

# Stop & Search

## SCRUTINY REVIEW REPORT 2019

<b>Safer Neighbourhood Panel</b>	<p>South Staffordshire Safer Neighbourhood Panel</p> <p>Report Authors: Geraint Lang, Barbara Cox, Janet Johnson, Bob Spencer, Calvert Stonehouse</p>
<b>Working Title:</b>	<p>Scrutiny of <b>Stop &amp; Search</b> within South Staffordshire NPT (22<sup>nd</sup> October 2019)</p>
<b>Reason for enquiry:</b>	<p><b>Terms of Reference</b></p> <p>South Staffordshire Safer Neighbourhood Panel (SNP) along with other Staffordshire SNPs is requested by the Staffordshire Commissioner's Office (SCO) to conduct <b>two</b> annual mandatory scrutinies of Staffordshire Police's <b>Use of Force</b> and <b>Stop &amp; Search</b>, specifically how these powers are utilised by the local neighbourhood policing team (NPT) for South Staffordshire.</p> <p>This scrutiny sets out to review police body worn video camera footage recording Stop and Search events to ensure that individuals who are stopped by police officers are properly informed of their rights and that the reasons for using Stop and Search are clearly recorded and meet the legal requirements of the Police and Criminal Evidence Act 1984 (PACE), and the Misuse of Drugs Act 1971.</p> <p>This is the second annual scrutiny of Stop &amp; Search records for South Staffordshire.</p>
<b>Background:</b>	<p>In advance of the scrutiny the Panel requested access of specific Stop &amp; Search video records of incidents that had occurred in the South Staffordshire for the June-August 2019 period directly from the SCO.</p> <p>On the day of the scrutiny at Codsall Police Post the SNP team were informed that the incident reference numbers supplied by the SCO did not cross-reference with specific police officers' body worn videos. Thankfully due to the tenacity of the NPT's Investigating Officer (IO) this hurdle was overcome and the requested incidents were gradually located.</p> <p>Prior to conducting the scrutiny all South Staffordshire SNP team members had previously undertaken Stop &amp; Search training provided by the Staffordshire Police, and several members of the scrutiny team were also familiar with Stop &amp; Search procedures gained during their previous professional working roles (police work, probation /courts &amp; lecturing).</p>



Scrutiny Case number	Incident date	Incident number	Evidence	Notes
1	30/08/2019	1926	Body worn Video	<u>Vehicle stop Kinver.</u> Excellent commentary by PC. Vehicle speeding. Vehicle registered to another keeper. Drink-driving suspected, then proven. GO WISELY used by PC.
2	08/08/2019	1925	Body worn Video	<u>Wombourne-Stop &amp; Search-drugs.</u> Excellent clear commentary to accompany video footage. GO WISELY used by PC.
3	05/08/2019	4577	Body worn Video	<u>Cannock-Stolen vehicle-recovered.</u> Good commentary by PC. Suspect driver arrested, as incident was a vehicle theft. GO WISELY not used.
4	22/08/2019	4443	Body worn Video	<u>Unknown location-night-time Stop &amp; Search.</u> PC Mountford + 2 Police Dogs. Weapon & drugs recovered.
5	16/06/2019	3357	Body worn Video	<u>Unknown location: believed by panel NOT to be a Stop &amp; Search incident.</u> CMPG & NPT vehicle stop after pursuit. Police commentary on video revealed - Money Laundering incident.

#### Case 1:

The video was accompanied by the officer's clear and excellent commentary. On routine patrol he had identified the vehicle was speeding while travelling from a public house in Enville. Officer applied blue lights and brought the suspect's vehicle to a halt in Kinver. Questioning of the driver revealed car was registered to a different keeper. Officer detected smell of alcohol on driver's breath, who he subsequently breathalysed, which the driver failed the test. GO WISELY adhered to.



#### **Case 2:**

The video recording this Stop & Search incident featured two PCs undertaking a search of two 17-year olds outside a supermarket by their car. Suspects were detained for a search as they were suspected of possessing cannabis. The officer's camera recorded him asking the young female to empty her pockets revealing a sachet of drugs. Meanwhile the girl's father emerged from the supermarket carrying a pizza box which he then opened at the car and proceeded to consume the pizza while the police action continued.

GO WISELY adhered to.

#### **Case 3:**

The video commenced as the police vehicle in which the PC was travelling entered a motor auction car park pursuing a stolen vehicle. The driver of the stolen vehicle was apprehended and handcuffed and removed to the back seat of the police vehicle. Throughout the footage the scrutiny team observed the commendable level of care and concern that the arresting officer showed towards the suspect. He ensured that the suspect was not overheating in the police vehicle.

The scrutiny team did not detect the use of GO WISELY.

#### **Case 4**

The footage observed by the panel revealed a night-time response by a police dog-handler to an urban disturbance. Upon arrival at the scene the officer alighted and retrieved the German Shepherd police dog from its cage, and the PC with his dog then entered the grounds of a property. As they did an adult male passed the officer and failed to stop for him when challenged. A pursuit followed.

10-20 seconds elapsed and following a command from the officer the male stopped, but was quickly joined by 3-4 other adult males. A challenging situation for the officer then ensued. During the pursuit the officer observed a weapon being thrown over a wall to the left to be followed seconds later by an object being thrown into a garden on the right. The group of males advanced towards the officer, who shouted at them to stay back. One continued to advance but quickly stepped back when warned by the police dog.

At this point supporting police officers appeared and restrained the first male who had originally fled. Other officers remained at the scene while the dog handler returned to his van and caged the police dog. He then vaulted the short wall and located a weapon lying in long grass. He returned to the police van, drove down to the location where the suspect was being detained by other officers, and used his other 'drug-detecting' dog to search for a suspected drug package. The search was successful, and the specialist police dog located a plastic pill container containing an unidentified substance beneath a child's peddle car.



### Case 5

Footage opened revealing at least 2 marked police vehicles, and one police officer was wearing a hi-viz jacket containing a CMPG logo. The accompanying audio recorded an officer advising the detained individual that his vehicle was being searched for the purpose of confirming an incident of money-laundering.

The panel questioned whether or not this was a routine Stop & Search incident, and believed that it was a joint operation between NPT members and CMPG.

### Pre – scrutiny preparation:

Unlike the previous Use of Force scrutiny conducted by the South Staffordshire SNP scrutiny team earlier in the year, the Stop & Search spreadsheet covering June-August 2019 relating to the work of the South Staffordshire LPT provided the scrutiny team with only minimal information recording of the incidents that were viewed on October 22. Discussing scrutinies with other SNP chairs has revealed that they have been provided with more detailed information pre-scrutiny.

Where possible the selection of incidents tried to include the work of NPT officers. However as the NPT were unable to completely match the scrutiny team's selection of incidents as no officers' collar numbers were included in the spreadsheet.

The time frame selected from June -August 2019 included 52 recorded incidents of the use of Stop & Search in the South Staffordshire NPT region. 8 records were selected, and of these 5 were chosen for scrutiny on the day. It was decided to restrict the number of incidents to 5 so as not to compromise the ongoing work of the NPT based at Codsall Police Post.

The scrutiny team were acutely aware that police officers are trained to use Stop & Search powers proportionately and with due consideration for those they stop lawfully and only when absolutely necessary. This fore-knowledge was the basis of this scrutiny.

### Review of Findings:

The scrutiny team were unanimous in their opinion that the cases viewed provided sufficient evidence that high standards in the use of Stop & Search powers are being maintained by the police officers viewed in the video footage. In particular NPT officers showed a high degree of professionalism and consideration for the well-being of those individuals they stopped.

### Recording the scrutiny team's findings:

This was achieved by each member of the team completing the SNP Stop & Search Review Template (for each video observed) consisting of 9 main points (**GO WISELY**) namely:

- **G** - explain **GROUND**S for search
- **O** - explain the **OBJECTIVE** of the search



- **W** – show officer's **WARRANT** card (if not in uniform)
- **I** – **IDENTIFY** themselves by name
- **S** – which police **STATION** they work from
- **E** – explain their **ENTITLEMENT** to a copy of the search record
- **L** – under which **LEGAL** power the search is being conducted
- **Y** – **YOU** are being detained for the purpose of a search
- **JOG** – remove only suspect's **J**acket, **O**uter coat and **G**loves

#### Conclusions:

- The scrutiny panel were unanimous in their appreciation of the high professional standards and excellent police work displayed by all officers observed in the 5 incidents viewed. In particular the officer who featured in Case 4 impressed the scrutiny team by the way he and his police dog confronted the challenges he faced-outnumbered by 4-5 adult males, then recovering a weapon and then the substance in the jar which he carefully preserved as evidence by ensuring his use of rubber gloves before handling the item.
- The team were pleased to observe that the high standard of both video and sound continues to be maintained, especially exemplified by the night-time recording observed in Case 4 thus enabling a full scrutiny of the Stop & Search incidents.
- The scrutiny team and wider South Staffordshire SNP would like clarification on two observations during the scrutiny:
  - 1) Is it routine for officers responding to an incident to remove their seat belts whilst driving in anticipation of a possible pursuit on foot? (Cases 1 & 4).
  - 2) Is the use of handcuffs a recognised procedure before an arrest is made? (Case 4).

To further reiterate, the scrutiny team were highly impressed and greatly reassured by the excellent police work observed especially in challenging circumstances.

- As with previous scrutinies the team would also like to thank CI Ward and Sgt Wareing for facilitating the scrutiny, and in particular appreciated the thorough preparation undertaken in advance (and especially during the scrutiny) by IO Alexa Trusselle.

#### Recommendations:

Remind officers not to obscure the BW camera with high-viz jacket. (This applied to support police **NOT** to NPT officers).

#### NPT Commander Report Feedback:

All comments noted. It is again pleasing to read that the panel felt the officers showed high standards of professionalism during their encounters. I am particularly pleased with the commentary regarding the care offered by officers.

This encourages both support and confidence on local policing from the public when stop and search is carried out in this way. In answer to specific points raised:



1. Officers are able to use discretion when driving as to the prevailing circumstances, and are exempt from certain legislation. Therefore some drivers would choose to remove their seat belt whilst others would not.
2. The use of force is discussed as a tactic on personal safety training undertaken by officers, and as long as the officer is able to justify their actions, this is a legitimate option.

**SCO Response:**

A thorough scrutiny undertaken again by South Staffordshire SNP. Feedback will be sent through to CMPG regarding obscuring of BWV due to the use of over garmets.