

Minutes

External Stop & Search/Use of Force Scrutiny Panel

Date: Monday 27 March 2023 18:30 hrs

Location: MS Teams



Attendees

MC	Mark Cunningham	External Panel Member (Chair)
SG	Sarah Gosling	External Panel Member
AC	Angus Cleaver	External Panel Member
CD	Clive Davies	C/S Clive Davies – Strategic Lead for Stop & Search
CC	Chris Colley	Supt Chris Colley – Force Lead for Use of Force
DG	Dan Gutierrez	C/Insp Neighbourhoods - Tactical Lead for Stop & Search
RL	Ralph Lawrence	A/Insp Learning & Development
EN	Emma Newton	T/ Sergeant – Staff Officer to C/S Clive Davies

Apologies

AH	Anita Ho	External Panel Member
JM	James Miller	External Panel Member
RJ	Raj Chhatri	External Panel Member

	Notes	Owner
1	Introductions 1.1 Apologies MC thanked everyone for attending the meeting and reiterated the purpose of the External Scrutiny panel was to provide scrutiny to maximise trust and confidence regarding Stop and Search and Use of Force powers being used appropriately.	

MC introduced Angus Cleaver (AC) as a new panel member and attending the meeting for the first time.

Existing external panel members introduced themselves.

Attendees from Surrey Police introduced themselves and their roles.

AC gave a brief introduction regarding his involvement with Surrey Police.

AC who is retired joined as a role play volunteer on the 1st of November 2017, in the Foundation Training department at Mount Browne has been doing that continuously except for during the period of COVID. Since the volunteer programme has restarted AC stated he had been handcuffed and searched as part of officer training and provided feed back to the instructors and therefore has a keen interest in this area.

1.2 Action Log

MC highlighted that the action tracker had a typo around the year of two of the actions from the previous meeting and showed 2023 instead of 2022. EN said this would be corrected.

No further questions from the panel regarding the update for Action 30.
Action closed.

Action 31 - Discharged

Action 32 - Updated

A discussion was held around Action 32 and the ongoing Cambridge research which showed probationers as having a large amount of disproportionality compared to other teams' probationary teams, probationers are disproportionately searching different people and whether this is just Dedicated Coaching Unit DCU or right across all of NPT.

A discussion was held around getting the best idea / picture of what an officer can do through their portfolio.

New Action 27.03.2023

LR to 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

Action 33 - Live Facebook page - to be discussed later in the meeting

Action 34 - To check the SS / UoF forms to check if there is a section to note if an officer is injured / hospitalised and to feed back at the next meeting

Action 34 update - Update: Stop and Search form currently does not cover officer injury or if the officer was hospitalised.

The Use of Force form does ask if an officer has been physically injured and if so, was it a direct result of a subject intentionally attempting to assault.

Final question asks if medical assistance was provided.

Surrey Police have an internal process which is known as seven-point plan to be adhered to by line managers for officers and staff that have been injured.

MC confirmed he was happy to close the action.

Action 34 - Closed

MC apologised for the lack of external panel members attending but hopefully this would improve at future meetings.

A discussion was held around the reasons why there was a lack of external panel members not attending meetings. It was decided that it was a combination of factors, locations, individual's work / home commitments. There were plans to improve the situation with new members joining a combination of holding meetings on MS teams and face to face.

RL suggested that the University of Surrey have a law school within it. And it may be worth contacting them to see if any students studying law or specialising in criminal modules might find the panel interesting and may provide a younger perspective.

MC stated this would be worth investigating.

MC also said he had recently attended a community meeting around a hate crime incident and through conversation there were some members of the public attending that stated they would be interested in perhaps joining the panel.

MC stated he will be communicating with them to see if they would like to progress.

BWV Review

EN reiterated a data impact assessment with information governance, was recently completed which essentially allows Surrey Police to show a body worn footage online on via MS Teams. There are several mitigating factors that everybody needed to agree to, whether that's verbally and recorded in the minutes.

External panel members must confirm they are alone, they are either wearing headphones or in the location where they cannot be overheard. Their camera must remain on for the duration of the viewing of the BWV. Unless external panel members are in a Police building, they must remove their background and reminded all that the meeting was being recorded via MS Teams.

All external panel members agreed.

Incident – Use of Force:

SUMMARY:

Police were called to an address in the early hours of the morning to reports of an unknown male forcing entry into a residential address and assaulting a male, causing him injuries to his mouth. On police arrival they stopped a male matching the suspect's description located nearby. One officer spoke to the victim and witness who positively identified the stopped male as the one who had assaulted the victim. The male refused to give his name and address to police. He was arrested for ABH and Using Violence to Secure Entry. He made a number of comments that the only reason he was being arrested was because he was Black. He was obstructive and uncooperative with police and refused to be searched. He was taken to the floor, where he then spat at one of the officers. He made several subsequent comments that he couldn't breathe, that he had asthma, that he had recently had surgery, asking for the cuffs to be removed, asking for police to stop, although he was the one who was struggling and resisting, and made threats to fight. He remained uncooperative for the entire encounter continuing allegations of racial discrimination and was eventually taken to custody in a police van.

A discussion was held around why the subject was taken to the ground. EN explained the subject had been arrested and the officers, were trying to conduct a section 32 search after arrest before they put him in the police car. At that stage the subject was compliant enough to go into a police car which is standard procedure. The subject was refusing the search by the officers and therefore they attempt to take him to the ground to have better control of him, to be able to complete the search.

The outcome was the subject was taken to custody and charged for assault. Apparently, the subject had recently been released from prison for several offences he was charged and taken back to court for the assault.

Item 15 7/10/22 0640 - 45220107679

Incident – 45220096887 – Use of Force:

SUMMARY:

Male partner stopped a plain clothes officer outside the police station to report a domestic incident with his female partner, who had walked off, leaving him with the children. Female partner was located a short distance away but neither party was making any allegations/offences, and the female was very obstructive. A short time later there was an emergency call involving the same couple. The female was being verbally and physically aggressive to her partner in front of the children and to police officers.

A discussion was held around the aggressive behaviour of the female after the initial point of the male approaching a plain clothes officer to report the domestic incident and the female originally walking off and leaving the partner and the children. After the earlier interaction a female officer had located the female in the car park to her block of flats, and they were walking down the street where a male officer joined them. That was when the female became very obstructive and would not communicate with officers. She was quite verbally aggressive but at that stage there was no actual allegations or offences disclosed. And it wasn't until this, about half an hour later, that police were called back on our emergency response.

At this point the situation escalates with the possibility of her not only hurting herself but also the potential to hurt officers. Also, her behaviour showed signs of a mental health crisis and the possibility of her domestic situation as possibly a victim could have contributed towards her behaviour. Although it was agreed that the officers' manner was calm it was agreed that there was an opportunity for officers to have taken control of the situation much sooner to avoid an escalation.

It was agreed that the children should have been removed from observing the situation and although a retired officer present at least did move the children away eventually, one of the officers albeit dealing with a challenging situation should have taken that action initially as witnessing the episode was very distressing for the children.

Incident 4 – Stop & Search:

Male is stopped by plain clothes officers on mobile patrol, on an electric scooter, driving otherwise than in accordance with a licence and with no insurance. Police proceeded to conduct a Stop & Search. Male was actively resistant and was placed in cuffs for the duration of the search.

A discussion was held around the stop which initially seemed as they the officers were going to let the individual go however because the individual started to raise his voice to the officers it seemed to escalate the situation and resulted in the officers deciding to have suspicion to detain under section 23 drugs legislation.

A further discussion was held around it seemed that the young male was stopped for illegally using the scooter and then there was a suggestion that he should be searched because he fitted the MO of people on scooters facilitating drug dealing.

LR stated that without knowing the specific Intel for time, place and MO and the people who are doing the drug deal in that area it would be difficult to say however a young male at that time of night, riding on a scooter officers may build on those grounds however in this instance it was not communicated clearly which was part of the problem.

MC stated in his opinion the search and explanation were poorly executed by the officers and would like to have more details regarding that stop.

New Action: DG to look and provide further details which EN will then pass to MC for further review.

UoF Headline Briefing & Discussion and Quarterly Reports



UF Q3 Oct-Dec 2022
Performance Product.

S&S Headline Briefing & Discussion and Quarterly Reports



SS Q3 Oct-Dec 2022
Performance Product.

A discussion was held around some of the content and formatting of the Stop and Search report which seemed to be repeated.

EN confirmed she would check the content to see if there was an error.

Social Media Updates - Facebook Live

EN updated the panel regarding the twice yearly two-hour Live Facebook evening event which involves Chief Superintendent Clive Davies, Superintendent Chris Colley, a representative from Surrey Police Training and Staff Officer Emma Newton. This event is advertised

EN gave an overview of what is involved and of the official Surrey Police Use of Force and Stop and Search Facebook group, which is a public group so the Facebook Live is run from there which is a follow on from Surrey Police Facebook. The last session generated good engagement from the public and the next one will be planned for later in the year. This also links into the Surrey Facebook and Instagram pages. There is also a proposal for the Facebook live to be interactive - meaning if somebody couldn't post a question, we could respond to them within 48 hours which is a good way of engaging with the community.

EN confirmed she would contact the panel members in advance of the date of the next scheduled Facebook Live.

A discussion was held around the Facebook page for the External Scrutiny panel which has been set up and the admin is to be done by MC and other the panel members. MC yet to discuss content with other panel members but is keen to get it up and running.

A short fifteen minute de brief among all the panel members with Surrey Police members dialling out and then dialling back in.

The purpose of the de brief is for panel members to have their own discussion regarding raising anything further or individuals to raise anything through the chair MC, that perhaps they did not feel comfortable raising direct.

External panel members re-joined the MS teams meeting. One of the areas they said they had discussed was the quality of some of the BWV clips and the opportunities of how to view more BWV.

MC confirmed he would email EN separately outside of the meeting with requests / options.

MC also confirm he would be looking for more attendance from the other panel members at the next meeting.

A.O.B – None.

Meeting closed.