



## Stop and Search Scrutiny panel

**Location:** Stetchford Police station and also Virtual via Teams

**Date and Time:** 26<sup>th</sup> September 2022

### In Attendance:

**In person** - A. French (AF) Chair, S. Graham (SG), W. McLoughlin (WM), N. Cox (NC), T. Bickley (TB), M. Sharif (MS), PC. Gallon, PC Elliot, PC Fellows, PC Robinson, SGT Reeves

**Virtually** - S. Rivers (SR), D Madden (DM), Mr Ali (MA)

**Apologies:** None

Welcome and introduction.  Minutes of the last meeting.  Update on any actions taken from last meeting	<ol style="list-style-type: none"><li>1) Are there any problems with the E Search software which is causing BWV to not be saved? <b>I have checked with the lead officer and there were no system issues during the last data run.</b></li><li>2) How can you account for the missing videos? <b>The volume of incidents where BWV was not saved seems an anomaly as up until that point most videos are saved correctly.</b></li><li>3) Include Positive Outcomes by Ethnic group in future data sets. <b>Included in this months presentation.</b></li><li>4) How do the police satisfy themselves that handcuffing is used for legitimate reasons rather than for creating power imbalances or punishment? <b>There are a number of reviews undertaken by 1<sup>st</sup> line managers, then by the NPU peer review process to ensure standards are maintained. A recent introduction is that if officers use handcuffs compliantly they should make a record in their PNB, if they are used non-compliantly then a use of force should also be recorded. Every officer is accountable for their decisions regarding use of force and there is legislation under Common Law, PACE 1984 and Police Reform that is the test.</b></li><li>5) Are drug tests administered as a matter of course on drivers when officers suspect that cannabis has been smoked in the car that they are driving? <b>Not all officers are trained and/or have the necessary kit to administer a drugs test to a driver. An arrest can be made under S4 road traffic act if an officer believes the person is under the influence of drink or drugs. They can seek support from another officer if they are available or could ensure the driver does not drive any further by seizing the keys or getting a 3<sup>rd</sup> party to attend. If an officer suspects the person is unfit to drive they should not be allowed to continue to do so.</b></li><li>6) Stop &amp; Search record number 5. Are there any legitimate reasons behind the 6 week delay in signing off the E Search record? <b>The supervisor for the officer involved was on a prolonged period of sickness and as search sign offs are allocated to the relevant person for review and sign off nobody else would have necessarily known it was awaiting sign off.</b></li><li>7) Why was there no BWV recorded for the officer who conducted the search? <b>There are a number of possible reasons including, the officer did not record the incident, he did not save the footage correctly or he was using a pool camera and so may not have been assigned to him on the system.</b></li><li>8) Can we have clarification on what the triggers are for officers to use force particularly for dog bites, baton strikes and Taser discharge. <b>As is detailed above all use of force must be justified by the person using that force. There is case law and legislation that gives a framework for force but there is no taught or accepted trigger for when it is used. It is usually to protect officers/public and sometimes the subject themselves, to prevent offences, to lawfully detain a person. Each case is reviewed on it's merits.</b></li></ol>
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UPDATE on  
stop and search  
data from In-  
specter Graham

TB asked why there is a dash for some of the Stop & Search figures for August.

It was noted that there is a falling rate for Positive Outcomes for Stop & Search from June/July to August.

Given the disproportionality ratio for Asian Stop & Searches and the low Positive Outcome rate it was noted that this implied a higher number of 'non find' Stop & Searches for Asian people. The panel will keep an eye on this data.

SR asked about the difference in Positive Outcome Rates for different ethnic groups compared to the average Positive Outcome Rate for BE. The panel felt that we should see Positive Outcome Rates by ethnic group being around the BE average for Positive Outcome rates.

AF asked why the knife find rate had fallen for BE and the Impact Areas from June/July to August yet had increased for the Force as a whole.

DM asked if there were any seasonal patterns to Find Rates.

NC asked about the publicity for Section 60 orders and if communication of the order being made was effective.

SG stated that there should be a closer match for the powers being used for the Stop & Search between the Misuse of Drugs Act and Section 1 of PACE - they should be 50/50. The panel will continue to look at the data.

MS asked about data for Section 60 orders. Future data sets will include Section 60 data if one has been triggered.

SR asked about the public perception of why and when handcuffing is used verses the reasons that the police use this tactic. Do the public understand fully why the police deem it necessary to handcuff?

Future panels will dip sample a number of Use of Force records and Body Worn Video for non compliant handcuffing.

The panel noted the reduction in disproportionality ratios for Use of Force from June/July.



Dip sample of  
stop and search

- 1) S S B E -  
UB-2582  
9915 PC  
H on 21<sup>st</sup>  
August.  
Subject  
A.
- 2) S S B E -  
KV-2372  
3711 PC  
J on 15<sup>th</sup>  
August.  
Subject  
I.
- 3) S S B E -  
NA-2650  
2555 PC  
R o n  
23<sup>rd</sup> Au-  
g u s t .  
Subject  
A.
- 4) S S B E -  
LD-2719  
2011 PC  
O o n  
25<sup>th</sup> Au-  
g u s t .  
Subject  
H.
- 5) S S B E -  
FB-2487  
5607 PC  
K on 18<sup>th</sup>  
August.  
Subject  
W.

**Record 4 selected by DM**

The Stop & Search took place in a pub following the nominal being detained by customers in the pub. The BWV showed an officer search through various items of loose clothing whilst the nominal sat on a chair talking to a different officer. No information was given regarding the search of the clothes by the officer to the nominal. When the search of the clothes had taken place the officer asked the nominal whether they were his clothes. The officer then asked the nominal to stand up and said that he was going to be handcuffed as his pockets needed to be searched. The panel felt that given the compliance of the nominal the use of handcuffs was not justified. Although some information was then given by the officer to the nominal about the search at the point of handcuffing his legal entitlement to a copy of the search was not mentioned. The grounds given by the officer to the nominal justifying the search were not the grounds recorded on the eSearch record. There were four officers present in total, one of which was recorded as saying 'he has clearly done it' within ear shot of the nominal and despite no evidence being found on him of having stolen the property. The search was also carried out within the pub where the nominal had been detained by customers, some of whom could see the search taking place.

The panel felt that this was a negative search and would like the supervisor to review it.

**Record 5 selected by MA**

The search was reviewed after 3 1/2 weeks rather than within the suggested 5 days.

The nominal was handcuffed straight away and the officer demonstrated a warm, empathetic approach to him which helped deescalate the situation. Although the grounds for the search were given to the nominal the officer didn't give his number. The nominal was told that he would get a copy of the search record with all the relevant information on it, but as it hadn't been given verbally he might have struggled to read a written record. The panel felt that the order explanations and actions were mixed up e.g. the reasons weren't explained at the start but towards the end. The panel also noted that the officer had described himself a 'undercover' on the eSearch record when he wasn't an undercover officer.

The panel felt that this was a neutral search.



Dip sample of Use of Force records	<p>1. Log 4170 of 17<sup>th</sup> August. PC B on subject C.</p> <p>2. As above by PC G.</p> <p>3. Log 342 of 5<sup>th</sup> August. PC E on subject of no name.</p> <p>4. Log 358 of 30<sup>th</sup> August. PC W on subject M.</p> <p>5. Log 3121 of 4<sup>th</sup> August. PC T on subject W.</p>
Action noted from discussions for update at next panel	<p><b>Record 3 chosen by TB</b></p> <p>This was a long incident where two officers dealt with a car driver who refused to cooperate and get out of the car. Both officers demonstrated extreme patience whilst trying to deescalate the situation. A live stream of their Body Worn Footage was accessed by their supervisor as the situation evolved which ended up with the supervisor attending the incident as well. Although one officer made a comment to a passing police officer who had stopped to see if help was needed that they were dealing with a 'clown' which the panel felt inappropriate, the overall feeling was that this incident was dealt with very well by the officers. A car window was eventually broken and Parva spray was used to remove the nominal from the car. In this incident force was used to achieve compliance by the nominal rather than for issues relating to protecting officers safety. The panel felt that this was a positive use of force.</p> <p>The officers involved to be given a reward and recognition.</p>
Date and location of next panel	Monday 21st November at <b>6.15pm</b> @ Stetchford Police Station & also via Teams