

Police Powers Scrutiny Panel



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26 August 2021

Police Powers Scrutiny Panel meeting minutes. Meeting no. 3.

Thursday 26 August 2021. In person meeting held at Wiltshire Police Headquarters, Devizes.

Attendees

- Sergeant Tom Ellerby - Equality, Diversity and Inclusion (EDI) officer
- Emily Adams - EDI Officer
- Lisa Collins - Chair
- Anton James - Member
- Debbie Mason - Member
- Liz Priscott - Member

Apologies

- No other attendees due to Covid restrictions

Welcome

A brief update in relation to vetting and the Confidentiality Agreement (CA) was given to the panel. A copy of the CA was signed by panel members who attended in person.

Panel Terms of Reference (ToR) reviewed and agreed.

This is the first meeting where Body Worn Video (BWV) footage will be used as part of the process. Considerations explained for images, videos and information that may be seen or heard during viewing of BWV.

Action: ToR to be produced in a meeting pack for panel members to have in front of them during meetings so they can be referred to.

Data Update

Fiscal quarter 1 (Apr – Jun 2021) Stop Search data presented to panel members.

Key headlines reviewed and briefly discussed, panel members signposted to the location of **Stop Search Data** on the Wiltshire Police website and this is summarised below:

- 358 Stop and Searches recorded.
- The highest proportion, 49%, were recorded in Swindon, followed by 14% in Trowbridge.
- 73% of searches involved the search for a controlled drug. 4.3% had multiple search reasons recorded.
- 27% of searches resulted in police action and 11% resulted in arrest.
- 73% of searches resulted in no further police action.
- 68% of cases resulted in no object being found and 30% recorded an object was found. A small percentage didn't have the information recorded.
- Of the searches where an object was found, 28% related to the reason for the search
- 57% of the people searched were under 25; the youngest stop was 13 years old and the oldest was 62.

For the same fiscal quarter, Stop Search data shows that you are more likely to be stopped than a person from a white ethnic group, if you are from the following ethnic groups:

- Black – 10.6 times more likely
- Mixed – 2.3 times more likely
- Chinese or other – 1.7 times more likely
- Asian – 1.4 times more likely

Data to the 12 months ending Jun-21 shows those belonging to an ethnic minority group are 2.8 times more likely to be stopped than those identifying as White ethnicity. This is a year-on-year reduction from 3.2.

Updates from Previous Meeting

The following updates were provided by Wiltshire Police in relation to amber searches highlighted in the previous meeting:

Grounds provided & query raised	Response
<p>Grounds: On 14/04/21 at 13:00hrs a male was seen headed towards a person's address who had just been arrested for Possession with Intent to Supply (PWITS) Class A Drugs. It was suspected that the male was heading to the address & involved in drug dealing.</p> <p>Query: What caused the suspicion? How were they connected? More details needed due to unclear grounds.</p>	<p>Inspectors Feedback: Insp Franklin was happy with the Stop Search and grounds: 'The subject living at the address is involved in running drugs for a Dangerous Drug Network (DDN), so was targeted and arrested having been found with crack/heroin. As officers were finishing at the address, a further individual came to the address on his phone. He doesn't live at that location and was suspected of being concerned in the running of the line, therefore he was Stopped and Searched. Locations where people supply drugs will often have visitors coming to either collect, reload, or buy drugs.'</p>
<p>Grounds: On 12/04/21 at 13:15hrs, a S1 stop search was conducted on a male on St Thomas Square. A member of the public has reported hearing the male threaten to stab people.</p> <p>Query: Insufficient information provided. Please explain why the search was conducted in enough detail for the panel to understand the justification.</p>	<p>Inspectors Feedback: Insp Osborn spoke to the Officer who carried out the search and based upon the information provided by them, he believed that there were sufficient grounds to search, but perhaps not recorded which I have explained to the officer.' The male was having a mental health episode and was also intoxicated. He was talking to himself about a knife and stabbing people. The story came from Police via a security guard who saw the male on CCTV. The Officer was not able to confirm whether the male had a knife on him at the scene, therefore carried out a Stop Search.</p>

Grounds provided & query raised	Response
<p>Grounds: On 06/03/21 at 15:30hrs a S1 stop search was conducted on a male in a Mercedes on Oxford road, Swindon. The driver has been seen waving a shiny metal object whilst driving and has then been seen to place it under the driver's seat.</p> <p>Query: Grounds are unclear, who had seen the driver? Is there any detail on what the object was?</p>	<p>Inspectors Feedback: Insp Joe Senior stated: I would have signed off the form with what was there, however, I appreciate the info could have been fleshed out a bit. The report was that the male in question (occupant of the listed vehicle) had been chasing another car and waving an item in the air, which the victim could see in his rear-view mirror. The officers were searching to identify the item as it was suspected to be a weapon. I have provided some feedback to the officer.</p>
<p>Grounds: On 07/12/2020 at 22:55hrs a s23 Misuse of Drugs Act (MDA) Stop Search was conducted on a female who had been in a vehicle in Wilton Shopping Village. The vehicle was parked in the far corner of the car park with 4 occupants. Whilst speaking to the occupants a strong smell of cannabis was coming from the car.</p> <p>Query: Why did police approach vehicle initially? More detail required on circumstances.</p>	<p>Officers Response: Covid restrictions were still in place after a full lockdown. I was on mobile patrol and checked an area known to be a place for persons to secrete themselves to carry out criminal activity. As I entered the area, I saw a vehicle with 4 occupants. Due to the regulations, I spoke with them. A male was sat in the rear seat and began to hide items. As I was speaking to the female driver a smell of cannabis came from within the vehicle. It transpired the young male in the rear seat had just lit up a joint. All 4 occupants were detained for the purposes of a S23 MDA Search. Two occupants were found to have cannabis on them. One was issued with a Cannabis Street Warning, and one received a Penalty Notice for Disorder as he had previously received a street warning.</p>

Independent Review of Police Stop Search Records Led by Lisa Collins (Chair)

A selection of Stop Search records were selected randomly from the previous 30 days.

11 records were identified for review with the understanding that the panel may not get through all of them in the time allocated.

To undertake review and scrutiny of the records presented, panel members were asked to consider the grounds recorded for each search and any other information Wiltshire Police could provide and make an assessment based on a Red, Amber, Green (R.A.G) assessment criteria as per the below.

R.A.G Assessment Criteria

Green – In the lay view of the Panel, the grounds provided were reasonable for a stop and search to be carried out.

Amber – In the lay view of the Panel, the grounds given aren't clear enough to make a decision either way OR were not sufficient, but we understand why the decision was made.

Red – In the lay view of the Panel, the grounds given were not sufficient to warrant the use of stop and search powers and further investigation is required.

In response to a request made by panel members at the previous meeting, further information and clarification was provided on what could constitute **reasonable grounds**.

The presentation contained this information and was explained to the Panel; this is shown at the end of this document.

Action: R.A.G assessment criteria and information on *Reasonable Grounds* to be produced in a meeting pack for panel members to have in front of them during meetings so they can be referred to.

Résumé of Search Results Provided by Panel Members

A total of 11 searches were reviewed; all 11 were deemed to meet green status.

This was the first time panel members were able to

assess the compliance of searches after viewing BWV footage. General feedback was positive, and the panel found it beneficial to view the footage as it helped them to come to a conclusion in relation to the assessment criteria. There was a consensus that the common theme was that the documentation provided by Officers for their *Reasonable Grounds* for Stop Search is poor.

Feedback was received from the panel members around the ethnic background of search subjects viewed, as all were from a white background. The panel wanted to be able to discuss the disproportionality of the ethnic background of Stop Search subjects and thought it would be beneficial to see a wider ethnic diversity of subjects.

Methodology of selection of records was discussed with the Chair and agreed so that it was more random and diverse. A wider time frame for searches was also recommended.

Action: Wiltshire Police to provide list of crime numbers, including ethnic background, to the Chair for them to select which records would be viewed at the next meeting.

Action: Wiltshire Police to ensure *positive feedback* is provided to Officers alongside *lessons learnt*.

Date of Next Meeting

13th December 2021

Contact Details

If there are any questions or queries, please contact the Equality, Diversity and Inclusion Department at EDI@wiltshire.police.uk

