

Birmingham South Stop and Search (S&S) and Use of Force (UoF) Scrutiny Panel

Location: Online via Microsoft Teams

Date and Time: Monday 11 September 2023 at 16:30

In Attendance: Nick Reynolds (NR) (Chair), Stassi Chilas (SC) (Vice-chair), Lisa Hill (LH), Yasmin Lowthion (YL) Natalie Cox (NC) (PCC's Office), Insp Michelle Cassidy (MC), Insp Dawn Fox (DF)

Apologies: Dr Fathi Jamil, Adriana-Romana Suci

	Item Discussed	Actions
1.	Welcome and introduction Minutes of the last meeting, update on any actions taken from last meeting	NR opened the meeting, welcomed panel members. And asked them to introduce themselves. NR extended the panels welcome to the new member YL who had earlier undertaken an induction with NR & SC. It was confirmed YL had submitted the appropriate confidentiality agreement. NR/SC apologised that the minutes of the last meetings were not available, and they will seek to address this asap/ NR/SC
2.	Update on S&S data Insp Dawn Fox	DF advised that since April 2023 policing areas had been redefined from LPU's to Local Policing Areas (LPA) of which Birmingham is one of 7 across the force. This may prove problematic in isolating records relevant for BS but will be discussed at a forthcoming silver command meeting. New S/S leads: Silver- Supt Ronan Tyrer & Chief Supt Andy Parsons DF gave a summary of stop and search activity in Birmingham West (BW) August 2023. <ul style="list-style-type: none"> - 945 eSearch records - 32.5% resulted in a positive outcome. - 96.3% met the required standard. - 83.7% were live records, and - 98.6% were recorded on body-worn video (BWV).

		<p><u>Powers used</u></p> <ul style="list-style-type: none"> - 49.9% S23 Misuse of Drugs Act - 47.4% S1 PACE <p>No s60 authorities in August</p> <p><u>Disproportionality</u> Asian: 3.5 Black: 6.1</p> <p><u>Outcomes:</u></p> <p>Positive outcome rate: 32.5% Arrests: 138 Arrest rate: 14.6 % Stops where knife recovered: 42 Drugs find rate: 40.5% Knife find rate: 18.3% .</p>
3.	Dip sample of S&S records	<p>DF offered 6 e-Search records and their associated BWV footage, from which the following 2 were selected by panel members for scrutiny:</p> <p>Record ID: SSBW-NM-151920487 Live/Retrospective: Retrospective Ethnicity/Sex: Black male Powers Used: S23 Misuse of Drugs Act Outcome: Cannabis warning. Details: Officers had spotted a vehicle acting suspiciously, in a tasking/high crime area, seen to conceal item, smelling of a controlled drug.</p> <p>During the search, good effective communication of grounds, object of the search was explained to the male in the vehicle who was the driver, along with his daughter and a friend.</p> <p>Upon searching the friend 4 bags of cannabis were found concealed and subsequently seized.</p> <p>It was noted that the officer had maintained a professional attitude throughout the search and engaged in good, effective communication with those concerned.</p> <p>Panel Decision: OK, a positive stop and search. Follow Up: Panel recommended positive feedback to the officer.</p>



		<p>Record ID: SSBW-DC-151516903</p> <p>Live/Retrospective: Live</p> <p>Ethnicity/Sex: White male</p> <p>Powers Used: S23 Misuse of Drugs Act</p> <p>Outcome: NFA</p> <p>Details: Following disorder at a Public House whereby 10 individuals had been observed to be using cocaine in the toilets a number of individuals had made off from police, had been seen to discard an item suspected to be drugs and the person stopped was one of those 10 individuals.</p> <p>The panel agreed that good, effective communication had been displayed by the officer, however it was questioned if the correct grounds had been used. Following discussion, it was confirmed that correct procedure had taken place and no issues were confirmed in relation to the grounds used.</p> <p>The panel felt that whilst the officer had dealt with the search correctly and effectively concern was expressed that a female officer who interjected with the person being searched had not been helpful as she was requesting identification etc when this is not required. It was felt her actions had not been helpful engagement.</p> <p>Panel Decision: OK but the panel requested feedback be given to the female officer's supervisor regarding her role.</p>																		
4.	<p>Update on UOF data</p> <p>Insp Michelle Cassidy</p>	<p>MC gave a brief overview of recent UoF figures and BWV compliance for the WMP Force overall and Birmingham West (BW) NPU, for July & August 2023, summarised as follows:</p> <p>July:</p> <table> <tr> <th></th><th><u>WMP</u></th><th><u>BW</u></th></tr> <tr> <td>UofF Forms</td><td>1878</td><td>187</td></tr> <tr> <td>BWV Compliant</td><td>88%</td><td>95%</td></tr> </table> <p>August:</p> <table> <tr> <th></th><th><u>WMP</u></th><th><u>BW</u></th></tr> <tr> <td>UofF Forms</td><td>2279</td><td>174</td></tr> <tr> <td>BWV Compliant</td><td>84%</td><td>94%</td></tr> </table> <p><u>Disproportionality for BW.</u></p> <p><u>July:</u></p> <p>Asian 0.4 Black 4.1</p> <p><u>August:</u></p> <p>Asian 0.4 Black 2.2</p>		<u>WMP</u>	<u>BW</u>	UofF Forms	1878	187	BWV Compliant	88%	95%		<u>WMP</u>	<u>BW</u>	UofF Forms	2279	174	BWV Compliant	84%	94%
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		<p>NC advised that any figure over 1 showed a higher level of disproportionality.</p> <p>Note: 2021 census is now being used and can influence disproportionality.</p> <p><u>Taser Tactics for BW.</u> July & August 2023: Total 11 (5 drawn, 6 red dotted, 0 fired)</p> <p>No significant learning points.</p>
5.	Dip sample of UoF records	<p>Insp MC offered BWV footage from 6 incidents involving UoF, from which the following 2 were selected by individual panel members for scrutiny:</p> <p><u>UoF Incident #4. 1163 of 08/08/2023</u></p> <p>Officers had been called to the location by a van driver being stopped from leaving the area and the van then being surrounded by a number of individuals.</p> <p>From the start of the footage, it was felt that the officer had been confrontational and then progressed to push a female who was possibly intoxicated and being very confrontational. The officer was then seen to push the female in the breasts and instead of gaining control of the matter became confrontational and both parties were arguing and shouting at each other.</p> <p>A confrontation occurred and it was clear the officer was losing her temper and did not handle the incident in a professional manner. The person was subsequently arrested for assault police and was seen to be placed in the police van in an unprofessional manner.</p> <p>It was agreed by all panel members that the footage could easily be described as one of the worst examples of police engagement ever viewed at the panel and several members felt very concerned and shocked at the footage.</p> <p><u>Scrutiny panel decision:</u> The panel requested that the officer's supervisor be made aware of their significant dissatisfaction with the footage and for their feedback to be given to the officer concerned.</p> <p><u>UoF Incident #1. 3321 of 20/07/2023</u></p> <p>Officers had been called to a road rage incident involving a car and lorry driver.</p>

		<p>The driver of the car was a 73-year-old male and made a threat to assault the lorry driver with a car lock, he was also heard to threaten to assault the officers with an offensive weapon believed to be his car keys.</p> <p>The male was very confrontational, and it required a number of officers to take control of the male and restrain him owing to his agitated state of mind. Concern was expressed at the male's head being held down by an officer's knee but were advised this is standard police practice whilst protecting an individual's breathing etc.</p> <p>As officers defused the situation the male was advised that he was going to be arrested and an effective dialogue was established by the officers. However, concern was expressed by the panel regarding one officer who should have distanced themselves from the incident as he was heard to shout at the male "have you got Mental health issues"</p> <p>Scrutiny panel decision: The panel was satisfied that the UoF had been justified and proportionate but requested feedback be given to one officer's supervisor regarding his comments above.</p>
5.	Action noted from discussions for update at next panel	<p>NC advised the OPCC will be raising a matter with WMP regarding availability of completed UoF forms for scrutiny at panels in line with SS records.</p> <p>It was felt by all panel members that this would enhance the opportunity for scrutiny but recognise that internal systems will need to be amended.</p>
6.	Any notes, questions, requests for the next Bi annual Stop and Search commission	None raised
7.	Date and location of next panel meetings	<p>Monday 13th November 2023 at 16:30, online</p> <p>NR requested all members consider the day and time of future meetings in order that all meetings for 2024 can be scheduled in advance.</p>