he worked.

- **What did not go well**
- The officer only mentioned sections of stop and search when he was sat in the car with the suspect after the search of the vehicle had been completed.
- During the search, the officer had asked the suspect to take the pram out of the boot of his car but failed to search the pram once removed.
- A Panel member felt the officer did not capture everything under GOWISELY in his interaction with the suspect.
- It was felt that the officer at times was undermining and should not have made a comment about stop and search being political.
- The officer's grounds for stop and search were limited and the Panel would have preferred more detail around this.

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

- **What went well**
- The officer was very pleasant and had explained to the suspect why he had been stopped (valid reason) and that a search was going to be undertaken.
- The officer advised the suspect that he could request a copy of the stop and search form.
- There were enough grounds to conduct the stop and search

- **What did not go well**
- Whilst the officer observing the search had switched on their BWV, the officer conducting the search did not. The officer conducting the search would have captured more audio on his BWV and as such, the Panel would have preferred both officers to have activated BWV.
- A Panel member noted that the officer not conducting the search had failed to put on gloves. The officer conducting the search had passed his colleague an item which could have been compromised if used as evidence.
- The officer said to the suspect that one of the reasons a search was being undertaken was due to what he was wearing. The Panel had differing views about whether this comment

was appropriate, as in some instances there will be a need to take appearance into account but also could be considered discriminatory.

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

- **What went well**
- The officer was polite and friendly.
- GOWISLEY was a little rushed but was captured in the search.
- The officer was really clear.

- **What did not go well**
- The officer only gave the suspect the option to collect the stop and search form from a police station. JCS indicated that in some situations, it is not feasible to offer a suspect the form at the time i.e., this could depend upon the time of night the search is being undertaken or the area. However, it was acknowledged that if this was the case, this should have been explained to the suspect and an alternative option provided if necessary.

- **Additional information**
- The Constabulary were looking at using QR codes that can be given to suspects during a search to access their stop and search form.
- A Panel member commented that whilst the visual of BWV is good, it is sometimes difficult to hear the audio. JCS noted that the technology is always developing and would look into this (**ACTION**)

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

- **What went well**
- Overall, the search was good. The officer had moved the suspect out of the road and had gotten him under control. He had also explained the search to the suspect.

- **What did not go well**
- The officer switched off his BWV upon concluding the search and did not capture the interaction with the suspect following.
- The officer did not seem to give the suspect vulnerable person status and was shouting in his initial interaction with him. However, the Panel did not see what had happened before the BWV was switched on and there may have been a reason as to why the officer was interacting with the suspect in this manner i.e., may have been members of the public in danger.
- The Panel would have preferred to see more consideration given to the suspects mental health as there was indication of self-harm.

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

- **What went well**
- GOWISELY referenced.
- The Panel was satisfied with how the suspect was handcuffed and also that he was asked to open his mouth during the search as this is not routinely checked.

- The officers colleague was good in respect of health and safety.
- **What did not go well**
- A Panel member felt the officer was quite antagonising at times. For instance, when the suspect asked, 'am I being nicked' the officer replied with 'I don't know, are you?'
- A Panel member felt the officer could have been more professional in his interaction with the suspect.
- There were occasions when both officers were talking to the suspect at the same time which could have been overbearing.
- In regard to learning and development, would have preferred the PC to undertake the search rather than the Sgt.
- **Additional information**
- It was noted that in some of the footage viewed GOWISELY had been rushed.

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 Chair again 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. 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.

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

- **What went well**
- The officer gave the suspect a number of warnings before making the arrest.
- The officer was assertive and professional.
- **What did not go well**
- A Panel member felt the officer was unprofessional at times as quite argumentative with the suspect.
- The suspect seemed to be walking away when the officer arrested him. However, it was noted that whilst walking away, the suspect continued to swear at the officer.

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

- **What went well**
- The Panel agreed officers were quite patient with the suspect.
- **What did not go well**
- The Panel were unsure whether the suspect should have been handcuffed in this instance as he was more passive aggressive/sarcastic rather than aggressive. However, it was noted that the suspect was trying to walk away/control the situation which would justify handcuffs being applied.

- **Additional information**
- Officers are most at risk of assault by a suspect when putting them into the police van and when taking them into custody. Therefore, when making a decision as to whether a suspect should be handcuffed, officers will consider if there is any indication the suspect will become aggressive.

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

- **What went well**
- The officers handled the situation well and were gentle considering there was use of force.
- Officer gave consideration to the distress felt by the suspect and was dabbing her head with a wet towel. The officer was trying to de-escalate the situation and the level of care given was commendable.
- Panel agreed that officers did very well considering the circumstances.

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

- **What went well**
- The suspect was swinging their arms around and as such, the Panel felt the use of force was justified.
- **What did not go well**
- It was felt that officers could have used different techniques rather than PAVA.
- PAVA was not reference on the incident form.
- The Sgt shouted, 'someone PARVA him'. This could have been construed as an order when it should be officer's own decision to use force. JCS indicated this would be fed back to the Sgt.
- **Additional information**
- A Panel member asked whether officers continue to use spit hoods. JCS noted that these are not as widely used anymore. Officers would routinely replace them in custody for a new one when used. Constabulary will be looking into how often officers are using spit hoods.
- It was noted that the suspect had an injury around his eye and the Panel was uncertain as to whether this was caused due to use of force. It was noted that this should have been checked once the suspect had arrived in custody.
- The Panel members were uncertain as to whether the officer was hitting the suspect at the beginning of the video. JCS indicated that he could have been undertaking a distraction strike to try and get control of the situation.

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

- **What went well**
- The officer was polite considering the threats being made by the suspect.
- The officer's technique was good as he had positioned the suspect against the wall. This limited the amount of space the suspect had to become aggressive and avoided harsher use of force techniques to control the situation.

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 one Section 60 Notice had been issued in Fleetwood due to vehicles being set on fire. This had resulted in a number of stop and search being undertaken. Officer's had reviewed this case and were happy with the use of Section 60 Notice.

UPDATE ON RIDE-A-LONG

This item had been covered earlier in the meeting.

COMPLAINTS DATA AND CONCLUSION

A verbal update was provided.

It was noted that overall complaints had decreased.

It was noted that having BWV makes complaints easier to deal with.

ANY OTHER BUSINESS

No other business was noted.

NEXT MEETING

Wednesday, 18th October 2023

Mrs Angela Harrison
Chief Executive