

Background

In January 2024, Wiltshire Police responded to a national 'Super Complaint', received nationally from the Criminal Justice Alliance. Our initial response setting out our localised Wiltshire approach was published onto our website in January 2024 and can be found here: [Criminal Justice Alliance's super complaint | Wiltshire Police](#).

The force was set a deadline of the 14th June 2024 to provide a response to the issues raised in this super complaint. The information provided in this statement demonstrates the proactive steps taken by Wiltshire Police.

Issue 1

By 14 June 2024, Chief Constables should make sure their forces review the content of training on Section 60 of the Criminal Justice and Public Order Act 1994 and how they provide it. The review should consider current national police curriculum requirements and the adequacy of Force training for:

- **Officers who may be required to authorise section 60s; and**
- **Officers who may be required to conduct section 60 stop and searches.**

The review and any associated actions should be proportionate to each Force's use of Section 60.

Our response

Wiltshire Police recognise that the Section 60 power is not utilised within the county on a regular basis, however it does remain a significant power available to the Force when required. Section 60 has been implemented three times within the Wiltshire Police area during the previous 18-month period.

During the review arising from our response to this super complaint, Wiltshire Police recognised a gap of training and awareness existed for both those officers who authorise the Section 60 power and those who exercise the power.

In response, Wiltshire Police has revised the internal documentation and process for authorising this power. We have created 'How to' user guides for all Inspecting ranks and above that defines the lawful basis and internal requirements for authorising the power. This guidance includes a requirement for mandatory engagement with communities and the requirement to ensure auditable recordings are kept and available.

In addition, Wiltshire Police have implemented mandatory e-learning for Stop and Search to all warranted officers within the Force that includes an overview of Section 60 powers. All new recruits receive an input on Section 60 powers during their initial training phase. In addition, the Force has created a simplified briefing document to provide all officers with the ability to refresh their knowledge and understanding of this very important police power.

Issue 2

By 14 June 2024, chief constables should make sure briefing and debriefing arrangements for Force activities section 60 of the Criminal Justice and Public Order Act 1994 are thorough and in line with Police and Criminal Evidence Act 1984 Code A and authorised professional practice content and guidance. Chief Constables must make sure Section 60 authorisation briefings are recorded. This may be as a written briefing. Formal verbal Section 60 authorisation briefings should be given on audio-visual devices such as body-worn video or approved handheld communication devices. They should be capable of being recorded as part of the policing operation and be subject to scrutiny.

Section 60 briefings to officers who are required to use their stop and search powers should include information on:

- The relevant law and guidance.
- The particular grounds for authorising the use of section 60 stop and search powers.
- All relevant and current information and intelligence.
- The geographical area covered, and time limitations authorised
- All relevant community information (including policing history) and any community impact assessment.
- All relevant community information (including policing history) and any community impact assessment.
- The importance of recording all Section 60 stop and search encounters on body-worn video in their entirety.

Our response

Wiltshire Police have revised our internal authority processes in response to with the requirements described in this super complaint.

To provide clarity to our operational and organisational response to the use of this power, Wiltshire Police have classified their use in the following two categories with specified requirements for each:

- (i) Spontaneous authority: Revised guidance and documentation offers clear prompts and establishes a requirement for all briefings to be recorded, authorities recorded and record keeping maintained. It also provides a clear basis for recording the authorising officer's rationale for granting the authority.
- (ii) Pre-planned authority. In addition to the above, the planned authority documentation mandates a clear requirement for authorising officers to engage with key internal and external stakeholders including community leaders. A record must be kept of views provide during this consultation process and a clear auditable record maintained of that process.

Wiltshire Police have now revised its strategic governance framework around the use of stop and search powers. Should a Section 60 power be authorised this will be subject of a thorough review from both the external scrutiny panel and through its internal governance frameworks.

Issue 3

When conducting a review, the approach taken will ensure that all records (both written and recorded) will be easily accessible and available to support the review and debrief process.

By 14 June 2024, chief constables should make sure all officers who exercise stop and search powers understand, and comply with, their responsibility to safeguard children who are stopped and searched. In doing so, Chief Constables should make sure that:

- **In line with the national policing curriculum, officers undertaking searches are appropriately trained to take the necessary steps to minimise any emotional harm that may be caused through these encounters.**
- **Their force has processes in place to assist appropriate safeguarding referrals when children are stopped and searched; and**
- **There is robust checking and assessment of all such searches that takes account of the safety and welfare needs of the child.**

Our response

Wiltshire Police have reviewed its Public Protection Policies in line with the Multi-Agency Safeguarding Hub (MASH) arrangements currently in place.

There is now a requirement that should any child be subject to a Stop and Search by a warranted officer (including under the Section 60 power), then a mandatory 'Child to Notice' form must be generated. The searching officer will be responsible for ensuring the immediate safeguarding of the child involved in this search and that any immediate welfare needs are identified and managed.

In addition, it is the responsibility of the searching officer to take reasonable steps to inform the parent/guardian of the young person searched. All stop and search records are subject of a supervisor/Sgt initial sign off. Police Inspectors will be required to dip sample a number of search records to ensure compliance with this requirement.

This approach allows for the relevant safeguarding referrals to be made and a consistent process for quality assurance and public trust and confidence to be established and maintained.

Issue 4

By 14 June 2024, Chief Constables should make sure forces effectively communicate with communities and interested parties on the police use of Section 60 stop and search powers. This should include;

- **Making sure communications reach the communities most likely to be affected by the Section 60 authorisation and checking their communication strategies were effective.**

- **Publicising details to inform the public, give reassurance and maximise any deterrent effect; and**
- **Reporting back to communities and interested parties on operational outcomes.**

Our response

Wiltshire Police fully recognise the importance of engaging with communities throughout the Section 60 process. Wiltshire Police have revised its policy and set clear mandatory guidance to authorising officers that upon an authority being granted, the communications team must be consulted with and a media release generated within the relevant policing area to provide information about the power being used.

During a pre-planned authority, there is a mandatory requirement for Wiltshire Police engage with community stakeholders and record any views provided as part of the authorisation process. Following the commencement of the authority, the Force will update the community through localised links. In addition, the granting of a Section 60 power will generate a mandatory referral to our external community scrutiny panel.

Issue 5

By 14 June 2024, Chief Constables should satisfy themselves that their force gives community scrutiny panels (or their equivalents) all relevant information to help them scrutinise police stop and searches and other police actions arising from Section 60 authorisations. This should include:

- **The grounds and underlying reasons for the authorisations.**
- **Any recordings of briefings.**
- **Written records of searches.**
- **Information about the outcomes of searches; and**
- **Body-worn video footage of entire encounters.**

In addition, chief constables should satisfy themselves that their force incorporates feedback from community scrutiny panels (or their equivalents) when evaluating and improving the forces' use of section 60.

Our response

Wiltshire Police have an external community scrutiny panel who provide feedback and conduct reviews of dip-sampled stop searches across the Force including the use of Section 60 powers. The granting of an authority under Section 60 will now generate an automatic referral to the scrutiny panel for their review.

Wiltshire Police have taken steps to mandate record keeping of activity undertaken during the operation of a Section 60 power. This will ensure that relevant documentation will be provided to the scrutiny panel to inform their review of the use of this power. This will include the recording of

briefings, written records of searches and body worn video footage taken during the operational use of this power.

As part of a wider revision of our approach to scrutiny, Wiltshire Police have created and embedded an 'organisational learning log', whereby learning from the scrutiny panel is adopted and presented into Force strategic governance meetings to drive service improvement.

Issue 6

By 14 June 2024, Chief Constables and where applicable PCC's (or equivalents) should make sure their Forces work in partnership with community scrutiny panels (or their equivalents) to:

- **Review panel membership and vetting arrangements to remove any unnecessary barriers to recruiting panel members.**
- **Promote the recruitment of culturally diverse members, with a particular focus on representing, involving and retaining those from under-represented communities and young people;**
- **Promote the representation, involvement, and retention of those who have been stopped and searched.**
- **Make sure the force gives community scrutiny panels information on the police use of force, including handcuffing, relevant to the police use of stop and search powers.**
- **Make sure they support and help community scrutiny panels to review section 60 authorisations, searches, community impact assessments and associated complaints.**
- **Give members appropriate training and support to help them effectively carry out their role scrutinising all stop and searches, taking account of the effect the role could have on them; and**
- **Provide the right level of police representation at panel meetings to support and advise as required, and to make sure the panel's feedback helps to improve both individual officer and organisational learning.**

Our response

Wiltshire Police have an embedded and functioning police powers scrutiny group who scrutinise the Force approach to Use of Force and Stop and Search.

The current panel is chaired by an external member of the public and facilitated through the OPCC. The panel regularly receive inputs from subject matter experts and leads. Learning from the panel is presented into force strategic governance meetings with the panel updated as how their feedback has been utilised internally.

The OPCC continues to develop the approach to scrutiny with aspirations to widen panel representation and considerations for taking the panel into community spaces moving forward.

To support this, Wiltshire Police have supported the role of 'Stop Search Delivery Officer' through the Neighbourhood Harm reduction Unit. This will provide a pivotal link between internal governance and external scrutiny.

Issue 7

Within 56 days of the publication date of this report, the National Police Chiefs Council, the Association of Police and Crime Commissioners and the Home Office should inform His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, the Independent Office for Police Conduct, and the College of Policing how they intend to respond to the recommendations.

Within 56 days of the publication date of this report, forces should publish on their websites an explanation of how they have responded or will respond to the recommendations. Forces should send the National Police Chiefs Council links to where this information can be found.

Our response

Wiltshire Police responded to the initial report within the 56 days' timeframe as per the initial response: [Criminal Justice Alliance's super complaint | Wiltshire Police](#).

In addition, Wiltshire Police have now published this further response outlining our approach and embedding of processes relating to the use of this power.