

COMMISSIONERS INDEPENDENT SCRUTINY REPORT

Stop Search

26 September 2023

Scrutiny Panel:	STOP SEARCH
Members:	Paula Stanton Andrew Cowen Philip Hackwood Also Attending: Chief Inspector Mark Barlow – Force Lead Michelle Ryan – SCO Holly Sproston - SCO
Purpose:	The Panel are to check that Stop and Search procedure has been followed and that Body Worn Videos reviewed are compliant with the law and are being used effectively. The panel will focus on: <ul style="list-style-type: none">• Whether Body Worn Video Policy was adhered to,• Whether the principles of GO WISELY were followed,• Whether the principles of JOG were followed. Note: GO WISELY & JOG Principles available in Appendix 1.
Panel Findings:	<p>The time period selected for the Stop and Search incidents was 1st June 2023 to 31st August 2023. During this period 1047 Person Stop and Search incidents took place.</p> <p>12 Incidents were selected randomly by the panel. Of the 12 incidents selected Body Worn Video (BWV) could not be found for 1 incident. However, there were two associated extracts of BWV associated with this incident. Further investigations were made and it was identified that the officer concerned had not saved the video extracts correctly. The officer has been advised by their supervisors of the need to ensure that Stop and Search footage is saved correctly. Of the remaining 9 incidents, all had Body Worn Video.</p> <p>Of the 9 incidents viewed there were 3 incidents where the execution of the Stop Search was clear, complete and professionally undertaken. The panel felt that the officers in these incidents demonstrated respect and their explanations to the individuals was clear and distinct covering all requirements of a well-executed Stop Search.</p>



There were five incidents where the Stop Search process was not fully implemented:

- In the first incident the Stop Search appeared to be conducted in the individual's house which is not a legal search. In this incident the Stop Search process was very disjointed and parts of the requirements were omitted.
- In the second incident the initial stop was in the garden on the individual's home. The search moved into the individual's house at the request of the individual to prevent embarrassment in front of his neighbours. The officer gave a clear explanation of the search but some aspects were omitted e.g. able to get a copy of the search.
- In the third incident the BWV camera had been placed on the floor which meant that the view was of a number of people's feet only and the sound became very muffled. This meant it was very difficult for the panel to ascertain whether the Stop Search process had been fully complied with. The panel appreciated that this was a plain clothes operation and suggested that suitable advice be given to plain clothes officers on how to facilitate effective recording on BWV.
- On the fourth incident the individual stopped was agitated and the officer attempted to undertake the Stop Search process. However, it became apparent that the individual was under the influence of controlled substances. The officer recognised this and the need to take the individual quickly to the hospital. The panel noted the care and concern the officer demonstrated in ensuring the welfare of the individual was addressed.
- On the fifth incident there had been reports of males fighting with machetes. Officers had stopped an individual who was clearly injured but was obstructive and agitated. Despite several attempts to conduct a search and follow the process, it was only partially completed.

The final incident was a very distressed female who continually shouted and tussled with officers. The panel were unable to ascertain whether any part of the Stop Search GOWISELY process was undertaken.

The panel recognised that there are certain situations where the delivery of the GOWISELY principles were difficult to execute but in order for the Stop to comply with legislation it was imperative that all aspects were covered.

Incident matrix & findings available in Appendix 2.

Recommendations:

- To advise plain clothes officers of the importance of locating BWV cameras in a suitable place to record effectively the execution of their duties.
- In order for the Stop to comply with legislation, it was imperative that all aspects of GO WISELY are covered despite the difficulty of the incident.
- Feedback given to officers in relation to positive comments and also areas identified for improvement.



Force Lead Response:

As Force Lead I would like to thank CISP members for their continued scrutiny of Stop and Search. All observations and recommendations will be implemented in the Force's continued efforts to improve performance in this area.

Appendix 1

Explanation of GOWISELY and JOG

G	Explain G rounds for search
O	Explain the O bjective of the search
W	Show their W arrant Card
I	Identify themselves by name
S	Which S tation they work from
E	Explain their E ntitlement to a copy of the record
L	Under which L egal power is the search being performed
Y	Y ou are being detained for the purpose of a search
JOG	Remove only suspects J acket, O uter coat and G loves

Note: Uniformed Officers do not have to show their Warrant Card.

Occurrence No.	Date	GOWISELY adhered? YES/NO	JOG adhered? YES/NO	Comments
21230087807 PSS2302428	16/06/2023 05:32:00	Partially	Yes	Person suspected of setting fire to items in a church. Reports from Public. Sufficient grounds. GOWISELY was not conducted immediately and mainly after the search. Officers were also in the suspect's house so not a legal search.
21230086792 PSS2302489	19/06/2023 20:45:00	Yes	Yes	GOWISELY was well executed by the officer. Intel indicated potential weapon. Officer very calm and reassuring and engaged well with individuals Enabled a quick and effective stop search
21230087807 PSS2302509	21/06/2023 15:36:00	Partially	Yes	Intel indicating person selling drugs. Stop Search undertaken in garden of home. Mutually agreed to move inside to prevent embarrassment to home owner. Officer gave clear explanation of reason for search.
21230087833 PSS2302510	21/06/2023 16:20:00	Yes	Yes	Information indicating person taking drugs in a public place. Evidence clearly visible. Thorough searches undertaken and good communication and explanation from officers.
21230104966 PSS2302513	21/06/2023 13:46:00	Partially	Unknown	A difficult video to view or hear. Plain clothes officer placed camera on floor. Poor sight and audio meant that unable to verify if GO WISELY was adhered to.
21230119079 PSS2302516	22/06/2023 01:47:00	Partially	Yes	Person stopped due to reports of trying car doors and entering gardens. Individual was very distressed and indicated he had taken Monkey dust. It became very difficult for Officer to go through GO WISELY due to the behaviour of the individual. The officer was very patient and concerned and eventually arranged for individual to go to A&E.
21230104966 PSS2302997	26/07/2023 00:00:00	Yes	Yes	Group of young people reported for smoking cannabis. Several officers attended. All had good interaction with the young people



				which enabled good co-operation. Officers patient and respectful. Stop Search executed well.
21230122520 PSS2303585	15/08/2023 11:25:00	Partially	Yes	Individual stopped due to reports of males fighting with a machete. Individual had cuts to body. Individual was uncooperative and agitated. GO WISELY not executed clearly.
21230122811 PSS2303597	27/08/2023 02:00:00	No	Yes	Individual suspected of concealing drugs. Very distressed and angry and not engaging or listening to officer. It was acknowledged that under these circumstances it was very difficult to clearly deliver all aspects of GOWISELY.



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