

Minutes



Stop & Search and Use of Force External Scrutiny Panel

Date: Wednesday 1st November 2023 at 18:30hrs – 21:00hrs

Location: Donaldson Room, Surrey Police HQ, Guildford
(with an MS Teams link in meeting planner)

Attendees

CC	Chris Colley	T/Chief Superintendent, Strategic Use of Force Lead
EN	Emma Newton	Sergeant, Operational Stop & Search Lead, Tactical Use of Force Lead
MC	Mark Cunningham	Chair of the External Scrutiny Panel
SL	Sailesh Limbachia	Head of Equality & Diversity from OPCC
LR	Laura Richards	Corporate Communications Portfolio Holder for S&S and UoF
AC	Angus Cleaver	Role Play Volunteer and Victim Support
RM	Rajen Chhetri	Retired Nurse and member of Surrey Minority Ethnic Forum
JT	Jessica Turner	Team Leader for Public & Personal Safety Training and Special Constable
DE	Dean Evans	Instructor for Public & Personal Safety Training and former Police Officer
AH	Anita Ho	Director for Surrey Minority Ethnic Forum
SG	Sarah Gosling	BT

Apologies

CD	Clive Davies	C/Supt and Strategic Stop & Search Lead
JM	James Miller	NHS

	Notes	Owner
1	Introductions At 18:30 hours, MC opened the meeting. There were apologies from CD who is out of force for several months, and from JM. Attendees: MC – Chair of the Panel. Day job is with the Home Office, as Project Manager. Represent the African Caribbean Community Association. CC – T/C/Supt for Eastern and Use of Force Strategic Lead for Surrey Police. SL – Head of Equality & Diversity from the OPCC. Head of Complaints - scrutinise and monitor Professional Standards Department in management of complaints that come in. LR – Corporate Communications department, portfolio holder for Stop & Search and Use of Force. EN – Support C/Supt Davies and T/C/Supt Colley with the Stop & Search and Use of Force portfolios and prepares all the information for the External Scrutiny Panel. AC – Role Play volunteer with Surrey Police for 5 years, have been ‘stopped and searched and arrested’ numerous times. Aware of how it is taught. Interested to see in reviewing BWV how things change, if they change, from how they are taught. Also volunteer for Victim Support department on fraud. Have police vetting and a police laptop, and so have access to BWV and have been able to do quite a bit of work on this. RC – Retired Nurse, MH, and General Practitioner Nurse. Involved with Surrey Police for 15-16 years. Was originally involved in Stopwatch. Also, a member of Surrey Minority Ethnic Forum, and Nepalese community in Woking and Camberley. Have joined the panel to learn more about Stop & Search and reassure the Nepalese community. JT – Team Leader for Public & Personal Safety Training, also a Special Constable. DE – Instructor for PPST, used to be MoD and then Sussex Police Officer. AH – One of the Directors for Surrey Minority Ethnic Forum and a trustee for Chinese Association of Woking. SG	MC
2	Previous Minutes & Action Tracker Minutes: The previous meeting minutes was for the meeting held in July 2023. No comments from the panel or amendments identified. Minutes approved. Action Tracker: Action 32 – To conduct research into Stop and Search portfolio evidence for probationers and confirm which teams make up the probationer department from the university research.	MC

EN stated we have now embedded a new process in the probationer unit to conduct qualitative now within the probationer units to conduct qualitative dip checks of the stock search forms and of body worn footage that can be recorded and documented on a quarterly basis. I also recently attended some stop and search training with the new probationer intakes and to see what was covered off and it give a good grounding in policy and legislation and GO WISELY.

They have a classroom-based lesson and then the practical application following that. We also monitor probationer disproportionality.

AH requested to see the probationer reports, EN advised the qualitative reviews can be shared at the next panel.

Action discharged.

NEW – Action 41: Share reviews of probationer Stop & Search form dip checks and BWV reviews at the next External Scrutiny Panel meeting.

Action 33 – To hold a separate meeting with panel members for them to decide and agree what they want posted on their External Scrutiny SS / UoF Facebook page.

MC stated there has been no progress on this.

EN highlighted that there are couple of new students from a college who are just going through vetting who might be well placed to look at the social media side. CC clarified that there are vetting delays, but that it is important that everyone who volunteers or work for us are appropriately vetted.

MC and CC asked how many panel members there are. EN clarified there are 3 awaiting vetting, which will take the panel to 11, and hopefully vetting will clear in time for the meeting in the next quarter.

AC asked what sort of instruction do the new students get so that they know what they are supposed to be looking at?

CC confirmed the students were college students, and that everyone who joins the panel has an instruction. They are also at an age where they are more likely to be subject to these powers on the street, or their friends are, so they bring a different perspective.

LR said from a comms perspective if there is someone who is happy to run the External Scrutiny Panel Facebook group, Surrey Police owns the actual access to it, but Corporate Communications would very much want the panel to run it independently, and they can assist the panel with access to and running of the group.

Action ongoing.

Action 35 – Review the DCU probationer independent patrol sign-off checklist and the appropriateness of stop and search in this and whether it is forcing officers to carry out searches to 'tick a box' on non-priority matters in non-priority areas and in circumstances when we would not usually search someone.

EN confirmed the action as discussed in detail in the previous meeting.

Action discharged.

Action 36 – To look and provide further details which EN will then pass to MC for further review.

EN confirmed the action as discussed in detail in the previous meeting.

Action discharged.

Action 37 – To dip check those officers ongoing performance in relation to above action 36 to ensure there are no trends.

EN reminded the panel this was in relation to the Black male who was stopped in Redhill on the electric scooter. The male was actively resistant, and he was placed in handcuffs for the duration of the search and although he was quite a quite verbal and quite loud, he did make some valid points about why he had been stopped and searched, and he did challenge officers on what he perceived to be their unconscious bias for why he had been stopped.

In relation to the officers who conducted the stop and search, they are proactive officers. They both conduct a high number of stop searches as part of their proactive patrols, so by that virtue, they do come to notice more often than other officers who do not contact as many stop searches. EN looked at the last quarter of those officers and dip checked the stop searches that they had done.

Most of their stop searches were in the borough of Reigate and Banstead, under the Misuse of Drugs Act. There is a total of 24 stops. 9 subjects were arrested. 3 were given a community resolution. 2 were summoned, so in total there are 14 positive outcomes, and then 10 who were no further action. They used body worn footage in all stops, and all subjects were male. There was one strip searched where the grounds were very good, and the force policy was followed.

There were 13 White subjects, 6 Black subjects, 1 Asian, and 4 mixed, and in reviewing all 24 forms, EN couldn't see any obvious themes or disparity in any of the factors that made up the stop and search, and it was judged that all the grounds were proportionate, lawful. EN can provide the panel with a copy of the dip checks for independent review.

CC opened up the option to panel members to dip check at random anything in respect to those officers and reiterated that we think their approach is not targeting any race, and the circumstances are justified and proportionate. EN confirmed that the feedback had already been completed by Chief Inspector.

MC will consider what police have done and whether the panel will look any deeper. SL asked if the BWV has been viewed and if the grounds on the form matches what we see. EN advised due to capacity not all BWV had been viewed, 2-3 had been viewed. SL stated he appreciated it was burdensome, however it would be good to have more of a sample than 10% to see if there is an issue with the way the records are being completed in comparison to what is seen on the video.

EN suggested both EN and AC to view footage to see if we produce similar findings. CC stated that would give some independence. AC stated it does involve a lot of person hours but agrees with the suggestion of joint approach. SL also offered assistance.

Action discharged and new actions set as follows:

NEW – Action 42: EN, AC, and SL to view all BWV footage from the 24 stops of this quarter of the two proactive officers and compare with the Stop & Search forms.

NEW – Action 43: EN to send all panel members [redacted] copies of the dip checks of the 24 records.

Action 38 – To work with the officer safety team to ensure use of appropriate language (including not swearing) is included within force wide de-escalation training.

EN advised this was discussed heavily at the last meeting, and communications have been disseminated throughout the force. JT stated officers may well swear when it is appropriate, but it is not something that has been seen in training, although we are reiterating it through training.

JT confirmed they do scenario-based training where the trainers will set up a scenario on purpose where an officer will say something inappropriate to make other officers challenge it, because they should be challenging their colleagues as well.

AH states officers should not lower themselves to a subject's level [if a subject is using bad language]. AH asked how do we ensure that it is part of the training material in a systematic way, and what is the systematic way to say that inappropriate language such as swearing is not appropriate at any time?

JT stated training is dynamic, and we have something called 'time on task,' where officers go through the different communication protocols, such as one called LEAPS. It is being reiterated all the time, going through communication models, and then putting it into practice.

CC stated we must be careful in saying that bad language would never have a place, because there are occasions within policing where it might well be – if you communicate on the same level, it can help to deescalate. As Use of Force lead, CC wants to concentrate on looking at BWV, and when we see bad language, we can take an objective view of all the circumstances. CC is content it's been outlined in training as well, having attended, and BWV reviews will show us exactly what the training gap might be.

AH asked if there was any kind of AI program that can listen to the words being said and pick out swear words. AC highlighted that subjects often swear, so this probably would not be much help as it would pick out a lot of bad language.

Action discharged.

Action 39 - To clarify the lead up to the initial stop of that particular individual and what made officers approach him, with consideration of his ethnicity. [BWV No 4 - Incident 6 – Stop & Search]

EN reminded the panel that was a video shown last time, where the subject was stopped in his car outside the university, and the body worn began a bit late into the encounter where the officers were searching him and his car. The panel had asked what the lead up to the encounter had been. So, the lead up had been the officers were simply on mobile patrol. It was the early hours in the morning, they were on mobile patrol, they drove into the university and the subject was parked outside of a bar which was at that time of day was closed.

The officers were immediately hit with the smell of cannabis, they asked the subject about the smell, and he straight away said, "Yeah, that's me, I've just smoked a joint." So, there was an admission and then that is when the body worn footage then began. So, the officers then searched him, they searched the car, and then they did a drugs wipe where he flagged positive for both cannabis and cocaine.

So, he was arrested and taking for the further procedure, and is due to go to court in about a month because he formally tested positive for cannabis and cocaine.

SL asked what time it was, and EN confirmed about 5:45am, and it was summertime, so it was daylight but virtually no one around. SL stated it had been him who asked the question, the stop check was fine, but it was the lead up to that he was interested in as to what made them

	approach that male. But if they have come in there and seen him on his own, acting suspicious, well, at that time of morning outside the bar is closed, then yes, it makes sense. RC asked are officers switching on their video as they approach the person. CC stated this is policed and we track compliance, and for use of force 88.4% of the time BWV is on but that is not good enough. We monitor at internal governance as a standing agenda item. There are of course times where you get involved in something that happens so quickly the justification could be because they are actually in the throes of something that is quite volatile, but as soon as they can they should activate BWV. CC stated it appears that they have approached a person to account for their presence, and it is started to evolve, so they have activated BWV. Panel members asked about battery power. CC highlighted that we have docking stations at all stations and bases, and it is rare that an officer is out for 10-15 hours without going back to a police station. JT confirmed it is also included in training. Action discharged. Action 40 – To contact Reigate and Banstead Borough Commander to link in with panel member JM. CC confirmed this was completed. Action discharged.	
3	Body Worn Video Reviews EN acknowledged that MC had sent requests for BWV. EN advised that MC had sent 4-5 requests. EN advised that some of the Stop and Search requests were no longer available on the BWV system, as they had NFA outcomes, which meant no crime numbers, and without a crime number there's nowhere to attach the footage, and so unless the footage is specifically saved, it leaves the BWV system after 28 days. EN read out Data Impact Assessment that allows the showing of BWV over MS Teams with mitigation as follows: Anyone online on MS Teams must confirm in the chat bar: • They are alone, • They are wither wearing headphones or they are in a location where no one can hear, • They must remain on camera for the duration of the viewing, • They were reminded that the meeting was being recorded. For the following three videos, the panel was shown the footage first, and then provided a summary, at their request. Due to the length of the BWV footage, the panel agreed to viewing the key parts of the footage that showed the uses of force and/or stop & search grounds but could also request to see any other part of the footage. a) This was a Stop & Search of a 21-year-old Black male who was stopped in Redhill town centre, in Reigate & Banstead borough on Eastern division on 14/07/2023 at 16:15 hours. The male was stopped walking down the High Street by two male proactive officers. The grounds were that the male was seen in a full-face balaclava, and he had a large wad of cash in his hand as he walked. Redhill town has also seen a spike in knife enabled	EN

robberies and drug related activities, where the robberies have largely been conducted by persons wearing balaclavas. He was asked to talk to police but it looked as if he would not stop.

Due to the intelligence for Redhill, his movements, and his 'anti-police attitude,' it suggested he had something to hide, and he was detained for Section 1 PACE for weapons and Section 23 Misuse of Drugs due to the large sum of cash and clothing suggesting gang affiliation. As a part of the encounter, the male was handcuffed and moved over to a nearby wall, where the rest of the encounter took place.

The panel were shown from the start of the video to 4 minutes 5 seconds which was the initial encounter the use of force element and stop & search grounds. Due to time constraints, the video was forwarded to when the actual Stop & Search took place, which was 7:55-13:55. The panel were advised the remainder of the footage was a calm conversation between the subject and the police and completing required paperwork.

MC confirmed that he had seen this on the spreadsheet [redacted and supplied to the panel ahead of the meeting] and that his attention had been drawn to this encounter due to the comment of being 'anti-police.'

CC stated that he can see the subject has been approached and has disguised his identity (acknowledging that this was July, and it was very warm) and confirmed that Redhill is known for gang violence.

AC requested to see the first part of the video again where you see the subject walking along and the officers stopping the male. AC queried whether the manner of the officers was overly aggressive in stopping the male.

SL highlighted that the officers stated the police asked the male to stop to check his name, and queried what power that was under. From the video, stopping a Black male saying I need to check your name, could have been a softer approach.

CC clarified that he was in a full-face balaclava with a wad of cash in his hand, and that Redhill is known for that type of crime, however in saying that the lead officer seemed overly aggressive, with the second officer initially calming the situation down, accepting the situation then escalates again. AH stated the police officers grabbed him and that he was not given a chance to communicate. JT confirmed in training officers are taught that subjects must not put their hands in their pockets.

SL stated we know there is an issue in Redhill, Surrey is at risk from county lines, and there is a particular MO of certain individuals. It was the verbal's used by the initial officer at the point of stopping that is the issue, because you cannot stop someone to check their name, there is no legal power to do that.

MC knows the area and the issues that go on. But if the ultimate aim is to build relations, to be so aggressive from the outset is not helpful.

CC acknowledged there is learning for the lead officer.

AC stated from his experiences from training, the officers should have had a conversation, such as 'what are you doing today,' 'where are you going.' General conversation, not an assumption that the subject was up to something.

CC highlighted in terms of context, the two officers were the main proactive officers for Redhill and one of the officers has had feedback from this panel before – he stopped the young Black male at the bus station.

In summary: the panel agree there should have been a stop. It was 19 degrees that day on 14th July, the subject was overdressed. But it could have been a better stop. The reason for the stop was good, but the way it was conducted was not. The panel agree that with the subject wearing a balaclava, puffer jacket, and a wad of money in his hand, in a public place there was a justified interaction. Feedback will be provided by divisional Superintendent. Further dip checks will be conducted on other Redhill stop checks conducted by the officers.

- b) This was a use of force and a stop & search on a 54-year-old White male, and a 42-year-old White female, in Leatherhead town, in Mole Valley borough, on Eastern division by Road Traffic Policing officers.

The first part of the BWV was shown from the start to 2:30. The officers had parked up alongside a car where there was a female in the front seat and a male in the back seat, and no apparent driver. The male officer stated for the subjects to stay where they were, or they would get tasered and asked for the car to be turned off. The officer stated to the male subject that he had been driving and now he was in the back, and why was that.

Both subjects were handcuffed by both officers. The subjects were advised that their car had been seen in suspect circumstances, the male had been seen in the driver seat, they had tried to evade police, and now they have pulled over and the male is not in the driver seat. The officers stated they were waiting for further units to assist.

The BWV was forwarded to 28:15-31:15 where both subjects were detained for Section 1 PACE search, with the grounds being that they had been seen in suspect circumstances in Reigate, and that the car was suspected of an attempt theft in Reigate. The officer went through GO WISELY. They got the male out of the car and conducted the stop search on the male.

The BWV was then forwarded on to 42:25-43:30 for the stop & search of the female.

AH asked if anything was found; EN confirmed no and that the outcome was NFA.

EN clarified the circumstances, that the vehicle had been seen in suspicious circumstances in relation to an attempt theft of a motor vehicle, and they would previously evaded police onto earlier occasions. EN identified that there had also been a helicopter overhead, and that the male subject had been seen in the driver's seat. But by the time they stopped the car, he had appeared in the back seat, and there was a bag next to the car that looked like it had been thrown out of the window. Police described the occupants as evasive, nervous, and sweaty, and could not account for being in the area.

MC stated he was surprised that the initial request was that the subjects would be Tasered. CC reminded the panel of the context of the stop. AC also thought the use of the TASER was wrong and that the handcuffing of the female was unnecessary.

SL stated the comment about use of taser was oppressive and unnecessary. The grounds could have been stronger. The subjects did not look like they were going to run, and there was no apparent concealing of anything, and no suggestion of a weapon, so unsure about the handcuffs.

AH highlighted that the GO WISELY element was well done.

JT stated feedback was needed on who does the grounds and the GO WISELY, should do the search.

CC highlighted that the subjects were handcuffed and detained but were not initially told why.

AC stated he thought the handcuffing of the male could be justified due to his size.

In summary: Feedback to RPU Chief Inspector: Show the officers their BWV, no justification for handcuffing a calm and compliant woman, threat of TASER was not proportionate, GO WISELY was well done, but the officer giving the grounds should then be the officers who searches. From JT, the actual searching was not very systematic, it should be done from the top down, it looked like the female officer missed the chest area.

- c) EN stated that MC had selected a strip search to view, however it was not available, so EN selected another strip search from similar time and location. 18-year-old white male in Ashford town, on Spelthorne borough, on Northern division, on 20/09/2023 at 16:43 hours. Search conducted under Section 23 Misuse of Drugs Act for drugs supply.

BWV shown from start to 4:10. Police approached the male in the petrol station. They stated the male was acting suspicious on his bike, and they have noticed cash on him. When he was riding around, he was looking all about, it looked like he saw the police and darted down another road, then came back on himself.

The officers also highlighted that the area is known for drug dealing, and the subject being on a bike as well in the area, is known for drug dealers. The subject stated he did not have anything on him and was just looking for a shop to buy stuff. The officer highlighted that on his route had had passed lots of other shops.

The officer conducted the search. After the search was conducted, the officer stated that there was a whiff of weed around the subject's midriff, and asked if he had anything in his boxers, or if he is smoked that day. The subject denied that he had anything but that he had smoked today.

The BWV was then forwarded on to 7:05 to the end. The officer stated because of the smell of weed, and that the subject had a pending for cocaine, he was going to strip search him. The officer stated he thinks the subject has been dropping off things to people. He has cash on him, but no drugs. An officer stayed with the bike, and two male officers walked with the subject to the toilets of the petrol station. The subject started walking around a bit causing the officers further suspicion. They went into the toilets and the officers again asked if the subject had anything on him, and the subject again denied. The officer then explained that he was going to turn his camera off to protect the subject's privacy.

EN confirmed that multiple tickets of cocaine were then found during the strip search.

AH asked how much money the subject had on him. EN stated unknown and explained that we do not normally count cash at the roadside, just seize it. MC stated he was surprised the officer had not handcuffed the subject, given the circumstances, as he has seen subjects handcuffed for much less.

AC stated he thought it was very well handled, calmly done. DE added he felt the search was justified, he noted that the subject was looking around a lot, keeping an eye on the police.

RC commented that it was very calm, no bad language.

CC stated the subject was using a different tactic, in repeating that he did not know what the officers were talking about, that it was a waste of their time, even right up to the beginning of the strip search.

SL stated he liked the interaction between the officer and the subject, and that it was clear they knew each other from previous interactions. The only observation was that the stop and search was conducted in the doorway of the shop, and that it might have been better to take him around to the side, where there was no public, so less embarrassing for the subject.

- d) EN stated that this was not a BWV clip requested by the panel, but that it had been highlighted through Organisational Learning, and related to the improper use of a TASER.

EN stated because of the factors involved, a summary of the incident would be told to the panel, and they could make the decision as to whether they wanted to view it or not, but in the interests of openness and transparency, the circumstances were being shared.

Police were called to a child protection incident following concern for a child within a residential property, the child was six months old. As police arrived, the subject left the property carrying the six-month-old baby and the male was believed to be intoxicated. EN advised the first 10 minutes of the video was police looking for the male.

Police then locate the male with the child, they tell him to stand still, and he makes off from police, holding the baby, and police chase after him, shouting at him to stop. At one stage, he drops the baby in the road. The baby cries, but it is OK, but it is obviously a bit of shock to watch if you do not know it is coming.

Whilst the officer is chasing, she gets out her TASER and aims it at the male, and she is shouting, 'Police Officer with a TASER.' She also falls over momentarily as she is running with the TASER, but quickly gets up and catches up with the male and is then aiming the TASER at the male holding the baby. EN confirmed that she does not fire the TASER.

A second officer then immediately arrives at the scene, and takes the baby from the subject, and pushes the subject down to the ground, and the subject is handcuffed and arrested. There has been lots of feedback and considerable action taken against the officer.

AH asked who had reported it. EN stated the officer's supervisor. This was then submitted to EN through Organisational Learning, which is where there has been an incident, and there has been learning – whether good or bad – so we identify what the situation was, what the learning was, what recommendations are. And it could be quite localised, or it could be force wide sharing.

The panel asked what was recommended in this situation. EN advised it was recommended that the officer had her Taser licence suspended pending further review. She is required to complete further training with a TASER trainer. She was required to complete further training on the use of force form and statement writing, as her statement content and use of force form did not provide a justification of what she had done.

It was identified as well that her use of the national decision model was poor. It was identified that by pointing and activating the TASER at the subject and the child, it indicated that she had the intention to use the device and it was highlighted that had she discharged the TASER, this could have either hit the child or hit subject who would probably have dropped the child.

CC asked what happened around the safeguarding of the child, and was that all dealt with in terms of, obviously someone running down the street, holding the child, did police have a strategy meeting with partner agencies. EN did not know but would clarify.

CC stated it did not need to be fed back to this meeting but wanted confirmation separately on what had happened.

AH asked how long service the officer had. EN advised 2-3 years.

The panel were asked if they specifically wanted to see the video. Some did not feel the need, but some did. The panel were advised that anyone who did not want to see the video could step outside. MC asked how long the video was, EN advised 3-4 minutes, and that the part of the video where the child was dropped happens quite suddenly, so it is not possible to skip it.

	EN started the BWV footage at 9:40. The officer sights the male and repeats, 'Stay where you are.' The male runs off, and the officer gives chase. The officer states the male has fallen over and the baby is on the floor. Male picks up the baby and continues running. Officer draws her TASER and shouts, 'Police officer with a TASER. The officer falls and gets up and continues pursuing. Male stops running and the officer aims the TASER at the male. The baby is crying. There is then a male Sergeant who appears and takes the baby off the male, and then pushes the male to the ground. A female dog handler also appears and instructs the male Sergeant to get away with the baby. The officer handcuffs the male and arrests him for being drunk in charge of a child and child neglect. Another male officer assists the male in getting up. The subject asks, 'Where's my child?' and the officer states with the other officer. The subject stated the officers had scared his child, and that it was his child. AC asked if officers are taught running with a TASER, is there not a risk of negligent discharge? CC stated it was not advisable. If you had someone with a knife running away from you, it could be justified. But this officer is running after a subject carrying a child with the TASER drawn, causing the assumption that she was prepared to deploy the taser, which could cause the subject to drop the child to the floor again. CC added it did not sound good from her comms. When he is controlled and stood up, she is still telling him to get up because she is in this excited state. JT stated when you get into that heightened state of adrenaline it can take time to calm down, it is down to the officer to recognise. CC asked if there was anything additionally the panel felt the police need to take forward, and specifically asked what the panel thought of the TASER being drawn and chasing him while he was carrying a child. AC stated it was unacceptable. RM stated it was scary, and as he was watching was hoping she would not slip. SG asked what intelligence she had. EN confirmed that the information was that it was a child protection incident, and the subject was 'agitated and intoxicated.' CC stated as an aside, for EN to follow up to ensure all safeguarding matters were considered, not for a follow up for this panel. SL wondered what was going through the officer's head, if there is a drunken male in possession of a child, running away from the officer, whether she was thinking about the safety of the child and trying to retrieve the child and prevent it from suffering any harm. CC did not have issue with the running, it was the use of the TASER. MC highlighted that the police officer who did take the child was also trying to do some sort of takedown and should have moved away with the baby.	
4	Use of Force Headline Briefing & Discussion CC provided the main updates. There has been just over 12% increase in the last 12 months. One of the questions posed was that actually an increase in use of force is concerning and why is that? Ever since CC has taken the portfolio on, it has really been pushed via the Internal Scrutiny to get our use of force recording up. So, every time we see an increase, we see that as a positive, because if the officers were doing these things and not recording the use of force, then it is impossible to put scrutiny around it.	CC

The largest incident increase is 15.4%, which is on North and nearly half of that amount on North is at Spelthorne, which is the area we saw the young lad searched for cocaine.

SL stated it was a good thing that there was better recording, but asked if we know that is the reason or is there actually more force being used.

CC explained the internal qualitative reviews conducted by EN, including reviewing 35 records of White subjects and 35 records of Black subjects per quarter, selected at random, from across the force, we also review under 18 uses of force, reviewing Body Worn videos, and all TASER usage is reviewed.

We are not seeing anything that is not justified and proportionate in the circumstances. What we do continue to see though is poor use of force form filling, but when we look at supporting statements from arrest, it is without exception, proportionate in all the circumstances. We have been doing this qualitative review work for several years, so our data set is significant.

But when we see jobs like the one tonight which are concerning, we must always keep an open mind and focus on reviewing as much body worn as possible so we can see here and know exactly what is going on.

CC stated that under 18 forms have gone up by 15.2%, and North and East divisions are slightly higher than West.

EN explained that it was important to note that a much higher percentage showed active resistance – almost 50% compared to just over 30% who are compliant, and that is quite contrasting with the data for over 18's who are more compliant. A large number of under 18 forms have been dip checked, with consideration to different areas of the form.

Police having prior knowledge of the youth as well as mental health were the main impact factors. Despite the higher level of behaviour of active resistance, handcuffing was still the top tactic that was used, and that was closely followed by unarmed skills. EN looked closely into what unarmed skills meant for these under 18's, and the majority was a simple arm restraint and escort position, and the justification was to prevent the subject escaping or to prevent them from causing harm to themselves.

EN noted that many of the incidents involving under 18's involved the child in a mental health crisis or displaying some form of aggressive behaviour. We have noted that there is a statistically significant increase in the number of uses of force occurring and dwellings with under 18's so this is where children are experiencing a mental health episode, for whatever reason, in the home address or their level of behaviour is causing other offences such as assaults or criminal damage or domestic incidents.

EN conducted reviews of under 18's over many quarters and the current findings are consistent with the previous findings, and we also have quite a high number of uses of force against children who are reported missing and located, whether that's from home or care home, concerns for safety involving under 18's, and also a number of under 18's who present as suicidal.

CC stated the increase is noteworthy though, and asked if the panel would like to do any dip checking or would like under 18's to feature at the next meeting in terms of some of the body worn videos we're seeing because like we saw with that Redhill interaction [the first body worn video shown], it's not necessarily what we're doing – and we've articulated what we're

doing like quite low level tactics – it's how we're doing it, especially with people under the age of 18.

SL stated the under 18 issue was a worrying trend, if the majority of the issues are related to mental health, use of substances, and self-harm, is telling a story about the vulnerabilities of children in our county, something to keep an eye on and highlight to the Mental Health board, and make sure the partnerships are attuned to this growing trend around mental health and kids and children.

SL also stated that 450 subjects were deemed compliant overall, but still had force used against them, so it would be useful to understand why force was being used against someone who is compliant.

CC said just because someone is compliant, does not mean they are not a threat to themselves and potentially others as well, but we should not assume that, and we should go looking for the detail.

SL agreed, stated members of the public will see complaint, but then see force was still used, so this will reassure the public that actually there's good and valid reasons why force is being used against people who are compliant.

AC confirmed he has looked at 170 body worn videos and for him more significant than the pure numbers is whether the force is justified or not justified. One example of a video he had reviewed was a small boy who was running away who had to be stopped by a police officer. That was a use of force, but all the officer did was hold his arm and then dealt with this boy very sympathetically. But if you read into that as a use of force against a small boy, it would imply something negative and comes across incorrectly.

AC further stated what has also struck him is the number of mental health issues, and the police are having to deal with too much mental health work.

AH asked if the police have specific training about dealing with subjects that are experiencing mental health issues.

CC confirmed yes however we are not experts, we get some awareness training, for example on ABD, and we are aware that a lot of people who come into contact with us have all sorts of complex issues, needs including mental health.

AC stated it is difficult to know what more training there could be.

AH would like to know how much of the increase is due to mental health issues.

Action 44 – Review of compliant subjects forms and Body Worn Video.

Action 45 –

Action 46 – Review of incidents where mental health is an impact factor in under 18's.

CC continued his use of force updates explaining that use of force in White subjects had increased by 4% in terms of recording, but in Black subjects' use of force had increased by 17.4%.

We have 11 boroughs in our county, and there were three boroughs that stand out as the bigger contributors to that increase:

Spelthorne 19.3% increase

Guildford 13.9% increase

Epsom 10.4% increase

CC proposes reviewing those 3 boroughs around Black subjects, reviewing the forms and the body worn video to see if there is anything from those boroughs causing the increase, as it is noteworthy.

AH asked if the population of diverse people reflected the increase.

CC stated that Spelthorne and Epsom border the Met Police, and from previous independent academic research into resident and non-resident data we know that these boroughs have a higher number of non-residents which gives an explanation to a degree, and Spelthorne and Epsom are also county lines territory. It was unclear why there is an increase in Guildford, which is a predominantly White area.

AH asked if the panel could see resident and non-resident data. EN advised that it was not possible at the moment, as unlike Stop & Search forms where you can record the address and postcode of the subject searched, the Use of Force forms do not have the same requirement. This is why the independent academic work was previously tasked, as it was going through the forms line by line.

Action 47 – Dip check Use of Force forms and BWV for Black subjects for Spelthorne, Epsom, and Guildford.

SL highlighted that with Body Worn vide, there was 12.2% of cases where force was used against White individuals and there was no Body Worn footage.

CC confirmed there is an 88% compliance rate, and BWV compliance is a standing item on the Internal meeting, and Chief Inspectors are being held to account on that.

CC went on to explain that TASER usage is up by 4.3% with an even split across. EN confirmed that every TASER usage (drawn, aimed, red-dotted, discharged), and there is an emerging trend of an increase in red-dotted TASER on Black subjects. All forms have been reviewed, 161 in this quarter.

Looking at the subject behaviour, and the police response, location, impact factors – as there are a number of areas to look at on the form, not just the grounds – everything seems proportionate and justifiable in the circumstances, with no other obvious trends or themes emerging. It seems that there is an increase, but nothing identifiable as to what is behind that at this time.

Disproportionality is up to 4.8 from 4.1, with under eighteen's it is up to 6 from 3.8, so it makes sense in relation to the above action [Action 47] to look at under 18's in those 3 boroughs as that is where our highest disproportionality is.

AC asked if alcohol were a factor, and whether it could have contributed towards the Guildford increase.

Action 48 – Review incidents where alcohol is an impact factor.

RC highlighted that this data focuses on Black and White subjects, what about other ethnicities. CC stated that data for other ethnicities is within the data that is supplied to the panel, but the biggest disproportionality is with Black subjects. General with Asian and other ethnicities, it is quite stable, and there is not anything that is glowing red as a significant change, but if the panel request more specific data, we can provide that.

CC read from the performance product data provided to highlight in terms of use of force on different ethnicities, Asian was 5.6%, Black was 7.9%, Chinese was 0.2%, Mixed was 2.6%, Other was 1.9%, and White was 78.5%. So Asian is the next highest [after White and Black].

	CC stated the percentages is based on the resident population of Surrey, which is why we do mention resident and non-resident, and we know from previous research almost half of people stopped are non-residents which is not captured in the Surrey census. CC confirmed it does not mean other data on ethnicities does not get looked at, but in terms of providing highlights [in the meeting], CC will provide data on under 18's and Black subjects as those have significant increases. Action 49 – Provide Asian specific data for the next meeting.	
5	Stop & Search Headline Briefing & Discussion EN provided the Stop & Search update. Looking at the last 12 months leading up to and including the 30th of September, we had 5,129 stop and search forms, compared to 4,691 for the previous 12-month period, so there has been a percentage increase of 9.3%, but almost 1000 of those stop and search forms took place at Thorpe Park. So, every year in October, there is a particular drive [of Stop & Search] of Fright Night. If we discount Thorpe Park, as it does slightly distort the figures, then there was a percentage increase of 3.4% and it is a relatively even split across the division. North sees the highest amount of stop and search forms at 38%, with East at 32% and West at 26%, and that is consistent with what we have seen in previous quarters. Looking at find rates, and there was a question on find rates, so EN will incorporate that in this bit: Our latest find rate is 35.1% - that's discounting Thorpe Park - it's increased from 32.1%, with the highest find rate again is on North at 36%, and East and West followed very closely at 34%. So, find rate is the percentage of time that we find an object or the person with stop and searching looking at find rates for White subjects it is 36% and for Black subjects it is 44.5%. EN also looked at find rates for different stop powers and by ethnicity. So, for drugs, for example, find rate for white subjects is 30%, and for Black subjects 35%. For Section 1 of PACE, the find rate for White subjects was 26% and Black subjects 36%. There was a question on the find rate, being seemingly low, and whether it is a waste of police time and public money, and potentially implies that the grounds are not strong enough. The question of the find rate, whether we think that is good or not, is subjective. What we can say is it is a steady and consistent increase over the last several quarters. So, where we were a couple of years ago was in the mid to high 20s, we are now at 35%. So, 35% of time on average we are finding something on the people that we stop and search. We should also consider stop and search powers have a number of purposes. We stop and search to deter individuals from carrying weapons and drugs as they were aware of the risk of being caught, which ultimately contributes towards crime prevention. Stop and search powers also reduces the prevalence of prohibited items on the street, which can lead to a decrease in violent crime and drug related incidents. Conducting searches respectfully and professionally can build trust in communities between police and the public, and we have our public Facebook group on stop and search and use of force, and we have had some really positive comments on there about the use of our powers. One purpose of stop and search is to avoid unnecessary arrests and even sometimes if items are found, there are a number of different disposal options other than arrest.	EN

In summary, the find rate is about 35%, steadily increasing, but for the 65% of the time we do not find something, it is still achieving a purpose of crime prevention or building confidence in the community.

MC commented on the difference on the find rate between White and Black subjects, being 36% and 45%, and that is an increasing gap. EN stated that shows that the searches we are doing on Black subjects are the right ones because of the higher percentage of chance that something will be found. AH agreed.

RC stated he would like to know the percentage of drug offences amongst Asians, and a breakdown of the boroughs as well as the county.

EN confirmed drug search data can be provided.

CC acknowledged the question that police are searching too much for drugs, and that it should be for blades. CC advised that we cannot dictate what an officer searches for, whether it should be drugs, or weapons, if it is proportionate, necessary, and legal, that is the test.

Action 50 - Further to Action 49, produce Asian specific drugs data, searches and finds, across the county and with borough breakdown.

EN continued with the Stop & Search update, confirming that drugs stops account for 64% of all stops with a find rate of 32% and the vast majority, almost three quarters of drug stops is for possession, with a find rate of 33%, and of that possession, 64% was for cannabis, but there was a find rate of 41%.

In respect of Strip Searches, we now review all strip searches on a quarterly basis, firstly to ensure they have been recorded correctly because we do have an issue where people who are stripped searched under arrest in custody is mistakenly being reported as a stop and search strip search. So, we have some continuous communications in that area to address this.

Disregarding those ones, we had 18 strip searches in the last quarter. One of those had good, justifiable grounds for both the stop and search element and the following strip search. This person was a Black subject. They were under 18 and it was really good to see that our force policy and our procedure around how we treat under 18's was followed to the letter in this case.

The policy includes that these strip searches should be completed in custody as a safe environment, confirming that they are not under arrest, that the parent or guardian should be contacted, and that an appropriate adult should be present.

The remaining 17 stop and search grounds for the initial stop were fine, but the form did not go on to talk about any element of the strip search. So, in all 17 cases it has been sent to the officers Chief Inspector for feedback and intervention, because officers should be documenting strip search grounds on the stop search form.

EN also fed back on at age and gender in respect of stop searches, and there was a question about gender from the panel. The highest percentage of searches remains males aged between 18 to 24 years, where the find rate is 33% and there was a question on 'why do we search so many more men than women', identifying that there is a growing trend of men forcing women to carry illicit items, and perhaps for county drugs.

There may be several factors contributing towards that disparity between searching men and women. Men potentially tend to be more involved in certain types of crimes, such as violent offences or drug related activities, which can therefore lead to a higher rate of stop searches, and there may also be some unconscious bias and stereotypes about who is more likely to make commit certain types of crimes.

	EN did try and research this but was not able to find any specific information or theories about why men are stopped and searched more than women, but what was apparent is this isn't unique to Surrey Police, it is a national, and in fact it's even an international trend that men are stopped and searched much more than women. Looking at disproportionality, for the last quarter, 74% of stops were white subjects, 5% of stops were Black subjects. Black to white disproportionality is currently 5.1. One area of disproportionality that we have been focusing on is looking at different teams. So, we have identified that in our probational units and in our proactive teams' attachments at the beginning, disproportionality is much higher at around 8, whereas with response and SNT teams, it is more like 2. The reason we believe these teams have high disproportionality is that they are involved in a greater number of force operations. So, things like Op Flight at East Surrey College and Op Launch at Thorpe Park will have a high number of probation officers and they will be disparity in the visitors going to these areas, and a lot of non-residents. So that contributes to their teams having a higher percentage of disproportionality. But again, we do dip check forms, there is a lot of dip checking that goes on, every stop and search form is supervised, and what is important to focus on is the grounds of the stop and search are proportionate, lawful, and justifiable. We've still got the Cambridge University research that C/Supt Davis has spoken about previously and he's going to be meeting the academic again to discuss the hypothesis that been presented, and we are also going to be discussing with our digital data and technology team about possibly using virtual reality technology, developing a training program where we can test unconscious bias. Finally, our learning and development team have created a history of stop and search online learning training package for Surrey and Sussex. Part of that explores history of stop and search. It looks at things like the Brixton riots, Stephen Lawrence, and Child Q to really highlight topical areas such as disproportionality and unconscious bias, and that is particularly important considering we have got quite a young workforce now, so a huge portion of our workforce would not have even been born in the time of Stephen Lawrence. But that is history that is passed down through the Black community, so it is important that it is kept to the forefront of the police as well. CC agreed and highlighted that the training programme was really informative and sets the context of how some of our communities will be feeling through events that although are quite old now, will not be lots in some of our communities. MC asked if the panel could see the training, EN will liaise with learning and development to find out how this can be shared with them [as it's a College Learn NCALT where you need to register] and if not, perhaps a separate meeting can be arranged where EN can share the screen. RM made a request for more information on knife crime, as it is a headline in papers. Action 51 – Prepare data and information on knife crime, including dip checks.	
5	Thematic Discussion Points Nothing else raised.	MC

6	Social Media Updates Nothing else to raise that has not already been covered.	MC
7	External Scrutiny Panel members debrief by Chair Not conducted today.	MC
8	A.O.B EN raised that we are looking at a new way of being able to share information, called ECINS, which is a type of technology where you register on the system with an email address, and all documents for the panel meeting can be uploaded to the ECINS system, rather than emailing them out [where there are constraints on what can be emailed, and size of documents]. It is a better and more secure way to be able to receive and view documents, and you can also set tasks. So, if the panel have questions, they can ask and task directly through this system. EN said it will seem overwhelming to begin with, but we can set up a meeting with each member of the panel to go through it, and once everyone knows what to click on and where to find the information, it should be good. AH asked if there was a way of receiving the data any sooner. EN advised it is down to capacity as EN produces all the data, the only other option would be to move the meetings further back, however that would mean reviewing data that is farther away from the time period in question. EN did advise that conversations do not just have to be limited to the quarterly panel meetings, that panel members have my contact details and can contact me at any point with questions or requests. EN acknowledged that there is a lot of data but reminded the panel that the spreadsheets are all filterable, and there is no expectation for them to review absolutely everything, they can pick an area they are interested in and filter to those options. Next meeting: EN advised the next meeting would be around the beginning of February 2024 [to discuss Quarter 3 which will be October to December 2023, and rolling year data to 31st December 2023]. MEETING ENDED	MC