

## COMMISSIONERS INDEPENDENT SCRUTINY REPORT

### Stop Search - Section 60 Incident - Scrutiny Review

### 17 November 2022

<b>Scrutiny Panel:</b>	<b>STOP AND SEARCH - Section 60 Incident Review</b>
<b>Scrutiny Group:</b>	<p>Paula Stanton Julie O'Connor Matt Round Mohamed Parekh Andy Cowan Pat Alker</p>
<b>Purpose:</b>	<p>On the 03 October 2022 a Section 60 Powers to Stop and Search in anticipation of violence was used under the Criminal Justice and Public Order Act 1994.</p> <p>The Order was for the 24-hour period over the 03 and 04 October 2022 and covered Burton on Trent. Local intelligence had identified an increased and specific risk of serious violence and anti-social behaviour in the Burton on Trent area.</p> <p>Following authorisation Section 60 order from the Criminal Justice and Public Order Act 1994 was in place from 9:50pm on 3 October until 9:50pm on Tuesday 4 October. The order covered Burton Town Centre bordered by the streets of High Street, Station Street, New Street and Lichfield Street to include the Market Place and the memorial gardens known as Cherry Orchards.</p> <p>The order granted officers the power to stop and search vehicles or members of the public within a designated area on suspicion of possessing a dangerous weapon or item. If anyone refused to participate, officers were authorised to arrest them if it is deemed proportionate.</p> <p>The purpose of the scrutiny was to review the process and in particular</p> <ul style="list-style-type: none"> <li>• Was the use of Section 60 suitable on this occasion?</li> <li>• Was there sufficient intelligence to justify the Section 60?</li> <li>• Was there sufficient mitigation implemented?</li> <li>• Does Staffordshire Police have the correct approach to Section 60, in particular, the rank of officer (Superintendent) required for authorisation?</li> <li>• Is the process of recording the Section 60 and the result sufficient?</li> <li>• What role should media department play in the process?</li> <li>• How should feedback from the local community be obtained?</li> </ul> <p>The panel were to also consider whether the recommendations of the previous scrutiny group in 2019 were met.</p>

	<p>These were:</p> <ul style="list-style-type: none"> <li>- The issuing of a Section 60 Order should be recorded on the STORM Log to ensure clarity on the issue of the Order and the contents of the Order.</li> <li>- Once the issue of a Section 60 Order has been made all searches should be recorded on the STORM Log as Section 60 Stop Searches. This would allow a review of the outcome of the Order to be made.</li> <li>- The Panel would like to see more robust announcements of the issue of a Section 60 Order as this can send a strong, supportive messages to the local community and give warnings to individuals who may be intent on breaking the law.</li> </ul>
<b>Panel Findings:</b>	<p>The panel were provided with all relevant information relating to the appropriate legislation and powers for Section 60. The panel were also provided with copies of the STORM logs for the incident which gave information on how the incident escalated.</p> <p>The panel focused on the STORM logs and supporting information and their findings are summarised below:</p> <ol style="list-style-type: none"> <li><b>1. Was the use of Section 60 suitable on this occasion?</b> <b>Yes.</b> The information indicated a credible threat which was corroborated by different sources. The situation appeared to be escalating quickly</li> <li><b>2. Was there sufficient intelligence to justify the Section 60?</b> <b>Yes.</b> Information appeared to be coming in from various sources and quite quickly about potential for stabbing incidents. Named individuals appeared to have a history of violence or were known to carry weapons which meant the threat was credible. Other intelligence indicated that potential county lines gangs from Birmingham were also possibly arriving at the event. The panel felt that there were some gaps in the STORM log and wondered whether there was other intelligence that was used but isn't on the STORM log.</li> <li><b>3. Was there sufficient mitigation implemented?</b> <b>Yes.</b> Increase in police presence at the Fair. Dispersal notices were also implemented. Intel from Neighbourhood officers also indicated a heightened risk of violence. The panel asked whether those searched under Section 60 had previously been issued with a Dispersal Notice.</li> <li><b>4. Does Staffordshire Police have the correct approach to Section 60, in particular, the rank of officer (Superintendent) required for authorisation?</b> <b>Yes.</b></li> <li><b>5. Is the process of recording the Section 60 and the result sufficient?</b> The panel felt that additional information would be useful. This would include the number of those searched, whether the searches were successful, the ethnicity of those searched, whether those searched had been subject to a dispersal notice previously. The panel also felt that information on whether a debrief was undertaken on whether the Force thought the implementation had been successful and whether they had any learning points as a result.</li> </ol>

**6. What role should media department play in the process?**

The panel felt that the media department should be involved at a very early stage and that releases to the public via various social media as well as the normal routes for press release. Consideration was given to using social media more effectively and a discussion followed on whether this may cause alarm and deter people from attending the event as well as losing the opportunity to identify and arrest offenders. It was felt that, on this occasion, the information could have been updated more swiftly.

**7. How should feedback from the local community be obtained?**

The panel felt that an effective use of social media sites could be put to a better use. The Force should also consider using MS Teams/ Zoom for community meetings. Feedback from Local councils may be effective but certain parts of the community may lose out. It was also suggested that Focus Groups with schools and Colleges may be useful.

The recommendations from the 2019 report were then assessed to see if they had been actioned:

- *The issuing of a Section 60 Order should be recorded on the STORM Log to ensure clarity on the issue of the Order and the contents of the Order.*  
The issuing of the order had been clearly logged on the STORM log.
- *Once the issue of a Section 60 Order has been made all searches should be recorded on the STORM Log as Section 60 Stop Searches. This would allow a review of the outcome of the Order to be made.*  
The number of Stop Searches had been noted but the panel felt that additional information would be useful for future reports.
- *The Panel would like to see more robust announcements of the issue of a Section 60 Order as this can send a strong, supportive messages to the local community and give warnings to individuals who may be intent on breaking the law.*  
The panel felt that this recommendation hadn't been fully addressed.

**Recommendations:**

The panel's recommendations are:-

- Additional information to be provided on the number of stop searches undertaken; how many were successful; ethnicity of those stopped; whether Dispersal notices had been previously issued to those stopped. Other supportive intel information.
- Provide evidence of a debrief session on whether the Force thought the Section 60 was successful and what lessons were learnt.
- More robust communications by the Force's Media unit using various methods including more effective use of social media. This may also act as a deterrent. There needs to be a balance on whether communications may alarm and deter



	<p>attendance at event or whether to raise an awareness to ensure a safer environment and to deter offenders.</p> <ul style="list-style-type: none"><li>- To gather community feedback using MS Teams/ Zoom for community meetings. Feedback from Local councils may be effective but certain parts of the community may lose out. It was also suggested that Focus Groups with schools and Colleges may be useful.</li></ul>
<b>Force Lead Response:</b>	<p>I again thank the Commissioner's Independent Scrutiny Panel (CISP) for their dedication and insight.</p> <p>In response to the above points I would to provide the following-</p> <ol style="list-style-type: none"><li>1. The Force acknowledges and agrees with the panel's assessment.</li><li>2. The Force acknowledges and agrees with the panel's assessment. In addition, the various methods of intelligence collection were explained to the panel and why they might not appear on STORM logs.</li><li>3. The Force acknowledges and agrees with the panel's assessment. The Force notes the comments regarding Dispersal Notices which were recorded on the STORM Log throughout the operation. However, more detail regarding the Notices could have been captured to allow easier analysis. This will be inserted into the guidance provided to officers.</li><li>4. The Force acknowledges and agrees with the panel's assessment.</li><li>5. The Force acknowledges and agrees with the panel's assessment. As the process of Section 60 scrutiny evolves future panels will be furnished with more in-depth reports as requested. The Force will also conduct a full debrief with the officers involved in the operation and make the findings available to the CISP.</li><li>6. The on-call press officer was contacted within 15 minutes of the order being authorised, by the authorising superintendent. A draft message was prepared and sent to the superintendent within 40 minutes and this was subsequently approved and issued 30 minutes later. The messaging related to the Section 60 was issued on the force's East Staffordshire social media channels (approximately 12,000 followers on Facebook and 3,000 followers on Twitter) and issued to the local media in the south of the county. Messaging about the outcomes of the Section 60 was decided against due to results not considered newsworthy and likely to create a negative public reaction due to their expected lack of satisfaction with the results.</li><li>7. Use of social media to announce the Section 60 followed force policy. Any insight on how exactly social media could be used more effectively in this situation would of course be welcome, if available, for the Communications Department to review their processes. The force is currently developing a community engagement strategy that encapsulates the use of such channels for community engagement. It is hoped this will be implemented early in 2023. Decisions around how to engage with local communities primarily sit with the local policing team, with the support of corporate communications where requested.</li></ol>

In response to the recommendations from the 2019 report I would like to provide the following-

- *The issuing of a Section 60 Order should be recorded on the STORM Log to ensure clarity on the issue of the Order and the contents of the Order.* The Force acknowledges and agrees with the panel's assessment.
- *Once the issue of a Section 60 Order has been made all searches should be recorded on the STORM Log as Section 60 Stop Searches. This would allow a review of the outcome of the Order to be made.* The Force acknowledges and agrees with the panel's assessment. As the process of Section 60 scrutiny evolves future panels will be furnished with more in-depth reports as requested.
- *The Panel would like to see more robust announcements of the issue of a Section 60 Order as this can send a strong, supportive messages to the local community and give warnings to individuals who may be intent on breaking the law.* Use of social media to announce the Section 60 followed force policy. Any insight on how exactly social media could be used more effectively in this situation would of course be welcome, if available, for the Communications Department to review their processes. The force is currently developing a community engagement strategy that encapsulates the use of such channels for community engagement. It is hoped this will be implemented early in 2023. Decisions around how to engage with local communities primarily sit with the local policing team, with the support of corporate communications where requested.

In response to the recommendations from the CIPS I would like to provide the following-

- *Additional information to be provided on the number of stop searches undertaken; how many were successful; ethnicity of those stopped; whether Dispersal notices had been previously issued to those stopped. Other supportive intel information.* As the process of Section 60 scrutiny evolves future panels will be furnished with more in-depth reports as requested.
- *Provide evidence of a debrief session on whether the Force thought the Section 60 was successful and what lessons were learnt.* The Force will also conduct a full debrief with the officers involved in the operation and make the findings available to the CISP.
- *More robust communications by the Force's Media unit using various methods including more effective use of social media. This may also act as a deterrent. There needs to be a balance on whether communications may alarm and deter attendance at event or whether to raise an awareness to ensure a safer environment and to deter offenders.* The on-call press officer was contacted within 15 minutes of the order being authorised, by the authorising superintendent. A draft message was prepared and sent to the superintendent within 40 minutes and this was subsequently approved and issued 30 minutes later. The messaging related to the Section 60 was issued on the force's East Staffordshire social media channels (approximately 12,000 followers on Facebook and 3,000 followers on Twitter) and issued to the local media in the south of

the county. Messaging about the outcomes of the Section 60 was decided against due to results not considered newsworthy and likely to create a negative public reaction due to their expected lack of satisfaction with the results.

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The observations made by the CISP are extremely thorough and insightful. Staffordshire Police will continue to work closely with the CISP and its members in order to improve the service it provides to local communities.

## Appendix 1

### Explanation of GOWISELY and JOG

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

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

