

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

Wednesday, 18th October 2023 at 6.00pm



MINUTES

IN ATTENDANCE

ACC Russ Proctor (RP)
Supt Chris Hardy (CH)
Inspector Jon Campbell-Smith (JCS)
Connor Eastwood (CE)
Dean Roscoe (DR)
Clinton Smith (CS)
Rob Gomery (RG)
Alan Price (AP)
Nichola Grimshaw (NG)
Glen Ireland (GI)
Louise West (LW)
Carol Benton (CB) – OPCC

APOLOGIES

Chris Cottam (Chair)
Halima Karbhari
Paul Hudson

ACC Proctor welcomed everyone to the meeting and thanked members for volunteering their time to sit on this panel.

Supt Hardy echoed that and affirmed how important feedback from members was in respect of learning and improving the service.

DECLARATION OF INTEREST

The Panel nominated JCS to chair the meeting in the absence of Chris Cottam (Chair). He 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 that at the previous meeting the Chair had agreed to record a video about the Panel and highlighting his role as Chair. This has not yet been completed and CH undertook to contact the Chair outside the meeting to progress the matter.

Action ongoing.

- 2) **ACTION:** At the previous meeting JCS undertook to look into the ride-a-long scheme and whether to run it alongside Operation Centurion.

CH advised members that some forces have a stop and search ride-a-long scheme but that is not the way that Lancs wish to go, as officers may feel compelled to do a stop search. He prefers to operate the ride-a-long scheme in it's widest terms. A draft Policy and Risk Assessment have been prepared and, once approved, the intention would be to use members of this panel as a small controlled sample to see if it works. He referred to Operation Sceptre, focussed on knife crime, which will result in more stop searches. He hoped to do a live time scrutiny panel which had been used to good effect by BTP. CH advised that once dates were known he would invite members to participate through CB.

Action ongoing.

- 3) At the last meeting concerns were raised about not all officers activating their BWV and about the quality of the audio on BWV.

JCS updated members on the work undertaken to ensure officers did activate their BWV, the role of supervisors in dip sampling and the use of dummy cameras in training to get officers in the habit of activating it.

Action complete.

3. UPDATE IN RELATION TO STOP & SEARCH DATA

A verbal update was given. The panel were advised that the dashboard had been re-designed and outcomes added to the data set, though the intention was still to add more levels. It was confirmed that there are no targets for stop and search, the expectation being that if the circumstances are there a search would be undertaken.

It was noted that the overall number of stop and searches had increased across the board compared to the same period last year. There was some re-assurance that the increase had been gradual and the reason for this is that there are more officers on the front-line.

It was noted that some of the those subjected to a stop and search were not always stating their ethnicity, though the number of 'not recorded' was coming down. It is unclear whether the question isn't being asked or not being answered. Stop searches were also in line with the makeup of communities but it was still important to look at the subject's experience, how it made them feel. Work is ongoing to try and break the ethnicity data down further.

Stop search by age shows it was mainly the younger age group being stopped, but because individuals aren't obliged to provide this information the number of 'not recorded' is high. It is important to understand the age split better, is it under 12 years or 15 to 17 years for example.

Data by outcomes is the newest addition, showing positive outcomes in terms of numbers arrested, warned, cautioned etc. sitting between 15 – 20% across all BCUs.

A panel member asked whether data was held on the number of stops where nothing was found but an arrest was made due to escalation of the stop. CH confirmed not but that he would add this to the Pronto wish list to see if it can be done. Issues relating to the algorithm were discussed.

Action: CH to compile a list of additional data requests for Pronto.

Action: Members to advise what data they thought should be collated through CB.

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 calm and polite.
 - The individual stopped was dealt with quite well.

- **What did not go well**
 - The officer said he was from Lancashire station, which is incorrect.
 - The officer didn't check the suspect understood why he was being searched.
 - There were a lot of ground shots from the BWV
 - Panel members felt the officer did not capture everything under GOWISELY in his interaction with the suspect, he failed to state the objectives of the search, it was rushed and could have been louder. Due to the speed and pace of the interaction one member thought the stop might be interpreted as being aggressive?
 - The search itself was low key, and although the officer said they would search the bag there was no sign of it being done on the BWV.

- **Additional Information:**
 - A panel member questioned whether it was always necessary to use handcuffs, in this case the suspect stopped was calm and compliant? It was confirmed this was down to the officer but a valid point as in this case there were other officers present.
 - It was confirmed the camera followed the officer's shoulder movements and it is hoped the new cameras will have a wider lens. Peer recording is also currently being tested.

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

- **What went well**
 - The stop had a positive outcome in that an arrest was made.

- **What did not go well**
 - There was no GOWISELY on the BWV and members felt it unlikely to have been done prior to switching the BWV on, leading members to ask could it have been activated earlier, but accepting that battery life is an issue. If GOWISELY had been done the proper procedure hadn't been followed therefore feedback was required.

- A Panel Member thought there was a bit of judgement in how the officer presumed the suspect used drugs, asking when did you last use drugs rather than do you use drugs and then probing.

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

- **What went well**
- Some felt the officer's communication was good, he explained they had intel as the grounds for the stop and stated what station he was based at.
- **What did not go well**
- Some felt GOWISELY was not properly covered, there wasn't enough time, it was rushed and delivered in a robotic manner. The suspect wasn't informed of their right to a copy of the search log.
- The search itself was quick, given the intel held. The suspect was in control of the search and the jeans pockets were not properly searched. There was no evidence of a vehicle search on the BWV.
- BWV was on but was brief.
- **Additional information**
- The Constabulary informed panel members of the enhanced features of the new BWC's, which will hopefully improve picture quality and incorporate a 30s sound and video facility plus a 30s post record facility if possible.

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

- **What went well**
- The Panel did not identify anything which they thought went well.
- **What did not go well**
- There was no GOWISELY evident on the BWV, though it was acknowledged some of it might have been done.
- There was no evidence of a vehicle search from the BWV. In view of the fact Stinger was used the panel thought a more thorough search might have ensued.
- The officer didn't seem to control the search. The Panel felt there might be a fear of male to female searches, and no other option was considered, ie to call a same sex officer to do it.

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

- **What went well**
- The panel acknowledged the transparency of Lancashire Constabulary is using this example, as they could find nothing that went well.
- **What did not go well**
- There were no legal grounds for the stop, and a mis-match of legislation was quoted.
- Panel members felt the officer was quite re-active with the suspect, with the conversation going back and forth. One member felt the officer might have talked the suspect's name out of him with a different approach. It was likened to a child – child interaction whereas the officer should have been the adult. The panel felt feedback to the officer was required.
- Best practice might have been to take the bike off the suspect to avoid him making off on it.
- S50 didn't seem appropriate in the circumstances as seen, there was no apparent ASB.

- The search conducted was deemed ineffective.
- **Additional information**
- It was noted that the officer failed to take the suspect home, despite him being 14 years of age and it being the early hours of the morning.

REVIEW OF USE OF FORCE

The Panel considered 4 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 went through the caution.
- **What did not go well**
- A Panel member felt the officer was unprofessional at times, being quite argumentative with the suspect.
- The dress and appearance standards of the officers were below the standards expected. CH advised this would be fed back to them.

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

- **What went well**
- Some panel members felt the officer did well at the beginning whilst he was on his own, but one felt he was over assertive which set the tone.
- **What did not go well**
- The Panel agreed the officer lost control of the situation at the end of the stop and became somewhat argumentative.
- The officer didn't explain the powers properly.
- **Additional Information**
- Whilst agreeing the need for officers to try and engage and build relationships there was mixed feelings about his use of the term 'mate', which some didn't like but others acknowledged it's effectiveness for example in custody when they have used it.

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

- **What went well**
- The arrest was made quickly upon entering the room.
- The officer explained clearly why the suspect was being arrested.
- The suspect was afforded privacy to maintain his decency.
- **What did not go well**

- The officer knelt to assist the suspect to put his trouser on, making themselves vulnerable to being kicked for example.

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

- **What went well**
- The example shows use of force forms are being submitted for use of handcuffs.
- The way the officer approached the suspect was good.
- The officers' tone was good and the interaction went well.
- **What did not go well**
- GOWISELY was missing, no necessity criteria given, officer was a bit robotic.
- **Additional information**
- A Panel member felt the BWV might have been activated earlier. It was acknowledged there were issues with BWV, of officers not activating them or not activating early enough, of the 3 second without audio, the quality of recording etc. There is now better provision of cameras, the use of dummy cameras in training helps officers develop muscle memory and younger officers routinely use social media more. Sergeants are also now mandated to review so many cases per month and provide feedback. This month 722 cases had been reviewed to date overall.

SECTION 60 AUTHORITIES SINCE THE LAST MEETING

This item was not discussed due to time constraints.

Post meeting update –

Panel members are 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.

One Section 60 had been authorised in the last quarter, in Claremont ward of Blackpool. This will be fed back to panel on the next meeting and members given the opportunity to review

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 for the last quarter, BAME related Stop searches was at 11% (493 of 4627) and Use of force used forms submitted with regards to BAME persons was 10.5% (595) 5682. These are both in line with percentage of stop search and use of force over the last 12 months.

In the last quarter there had been 10 complaints to PSD regarding stop search and Search of which 1 was BAME, 1 not stated, 3 unknown and 5 White. Year to date, there were 13 complaints. 1 BAME, 1 not stated, 4 unknown and 7 White.

With regards to Use of force, in the last quarter there had been 46 complaints to PSD, of which 2 was BAME, 15 unknown, 2 other and 27 White. Year to date, there were 88 complaints. 6 BAME, 2 not stated, 2 other, 21 unknown and 57 White.

It was noted that the biggest complaints were not about the search itself but the incivility of officers.

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

A panel member asked if it was possible to look more closely at the complaints data.

Action: JCS to arrange for Zahid Dudhia to attend and give a more detailed complaints update.

ANY OTHER BUSINESS

No other business was noted.

NEXT MEETING

Wednesday, 24th January 2024

Mrs Angela Harrison
Chief Executive