



Meeting Title: External Stop & Search and Use of Force Scrutiny Panel	
Open or Closed:	Open
Date: 15.02.2022	Start Time: 18:30 hrs
Close Time: 21.10hrs.	
Chair: Mark Cunningham - (MC)	
Attendees:	Surrey Police Attendees: Chief Supt Clive Davies,(CD) Surrey Police Stop & Search, Force Lead Supt Chris Colley Surrey (CC) Police Use of Force, Force Lead Deputy PCC Ellie Vesey - Thompson (EVT) Sgt Laurence Ralph (LR) Service Delivery Lead Richard Stothard (RS) Team Leader Service Delivery Lead Emma Newton (EN) Staff Officer Sandie Devereux (SD) Note Taker Panel Members Attendees: Anita Ho (AH) Sarah Gosling (SG) Shanice George (SG) Chloe Cooper (CC)
cc of Minutes	
Absences and Apologies	Apologies: Ellie Moody, Swormina Karmachary, James Miller, Drew Newcomb - Hicks



1.	Previous Actions and Minutes AH raised that the previous minutes did not record her observation that the Find Rate for black people who are searched is similar to the find rate of white people who are searched albeit it is slightly higher. This prompted a discussion around consistent accountability and SG reiterated that the independent research which she had conducted and presented at the last panel meeting in November 2021 covered this area in detail and a copy of that research was included in the previous minutes.	MC
2.	<u>Introductions</u> All attendees introduced themselves Deputy PCC Ellie Vesey – Thompson introduced herself to the panel explaining that she was representing the Police Crime Commissioner’s office and for those who are unaware the role of the PCC and DCC is responsible for overseeing the work of Surrey Police, holding the Chief Constable to account and helping to tackle the crime issues that matter to the public.	
3.	Body Worn Video Review A selected 5 Body Worn Video clips, 4 chosen by Chair Mark Cunningham and the 5th clip chosen by Sergeant Dan Hebborn, Supervisor Divisional Support Unit.	



Panel feedback Incident No 1

A discussion around the smell of cannabis when an individual is stopped and if this is grounds for a search. The College of Policing guidance states this is not best practice and cannot be relied upon solely however it is lawful.

Overall, the panel agreed - Compliant – appropriate use of handcuffs - good communication from officer albeit feedback to officer would be for him to slow down when identifying his name and station. A calm explanation and a recorded stop.

Panel feedback Incident No 2

Panel agreed that both officer had a professional manner with good phraseology and explanation however feedback to officers would be to refrain from interviewing the individual at the roadside.

Panel feedback Incident No 3

A discussion was held around the PCSO powers around search and detention. Observations were that the public observing the incident were not managed very well and could contribute to a misunderstanding of the officers' behaviour from a public perspective albeit it was good practice when they moved the individual from the public area.

Lead officer's manner and tone came across as she was arguing with the individual however it was explained that this officer has been hit in the face by the individual which was not captured on BWV. On hearing this explanation, the panel agreed that it would have been better at that point for them to 'swop out' with another attending officer and let that officer then lead. This is a practice also used when sometimes there is an obvious personality clash between an officer and an individual.



Panel agreed that the officer who calmed down the individual's mother did a good job.

Panel feedback Incident No 4

Panel agreed that the officer whilst chasing the male individual who fitted the description of the male leaving the reported fight scene, should not have used the threat of the tsar as a compliance tool. There was no altercation with the officer when the male eventually stopped. However it was felt by the panel that the officer drew his TASER whilst still in his vehicle which was too quickly and therefore could have posed temptation to discharge.

New Action 15.02.2022

RS – BWV Incident No 4 to be referred to a TASER expert – Sergeant Chris Mallet

Panel feedback Incident No 5

Panel agreed that the officer had good grounds to search the young male and had a professional approach. The panel agreed that the officer changed the dynamics of the situation by removing the male to a separate area away from the public and his advice to the young male regarding life choices was delivered in a calm manner.

CC highlighted that this was the same officer whom the panel had observed on a previous Body Worn Video clip at the last panel meeting in November when a young black male had been stopped due to his suspicious manner whilst riding a push bike and looking nervously around the area.

Observations from the panel were that they felt that stop was not proportionate. The panel felt that the manner of this particular officer when dealing with the young black male was completely different when dealing with the young white male and SG stated this had created an issue of doubt.



3.	A discussion was held around this particular officer, his knowledge, experience and his current role. CC offered the opportunity for any member of the panel to shadow the officer for a shift and observe his interactions with an opportunity to discuss further at the end of the shift. SG in particular, welcomed this opportunity. New Action 15.02.2022 Panel members to inform SD of their availability in order, to arrange NDM training/ refresher training and shadowing shifts. Use of Force Headline Briefing & Discussion / Quarterly Report. CC – Rolling year volume of Use of Force Forms has an increase of 15%. This represents an increase of 935 Forms Rolling year volume of Use of Force incidents has an increase of 13.6 % this represents an increase of 502 incidents. Rolling year volume of Use of Force FORMS - Under 18s An increase of 26%. This represents an increase of 158 Forms. The biggest increase is in Spelthorne and Elmbridge – North Surrey. The most common impact seems to be around Mental Health which is up by 37.7%. New Action 15.02.20220 EN to dip check 30 Mental Health incidents under 18s on North Division Rolling year volume of Use of Force Incidents for White subjects has an increase of 14.4% this represents an increase of 760 forms.	
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	Rolling year volume of Use of Force Incidents for Black subjects has an increase of 10.7% this represents an increase of 373 forms DISPROPORTIONALITY CD explained that Surrey Police are awaiting the results of the 2021 Census to provide more accurate and up to date records of the ethnicities within the County of Surrey (expected in Spring 2022). The 2011 Census estimated that approximately 1,023,682 people identified as White (approximately 90.3%), and 12,430 people identify as Black (approximately 1.1%). Over the last 12 months, out of 4,182 Use of Force incidents, 373 involved Black subjects, which equates to 8.9%. Over the last quarter, out of 637 Use of Force incidents, 54 involved Black subjects, which equates to 8.5%. CC stated that a quality review was undertaken Compiling of thirty random selection for white subjects and thirty random selection for black subjects, ten records of each from all three divisions. In the cases reviewed, 53 out of 60 records had grounds which were deemed to have been appropriate and justified in the circumstances. Based on forms in all cases UoF was Justified from looking at statements the issue is the quality of the UoF form. White Subjects 28/30 records (93.3%) Black Subjects 25/30 records (83.3%) In the remaining 7 cases due to lack of sufficient circumstances noted on the Use of Force form, the officer's Chief Inspector has been or will be notified, in order to be able to provide appropriate feedback to that officer.	
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	Use of Force Custody Twenty Use of Force have been reviewed. The purpose of reviewing these forms is to ensure that force is being accurately recorded when it occurs in a custody suite, due to some different ways of recording information in custody. All officers involved should complete a Use of Force form. Any uses of force prior to the arrival at custody, and once at custody, should be documented in the Risk Assessment section on the custody record. Any force used in custody should be documented in the Detention Log. Form filling is covered in training for both new officers and existing officers not just screen based but on actual MDT machines and is continuous work in progress. A discussion was held around statement writing and drop downs. Deputy PCC EVT asked if there could be a breakdown by Borough percentage change and the biggest Borough increases and staff. New Action 15.02.20220 EN to incorporate into reports breakdown by Borough percentage change in the Use of Force Documents. New Action 15.02.20220 EN to incorporate into reports breakdown by Borough with the biggest increases due to the Boroughs with the biggest increase in recruits. Stop & Search Headline Briefing & Discussion / Quarterly Report.	
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	Rolling 12 Months Stop & search Volumes Force and Divisions Breakdown is down by 24% and the reduction is still apparent, with the curve settling off almost settling back to pre - lockdown with officers busier. Rolling 12 Months Find Rates by Boroughs Breakdown increased by 1%. - the proportion of drug related searches is still high at 66.5% Rolling 12 Months Under 18s is down by 20.4%. AH raised the question if the Find rate split is higher for non - residents is it higher for black or white subjects? CD stated Stop and Search disproportionality remains high in Surrey against Black subjects being six and half times (times) more likely to stopped compared to White subjects. Looking at Find rates by Ethnicity, it will be worth keeping an eye the trend line for black disproportionality as it is beginning to creep up lightly again to 6.5 compared to 6.3x a year ago. Residency of black population is lower in Surrey so this could be the result of the restrictions being lifted after lockdown. Audits are completed on Black/ White / Asian groups every quarter. A discussion was held around links in with Surrey County Council and what is know as 'Voice Groups'. These groups consist of individuals from various ethnic backgrounds, whom have had experience of engagement with the Police around Stop and Search and Use of Force. For example, feedback from one of these sessions was that individuals want a piece of paper to say they have been searched. A further discussion was held around individuals been given a QR code. This is something that is currently being looked at in conjunction with Sussex police. CD informed the panel that Surrey Police had met with their Metropolitan Police colleagues in Bromley who have engagement with ex - gang members who relay their	
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	experience. The borough of Reigate and Banstead on East Surrey is also engaging with a former gang member who is giving a presentation in Epsom on his experience with the police. A lengthy discussion was held around section 60 with this being an emergency power. CD stated Section 60 – which allows officers to stop and search an individual without suspicion without needing to have reasonable grounds. However, a Section 60 still does require proportionality and necessity test and the form therefore still necessitates the why the search was necessary and grounds to therefore be included. CC gave an example of a robust and proportionate action when information had been received of gang street fight – with nine people with no weapons or injury, but an individual walking with a limp and then seen not to be. As a result, a weapon sweep was authorised and conducted, and as a result a machete was recovered. A further discussion was held around children being expelled from school and that a support system should be in place to help these children avoid becoming involved in gangs. EVT stated that the High Sherriff of Surrey is involved with a lot of work around school exclusions AH stated that it was important for all partners to share information to assist with this. SG presented her two research reports to the panel. One being, research on the stop and search information given on police forces websites. This report is intended to provide a clear summary of the way stop and search information is given to the public through the Surrey Police website.	
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	- A sample from the other 42 police force websites have been analysed in detail to provide recommendations for how Surrey Police can improve the information they give to the public on stop and search as a power, through the website. This report takes the format of: - Looking at what Surrey Police's website does well, in relation to providing information on stop and search. - Providing information on what good things could be taken from other forces stop and search set up on their website, to improve Surrey Police's information. The website Surrey has is one of the best out of all police forces within England and Wales. It is clearly accessible to all, no matter what level of internet experience they have, and is easy to use and navigate to find what is necessary. The main points of improvement involve keeping what's on there more up to date. Last time I looked at the website the information on... - The external scrutiny panel meetings ...and... - The open forum events, that take place on Facebook ...had not been updated. These two things are incredibly important for the accountability that the public see the police are being held to and it is great to see their inclusion on the website. To improve this further, keeping the 2 outreach parts of accountability up to date, just reinforces further that Surrey is continuing their work with members of the local community, in order to improve the service it provides.	
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	The other on research on disproportionality in use of force taking place within custody. This report is intended to provide a clear summary of use of force (UOF) incidents over the last 12 months, occurring within custody. There is a specific focus within the report, on identifying whether there is disproportional UOF on the basis of a subjects ethnicity (IC1 – White; IC3 – Black; IC4 – Asian, IC... - Mixed), as well as any other characteristics, such as age, gender or residency status. The main body of this report looks at potential disproportional use of force, giving explanations for some of the figures and concluding in a comment on the reporting of UOF incidents happening within custody, with recommendations for improvement. - The case study section included within this report is based on a comparison of ... cases. - o All incidents involving IC3 subjects (Black) and IC4 subjects (Asian) have been analysed as well as a sample of ... incidents involving IC1 (White) subjects. A discussion around the quality use of forms and how these could perhaps contain more prompts to assist officers when completing. However, most of the boxes on the form are driven by Home Office legislation. A further discussion was around BWV not being used however CD reiterated that it is Force policy that BWV must be worn on all Stop and Search stops. This this provides public transparency and also support the officer on how the search is carried out should a complaint be submitted around a particular stop.	
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	Data does show that all probationers have not been issued with BWV kit but this has now been resolved. MC informed the panel that due to the meeting over running there would insufficient time to discuss the agenda items: _ Agenda item No 5 S&S and Uof F Redacted Forms x 10 New Action 15.02.2022 EN to send redacted forms via email to all panel members for them to review and then discuss by exception at the next meeting. Agenda No 6 Thorpe Park To be carried over to the next meeting. Agenda No7 Social Media To be carried over to the next meeting. It was reiterated once again to the panel members to email their availability in order, to arrange NDM training/ refresher training and shadowing shifts MC thanked all attendees and in particular the Deputy PCC. Meeting closed at 21:10 hrs.	