

Stop and Search and Use of Force External Scrutiny Panel

**Minutes of the fourth meeting held on
Tuesday 10 December 2019 18.30 hours**

At

Guildford Police Station, Margaret Road, GU1 4QS

Chair: Mark Cunningham (MC)

Attendees – Police

Supt Clive Davies, Surrey Police (CD)
Supt Chris Colley (CC)
Team Leader Rich Stothard (RS)
T/Sergeant Gemma Hibbert (GH)
Minute taker, Annette Byford (AB)

Attendees – Panel Members

Ellie Moody (EM)

Apologies – Police

Joseph Easterbrook
Chris Garner
Emma Andrews-Fisher

Apologies – Panel Members

Anita Ho
Shysta Manzoor
Swornima Karmacharya
Lydia Smith
Sarah Gosling
Amraze Khan

Absent – Panel Members

Hailee Jingree
James Miller

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1.	Introductions MC facilitated introductions. Everyone congratulated MC on becoming Chair.	MC
2.	Previous actions and minutes The action log was updated and the minutes approved from the meeting held on 27 August 2019.	MC
3.	Review of use of force and 2 stop and search body worn videos CC explained that on this occasion the video of a man with mental health problems, who was visiting his sister and carrying a knife and was tasered was not randomly selected but the group agreed the footage was a useful scenario to be shown. Approximately 5 minutes of footage was shown. The rest of the footage was not shown as due to the required movements of the officer the body worn camera was no longer able to film worthwhile footage. The following observations were noted by the panel: ➤ The Tasers were in covert mode to avoid escalation (GH). ➤ The man holding the knife did not know the taser was ready to be 'fired' (RS). ➤ Officers gave the man several opportunities to put the knife down before he was tasered (CC & EM). ➤ The preferred reaction gap between an officer and a knife holder is 6-8', which allows officers sufficient time to defend themselves. In this case there was only 3-4' which would not have given the officer sufficient time to 'fire' the taser had the knife holder made to attack the officer. It was acknowledged that the space (hallway) where the officers were standing was confined (RS). ➤ The officer took his eye off the target to make contact with his partner officer who was behind the lead officer. ➤ The man moved the knife from one hand to the other. ➤ The second officer did not have a good view of the man holding the knife. ➤ The man was arrested for trying to stab an officer and pava spray was dispensed to try to calm him down (GH). ➤ Officers were not dominating and tried to reassure the man and prevent him from doing anything rash throughout (EM). ➤ Officers were aware people were behind the man in the flat and he could have easily turned and stabbed one of them (GH). ➤ Job well done (ALL). MC & EM would like to see something similar again. Stop and Search – Man driving while under the influence of cannabis: The following observations were noted by the panel: ➤ The GOWISELY criteria were met. The criteria includes:	ALL

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	➤ Grounds for the search ➤ Object of the search ➤ Warrant card to be shown if not in uniform ➤ Identity of the officer (name & number) ➤ Station to which the officer is based ➤ Entitlement to a copy of the search record ➤ Legal power used to conduct the search ➤ You are detained for the purpose of this search. [PACE s1 search] ➤ The officers could have made clearer what they were searching for (GH). ➤ The man should have been hand-cuffed earlier (CC). MC asked on what grounds the police stopped the man in the first place and was advised by CD that the police can stop anyone to check documents, but stops usually follow incidents of erratic driving. Stop and Search – Man aiding and abetting shop-lifting: The following observations were noted by the panel: ➤ A man who appeared to have limited English language skills, was detained in Sainsbury's for shop-lifting, but had not actually left the shop. ➤ He was searched under the wrong section. ➤ Language line should have been called. ➤ Officers at the scene appeared to have the intention of talking down the job and did not want to make an arrest, and only did so after being told to do so by their sergeant. ➤ The GOWISELY criteria was not followed. ➤ It was uncomfortable for officers attending the meeting to watch officers who were recently trained and have been on the beat for approximately one year to perform in this way. Action 4/1: CC to review the video of the man arrested for shop-lifting in Sainsbury's with the sergeant associated with the incident and report back to the next meeting. All agreed the External Scrutiny Panel Quality Assurance (Observation Method: Body worn video footage) and the External Scrutiny Panel Quality Assurance (Assessment of stop search record guidance) documents were good tools on which to base whether criteria were met. However, CC thought officer safety should be added to the body worn video footage document. <i>The words 'Take his/her own safety into consideration? Yes/No' have been added to the form since the meeting.</i> ALL confirmed they did not recognise anyone in the videos and agreed not to discuss the cases out of this meeting.	CC
4.	Review of 20 stop search records Using the guidance sheets distributed at the meeting all present were asked to review 20 stop and search records between them. 3/20 were deemed not to meet all the criteria.	ALL

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	Action 4/2: AB to send the details of the 3 stop and search cases that did not meet criteria to the division's Chief Inspector for discussion between the two of them and request the Chief Inspector to advise on any learning.	AB
5.	Briefing on stop and search and use of force headlines from report Stop and Search Find rates have slowly increased from 24%-28%. The find rate is higher among BAME groups than white people which results in a higher arrest rate. Regular dip checks are not showing any trends or inappropriate targeting. Drugs are the reason the majority of searches take place. The Home Office have questioned if searches are skewed too much towards searching for drugs. Previously 81% of searches were drug related. This figure is now 60% which is deemed more reasonable. Cannabis is the drug searched for the most. It will be possible to differentiate between supply and possession in due course. It was noted that if someone is stopped for multiple reasons, the first reason is the predominant one on the system i.e. it could show drugs and weapons. GH noted there may be more proactive searches for drugs than other items because officers can often smell drugs. Disproportionality trends remain static; the disproportionality is notably higher for East Surrey between white and black people searched, at over 10. This has been researched in detail (see below). Use of Force County Lines operations are active in Surrey, particularly from the Metropolitan area, which results in stop and search and use of force, including people who do not live in Surrey. Black people are generally found to be more compliant on police contact when compared to other ethnic groups and from the qualitative reviews any Use of Force is justified and proportionate for each incident reviewed. The higher disproportionality for use of force and stop and search between black and white people in East Surrey has been researched in depth. Dip-checks show no inappropriate targeting or trends, and search arrest and find rates are higher for black people than white people. The majority of identified offenders and intelligence relating to county lines involve more black people than white people, and these county lines feature highly on the divisional priorities for proactive policing. The documents produced in relation to disproportionality have been shared with the group. MC requested more detail in relation to ethnicity to be included in the report. Action 4/3: CC to provide a dashboard specifically for ethnicity.	CD/CC
6.	Discussion on Force Stop and Search and Use of Force Report (Nov 19)	CC
		ALL

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	The group prefers the format of the shorter reports as they are more accessible.	
7.	AOB	ALL
7(a)	Thank you to Anita Ho for her contributions as Chair. MC requested that thanks to Anita Ho's contributions as Chair be recorded.	
7(b)	Venue for future meetings Mount Browne is a suitable venue for future meetings as it has parking and if necessary attendees can be collected from the railway station by police personnel.	
8.	Date, time and location of next meeting 10 March 2020, 18.30-20.30 – Mount Browne GU3 1HG Mason Room	MC